

REQUEST FOR EXPEDITED TREATMENT

As discussed in the accompanying “Description of Request for Experimental License” Sirius XM is actively involved in the design and development of a terrestrial repeater solution to provide satellite radio services in the Commonwealth of Puerto Rico as described in the Sirius XM merger proceeding. *See generally Applications for Consent to the Transfer of Control of Licenses, XM Satellite Radio Holdings Inc., Transferor, To Sirius Satellite Radio Inc., Transferee*, 23 FCC Rcd 12348, at ¶ 147 (2008).

On September 11, 2009, the Commission granted Sirius XM authority to construct terrestrial repeaters in Puerto Rico. *See Sirius XM Radio Inc.*, IBFS File No. SAT-STA-20081027-00210, *Order and Authorization*, DA 09-2039 (rel. Sept. 11, 2009)(“Puerto Rico Terrestrial Repeater Authority”). Thus, Sirius XM is now ready to commence experimental tests needed to obtain engineering data needed in connection with that effort. In particular, Sirius XM seeks to evaluate the propagation and acceptability of the initial sites as well as potential sites that can provide adequate and reliable coverage, beyond those authorized in the initial STA. The experimental authority requested herein would benefit the company’s efforts to ensure the quality and reliability of its satellite radio service. Operations under the experimental license are a necessary component of Sirius XM’s efforts to optimize the design and development of its terrestrial repeater network prior to initiating and expanding commercial satellite radio service to Puerto Rico.

Now that Sirius XM has been granted authority to commence operations pursuant to the *Puerto Rico Terrestrial Repeater Authority*, Sirius XM also requires prompt authority to obtain this experimental license . The continued eagerness for Sirius XM to provide satellite radio service to Puerto Rico was demonstrated by the press release issued by Cong. José Serrano on September 15, 2009 announcing grant of the Puerto Rico Terrestrial Repeater Authority and imminent commencement of service.

¹ Puerto Rico’s Secretary of State also sent a letter last month urging the Commission to allow Puerto Rico residents to receive the same quality of satellite radio service available to consumers in the U.S. mainland.²

In order to allow Sirius XM to provide satellite radio service to key areas of Puerto Rico by the planned date for commencing service, Sirius XM seeks to begin

¹ *See* “Puerto Rico to Begin Receiving Satellite Radio Service,” Press Release of Cong. José Serrano (D.NY)(Sept. 15, 2009), <http://serrano.house.gov/NewsDetail.aspx?ID=633> (visited Sept. 17, 2009)

² *See* Letter from Kenneth D. McClintock, Secretary of State of Puerto Rico to The Honorable Julius Genachowski (Aug. 13, 2009)(filed in FCC File No. SAT-STA-20081027-00210).

**Application on FCC Form 442
For Experimental License
ELS File No. 0326-EX-PL-2009
Attachment 2**

operations under the experimental license by **October 9, 2009**. Given this time frame, Sirius XM respectfully requests expedited treatment of its application so that it may initiate experimental operations on that date.

Sirius XM submits that expedited processing of its application is in the public interest, convenience, and necessity, as it will enhance Sirius XM's effort to complete the planning and development of its terrestrial repeater network to provide satellite radio service in the Commonwealth of Puerto Rico.

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