



International Bureau

Federal Communications Commission
Washington, DC 20554

January 28, 2005

Mr. Patrick L. Donnelly
Executive Vice President and General Counsel
SIRIUS Satellite Radio
1221 Avenue of the Americas
New York, NY 10020

File Nos: IB Docket No. 95-91; SAT-MOD-20040212-00017; SAT-RPL-20040212-00018; SAT-RPL-20040212-00019; 72-SAT-AMEND-97; 10/11-DSS-P-9312/15/92; 26/27-DSS-LA-931/15/93; 83/83-SAT-AMEND-953/10/95

Dear Mr. Donnelly:

As an alternative to the Commission mandating standards for receivers used in providing Satellite Digital Audio Radio Service (SDARS), SDARS operators are to certify to the Commission that their systems include a receiver that will permit end users to access all licensed SDARS systems that are operational or under construction.¹ The Commission authorized Sirius Satellite Radio Inc. (Sirius) in 1997 to provide SDARS in the United States subject to such a certification.² The authorization of the other SDARS licensee, XM Radio Inc. (XM Radio), is subject to an identical certification requirement.³

In our recent authorization of XM Radio for the launch and operation of replacement satellites,⁴ we noted that Sirius and XM Radio have on file a letter dated October 6, 2000, in which the two SDARS licensees announced an agreement to develop a unified standard for satellite radios, and stated their anticipation that interoperable chips capable of receiving both services would be produced in volume in mid-2004.⁵ The two licensees also stated their agreement to introduce interim interoperable radios, prior to the introduction of fully-interoperable chipsets, that would include a common wiring harness,

¹ Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, *Report and Order, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking*, 12 FCC Rcd 5754, 5757 (para. 106) (1997); see also 47 C.F.R. § 25.144(a)(3)(ii) (2004).

² Satellite CD Radio, Inc., *Order and Authorization*, 13 FCC Rcd 7971, 7995 (para. 57) (Int'l Bur. 1997) (*1997 Sirius Authorization Order*) ("IT IS FURTHER ORDERED that this authorization is subject to certification by [Sirius] that its final receiver design is interoperable with respect to the [XM Radio Inc.]'s Satellite Digital Audio Radio Service system final receiver design.").

³ American Mobile Radio Corporation, *Order and Authorization*, 13 FCC Rcd 8829, 8851 (para. 54) (Int'l Bur. 1997).

⁴ XM Radio Inc., *Order and Authorization*, DA 05-180 (Int'l Bur. Sat. Div. rel. Jan. 26, 2005).

⁵ Letter from John R. Wormington, XM Radio Inc., and Robert D. Briskman, Sirius Satellite Radio Inc., to Magalie Roman Salas, FCC, dated Oct. 6, 2000 (*October 6 Letter*).

Mr. Patrick L. Donnelly

Page 2

head unit, antenna, and an interchangeable trunk-mounted box containing processing elements for both company's signals.⁶

In order to reflect more accurately the status of SDARS licensees' efforts in developing interoperable receivers, we are requesting that Sirius and XM Radio file an update to the October 6, 2000 Letter in pending proceedings where interoperable receivers are an issue. Although the Commission is cognizant of the differences between the two SDARS licensees' transmission technologies that initially affected the ability to develop receiver interoperability,⁷ it is not clear, given the passage of time, that these differences still exist.

For this reason, we request that Sirius submit to the Satellite Division, within 45 days from the date of this letter, the status of Sirius' efforts to develop an interoperable receiver and its timeframe for making such an interoperable receiver available to the public.⁸

Please contact JoAnn Lucanik, (202) 418-0873, or Stephen Duall, (202) 418-1103, of my staff if you have any questions regarding this letter.

Sincerely,

Cassandra C Thomas
for

Thomas S. Tcyz
Chief
Satellite Division

cc: Carl R. Frank
Counsel
Wiley Rein & Fielding LP
1776 K Street, NW
Washington, DC 20006
(202) 719-7049 (Fax)

⁶ October 6 Letter at 4.

⁷ 1997 Sirius Authorization Order, 13 FCC Rcd at 7990 (para. 42).

⁸ We have also separately instructed XM Radio to file such a status report within the same time period.