



File # SAT-MOD-20091119-00123

Call Sign S2105 Grant Date 02/04/10  
(or other identifier)

Term Dates  
From 02/11/10 To: 02/11/17

Approved: Stephen J. Duall

Stephen J. Duall  
Chief, Satellite Policy Branch

Approved by OMB  
3060-0678

Date & Time Filed: Nov 19 2009 12:19:23:780PM  
File Number: SAT-MOD-20091119-00123

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 for Modification to Extend License Term and to De-Orbit the FM-1, FM-2 and FM-3 Satellites

1-8. Legal Name of Applicant


<b>Name:</b>	Satellite CD Radio, Inc.	<b>Phone Number:</b>	202-380-1383
<b>DBA Name:</b>		<b>Fax Number:</b>	
<b>Street:</b>	1221 Avenue of the Americas 36th Floor	<b>E-Mail:</b>	James.Blitz@siriusxm.com
<b>City:</b>	New York	<b>State:</b>	NY
<b>Country:</b>	USA	<b>Zipcode:</b>	10020 -
<b>Attention:</b>	James S. Blitz		

**Attachment to Grant  
Satellite CD Radio Inc.**

**IBFS File No. SAT-MOD-20091119-00123  
(FM-1, FM-2, FM-3, Call Sign S2105)**

The application of Satellite CD Radio Inc. (Satellite CD Radio) to modify its authorization to operate the Satellite Digital Audio Radio Service (SDARS) non-geostationary satellite orbit (NGSO) space stations FM-1, FM-2, and FM-3, plus a ground spare (collectively, Call Sign S2105), IS GRANTED. Accordingly, Satellite CD Radio is authorized to continue to operate FM-1, FM-2, and FM-3 in the 2320-2332.5 MHz (space-to-Earth) and 7025-7075 MHz (Earth-to-space) frequency bands pursuant to the terms of its current authorization (IBFS File No. SAT-MOD-19981211-00099, granted March 9, 2001, DA 01-639) for an additional seven years, through February 11, 2017. Satellite CD Radio is also authorized to use telemetry, tracking, and control (TT&C) frequencies in the 6422-6425 MHz (Earth-to-space) and 4196.375-4197.125 MHz (space-to-Earth) frequency bands for operation of these space stations, including operations necessary to place FM-1, FM-2, and FM-3 in disposal orbits as each space station reaches the end of its useful life. All operations must be in accordance with the technical specifications set forth in its Satellite CD Radio's application, the terms of its current authorization, the Commission's rules, and the conditions set forth below.

1. Within 30 days of completion of end-of-life maneuvers for each of the FM-1, FM-2, or FM-3 space stations, Satellite CD Radio shall send a letter to the Chief, Satellite Division, International Bureau indicating the orbital altitude, inclination, predicted long-term stability of each space station's disposal orbit, and whether circularization has been accomplished.
2. Satellite CD 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.
3. 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.

 <b>GRANTED *</b> International Bureau	File #	<u>SAT- MOD-20091119-00123</u>
	Call Sign	<u>S2105</u> Grant Date <u>02/04/10</u>
	(or other identifier)	
	Term Dates	
	From	<u>02/11/10</u>
	To:	<u>02/11/17</u>
	Approved:	<u><i>Stephen J. Duall</i></u>
		<i>Stephen J. Duall</i> Chief, Satellite Policy Branch

\* subject to attached conditions

9-16. Name of Contact Representative

<b>Name:</b>	Jennifer Hindin	<b>Phone Number:</b>	202-719-4975
<b>Company:</b>	Wiley Rein LLP	<b>Fax Number:</b>	202-719-7049
<b>Street:</b>	1776 K Street, NW	<b>E-Mail:</b>	jhindin@wileyrein.com
<b>City:</b>	Washington	<b>State:</b>	DC
<b>Country:</b>	USA	<b>Zipcode:</b>	20006-
<b>Attention:</b>		<b>Relationship:</b>	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- a1. Earth Station
- a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- b3. Amendment to a Pending Application
- b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- b13. Amendment to a Pending Database Entry Application
- b14. Modification of Database Entry

<p>17c. Is a fee submitted with this application?          If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).          Governmental Entity Noncommercial educational licensee          Other (please explain):</p>	
<p>17d.           Fee Classification CGW – Space Station Modification (Non-Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:          (a) Call sign of station:          S2105</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:          SATMOD2008102400209</p>

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:	
<input type="checkbox"/> a. Fixed Satellite <input type="checkbox"/> b. Mobile Satellite c. Radiodetermination Satellite d. Earth Exploration Satellite <input type="checkbox"/> e. Direct to Home Fixed Satellite <input checked="" type="checkbox"/> f. Digital Audio Radio Service g. Other (please specify)	
21. STATUS: Choose the button next to the applicable status. Choose only one. Common Carrier <input checked="" type="radio"/> Non-Common Carrier	22. If earth station applicant, check all that apply. <input type="checkbox"/> Using U.S. licensed satellites Using Non-U.S. licensed satellites
23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities: Connected to a Public Switched Network    Not connected to a Public Switched Network <input checked="" type="radio"/> N/A	
24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s). a. C-Band (4/6 GHz)      b. Ku-Band (12/14 GHz) <input checked="" type="checkbox"/> c. Other (Please specify upper and lower frequencies in MHz.) Frequency Lower: 2320      Frequency Upper: 2332.5      (Please specify additional frequencies in an attachment)	

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."

## PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- a -- authorization to add new emission designator and related service
- b -- authorization to change emission designator and related service
- c -- authorization to increase EIRP and EIRP density
- d -- authorization to replace antenna
- e -- authorization to add antenna
- f -- authorization to relocate fixed station
- g -- authorization to change frequency(ies)
- h -- authorization to add frequency
- i -- authorization to add Points of Communication (satellites & countries)
- j -- authorization to change Points of Communication (satellites & countries)
- k -- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- l -- authorization to change orbit location
- m -- authorization to perform fleet management
- n -- authorization to extend milestones
- o -- Other (Please specify)

ENVIRONMENTAL POLICY

<p>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.</p>	Yes	No
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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.

<p>29. Is the applicant a foreign government or the representative of any foreign government?</p>	Yes	<input checked="" type="radio"/>	No
<p>30. Is the applicant an alien or the representative of an alien?</p>	Yes	No	N/A
<p>31. Is the applicant a corporation organized under the laws of any foreign government?</p>	Yes	No	N/A
<p>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?</p>	Yes	<input checked="" type="radio"/>	No N/A



33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, 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

34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.

#### BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? Yes  No  
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances. Yes No

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. Yes  No

<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>Yes</p>	<p>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>Yes</p>	<p><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>41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.</p>	<p>Yes</p>	<p>No</p>
<p>42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.</p>	<p>Yes</p>	<p><input checked="" type="radio"/> No</p>

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Application of Satellite CD Radio, Inc. for modification to extend the license term for the Sirius FM-1, Sirius FM-2, and Sirius FM-3 satellites for seven years, until February 11, 2017. Satellite CD Radio, Inc. also seeks authority to de-orbit these satellites as they reach the end of their useful life.

Attachment

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.

44. Applicant is a (an): (Choose the button next to applicable response.)

- Individual
- Unincorporated Association
- Partnership
- Corporation
- Governmental Entity
- Other (please specify)

45. Name of Person Signing  
James S. Blitz

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46. Title of Person Signing  
V.P., Regulatory Counsel, Sirius XM Radio Inc.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT  
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION  
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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