

S2119 SAT-MOD-20081029-00211 IE2008002588  
XM Radio Inc.

File # SAT-MOD - 20081029-00211

Call Sign S2119 Grant Date 03/25/09  
(or other identifier)

Term Dates From 03/25/09 To 03/31/14  
Approved by OMB 3060-0678



Date & Time Filed: Oct 29 2008 9:36:10:980AM  
File Number: SAT-MOD-20081029-00211

\*subject to conditions

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM FCC Use Only  
FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:  
Application to extend XM-2 spacecraft license, call sign S2119

1-8. Legal Name of Applicant

Name:	XM Radio Inc.	Phone Number:	202-380-4000
DBA Name:		Fax Number:	202-380-4981
Street:	1500 Eckington Place, NE	E-Mail:	james.blitz@xmradio.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20002
Attention:	James S Blitz		-

**XM Radio Inc.**  
**Application for Modification**  
**IBFS File No. SAT-MOD-20081029-00211**  
**(XM-2, Call Sign S2119)**

The application of XM Radio Inc. (XM Radio) to modify its authorization to operate the Satellite Digital Audio Radio Service (SDARS) space station, XM-2 (Call Sign S2119), IS GRANTED. Accordingly, XM Radio is authorized to continue to operate the XM-2 space station as an in-orbit spare at the 85.217° W.L. orbital location pursuant to the terms of its current authorization (IBFS File Nos. SAT-MOD-20070911-00123, as amended by SAT-AMD-20071113-00158 and SAT-AMD-20080129-00032) through March 31, 2014. All operations of the XM-2 space station must be in accordance with the technical specifications set forth in its application, XM-2's current authorization, the Commission's rules, and the conditions set forth below.

1. XM Radio is authorized to operate the XM-2 space station at the 85.217° W.L. orbital location as a non-transmitting (except for telemetry transmissions in the 2332.5-2345 MHz frequency band and command transmissions in the 7025-7075 MHz frequency band) in-orbit spare for the duration of the license term of the XM-2 space station, which now expires on March 31, 2014.

2. XM Radio is authorized to operate XM-2 at the 85.217° W.L. orbital location with an East-West station-keeping tolerance of +/-0.05 degrees, pursuant to Section 25.210(j) of the Commission's rules, 47 C.F.R. § 25.210(j). XM Radio is permitted to operate XM-2 with a smaller station-keeping tolerance of +/-0.033 degrees in order to facilitate the safe-flight profile of its space stations.

3. XM Radio may activate the communications payload for XM-2 in the 2332.5-2345 MHz and 7025-7075 MHz frequency bands in the event of a service outage of the XM-3 or XM-4 space stations (Call Signs S2617 and S2616).

4. In the event XM Radio activates the communications payload of the XM-2 space station pursuant to condition 3 above, XM Radio must notify the Commission, in writing, of such activation within three business days of the start of the activation.

5. XM Radio must operate the XM-2 space station in compliance with international coordination agreements with Canada and Mexico that limit the power flux density level from U.S. -licensed DARS space stations into Canada and Mexico.

6. XM Radio has 30 days from the date of this grant to decline this authorization as conditioned. Failure to respond within that period will constitute formal acceptance of the authorization as conditioned.

7. This action is taken on delegated authority pursuant to 47 C.F.R. § 0.261 and is effective upon release. Petitions for reconsideration under 47 C.F.R. § 1.106 or applications for review under 47 C.F.R. § 1.115 may be filed within 30 days of the date of the Public Notice announcing this action.



\* subject to conditions

File # SAT-MOD-20081029-00211

Call Sign S2119 Grant Date 03/25/09  
(or other identifier)

Term Dates  
From 03/25/09 To: 03/31/14

Approved: Stephen J. Duall  
Stephen J. Duall  
Chief, Policy Branch

<p>17c. Is a fee submitted with this application?  <input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).  <input type="radio"/> Governmental Entity    <input type="radio"/> Noncommercial educational licensee  <input type="radio"/> Other(please explain):</p>	<p>17d.</p>
<p>Fee Classification    BFY – Space Station Modification(Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:  (a) Call sign of station:  S2119</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number:  (a) Date pending application was filed:  (b) File number:  SATMOD2007091100123</p>

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- a. Fixed Earth Station
- b. Temporary-Fixed Earth Station
- c. 12/14 GHz VSAT Network
- d. Mobile Earth Station
- e. Geostationary Space Station
- f. Non-Geostationary Space Station
- g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

- Transmit/Receive
- Transmit-Only
- Receive-Only
- N/A

"For Space Station applications, select N/A."

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

Yes  No

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?

Yes  No

30. Is the applicant an alien or the representative of an alien?

Yes  No  N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

Yes  No  N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Yes  No  N/A

<p>37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.</p>	<p style="text-align: center;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No         </p>
<p>38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances</p>	<p style="text-align: center;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No         </p>
<p>39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.</p>	<p style="text-align: center;"> <input type="radio"/> Yes      <input checked="" type="radio"/> No         </p>
<p>40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.</p> <p style="text-align: right;">Exhibit A</p>	

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

C

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.



**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [jboley@fcc.gov](mailto:jboley@fcc.gov). PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**





operating as in-orbit spares that can be immediately activated if there is an outage on either XM-3 or XM-4.<sup>3</sup>

As an in-orbit spare, XM-2 plays an important role in ensuring the ongoing reliability of service to XM Radio's more than 9.6 million subscribers,<sup>4</sup> and the spacecraft remains capable of continuing to fulfill that function throughout the requested extended license term. XM Radio is not proposing any change in XM-2's operations, which will continue to conform to the technical parameters on file with the Commission. Nor does the proposed extension require any alteration in the orbital debris mitigation plans regarding the spacecraft. XM Radio has confirmed that at the conclusion of the requested extension period, the spacecraft will have sufficient fuel to de-orbit to the disposal orbit altitude previously submitted, which complies with the IADC standard.

Extending the license term for XM-2 will serve the public interest by allowing the spacecraft to continue to be available in the event of an outage on either of XM Radio's primary service satellites. In addition, grant of the license extension will promote the efficient use of orbital resources.

---

<sup>3</sup> See February 14 Grant at ¶ 3.

<sup>4</sup> See "XM Satellite Radio Holdings Inc. Announces Second Quarter 2008 Results," available at [http://xmradio.mediaroom.com/index.php?s=press\\_releases&item=1644](http://xmradio.mediaroom.com/index.php?s=press_releases&item=1644).

For the foregoing reasons, XM Radio hereby respectfully requests that the Commission modify the license for XM-2 to extend its term through March 31, 2014.

Respectfully submitted,

XM Radio Inc.

/s/ James Blitz

James Blitz

Vice President, Regulatory Counsel

XM Radio Inc.

1500 Eckington Place, NE

Washington, D.C. 20002

(202) 380-4000

Peter Rohrbach  
Karis Hastings  
Hogan & Hartson LLP  
555 Thirteenth Street, NW  
Washington, D.C. 20004  
(202) 637-6400

Counsel for XM Radio Inc.