

S2812 SAT-MOD-20110525-00099 IB2011001507
Satellite CD Radio LLC
SIRIUS FM-6

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File # SAT-MOD-20110525-00099
Call Sign S2812 Grant Date 08/26/11
(or other identifier) Term Dates see conditions
From see conditions To: conditions
Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch



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:
Modification Application to Operate the FM-6 Satellite (Call Sign S2812) at 116.15 W.L.

1-8. Legal Name of Applicant

Name:	Satellite CD Radio, Inc.	Phone Number:	202-380-1383
DBA Name:		Fax Number:	202-380-4981
Street:	1221 Avenue of the Americas 36th Floor	E-Mail:	james.blitz@siriusxm.com
City:	New York	State:	NY
Country:	USA	Zipcode:	10020
Attention:	James S. Blitz		

Satellite CD Radio LLC
Attachment to Grant
IBFS File No. SAT-MOD-20110525-00099
Call Sign S2812

The application of Satellite CD Radio LLC (Satellite CD Radio), IBFS File No. SAT-MOD-20110525-00099, to modify its authorization to launch and operate a new geostationary-satellite orbit Satellite Digital Audio Radio Service (SDARS) space station, SIRIUS FM-6 (Call Sign S2812), IS GRANTED. Specifically, Satellite CD Radio is authorized to launch the SIRIUS FM-6 space station to, and operate it at, the 116.15° W.L. orbital location, instead of the 115.2° W.L. orbital location at which the space station was originally authorized. Satellite CD Radio is also authorized to conduct in-orbit testing (IOT) of the SIRIUS FM-6 space station at 120.50° W.L. for a thirty day period commencing twelve days following launch and, upon completion of that testing, to move the satellite from 120.50° W.L. to 116.15° W.L. Accordingly, Satellite CD Radio is authorized to operate SIRIUS FM-6's communications payload in the 2320-2332.5 MHz (space-to-Earth) and 7050.5-7072.5 MHz (Earth-to-space) frequency bands at 116.15° W.L. and during IOT at 120.50° W.L. Satellite CD Radio is also authorized to operate Telemetry, Tracking, and Telecommand (TT&C) on SIRIUS FM-6, both to support IOT operations at 120.50° W.L. and to drift SIRIUS FM-6 to, and to maintain SIRIUS FM-6 at, its authorized location of 116.15° W.L. using the following center frequencies: 2321.5 MHz, 2322.0 MHz, 2330.5 MHz, and 2331.0 MHz (space-to-Earth); and 7052.0 MHz and 7056.0 MHz (Earth-to-space). All operations of the SIRIUS FM-6 space station must be in accordance with the technical specifications set forth in Satellite CD Radio's application, Federal Communication Commission (Commission) rules, and the conditions set forth below.

1. Satellite CD Radio shall operate the FM-6 space station in compliance with all relevant international and bilateral agreements between the United States and the Administrations of Canada and the United Mexican States regarding the provision of SDARS in North America. Prior to commencing operation of FM-6, Satellite CD Radio shall have received from the Commission notification that the Administration of the United Mexican States has concurred in the operating parameters and characteristics of the FM-6 space station.

2. Satellite CD Radio shall prepare the necessary information that may be required for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, international coordination, due diligence, and notification process of this space station, in accordance with the ITU Radio Regulations. Satellite CD Radio shall be held responsible for all cost recovery fees associated with these ITU filings. No protection from interference caused by radio stations authorized by other Administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual Administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments with other Administrations. 47 C.F.R. § 25.111(b).

3. Satellite CD Radio is authorized to operate SIRIUS FM-6 at the 116.15° W.L. and 120.50° W.L. orbital locations 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).

4. All operations of SIRIUS FM-6 during IOT at the 120.50° W.L. orbital location and during the space station's drift to the 116.15° W.L. orbital location shall be on an unprotected

Satellite CD Radio, Inc.
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and non-harmful interference basis, *i.e.*, SIRIUS FM-6 shall not cause harmful interference to, and shall not claim protection from interference caused to it by any other lawfully operating radiocommunication system.

5. In the event of any harmful interference as a result of the operations of SIRIUS FM-6 at the 120.50° W.L. orbital location or during its drift to the 116.15° W.L. orbital location, SIRIUS FM-6 shall cease operations immediately upon notification of such interference and shall inform the Commission immediately, in writing, of such an event.

6. SIRIUS FM-6's operations at 120.50° W.L. shall be limited to IOT operations and shall not include the provision of commercial services.

7. Satellite CD Radio shall coordinate the operations of SIRIUS FM-6 with existing geostationary satellites to ensure that no unacceptable interference results from its IOT operations at the 120.50° W.L. orbital location.

8. Satellite CD Radio shall operate only the TT&C frequencies on SIRIUS FM-6 during the space station's drift from the 120.50° W.L. orbital location to the 116.15° W.L. orbital location.

9. Satellite CD Radio shall notify the Commission, in writing, within two business days of the commencement of IOT operations, that such operations have commenced.

10. Grant of this modification does not change the license term for the SIRIUS FM-6 space station, which is eight years and will begin on the date Satellite CD Radio certifies to the Commission that the SIRIUS FM-6 space station has been successfully launched and put into operation.

11. 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.

12. 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.



*with conditions

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Call Sign S2812 Grant Date 08/26/11

(or other identifier)

From see conditions Term Dates see conditions
To: conditions

Approved: _____

Stephen J. Dull
Stephen J. Dull
Chief, Satellite Policy Branch

9-16. Name of Contact Representative

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

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:

- a. Fixed Satellite
- b. Mobile Satellite
- c. Radiodetermination Satellite
- d. Earth Exploration Satellite
- e. Direct to Home Fixed Satellite
- f. Digital Audio Radio Service
- g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- Common Carrier
- Non-Common Carrier

22. If earth station applicant, check all that apply.

- 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
- 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)

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

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>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?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> N/A </p>
<p>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.</p>	

BASIC QUALIFICATIONS

<p>35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p>Technical Description</p>
<p>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.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p> <p>Att. to Schedule S</p>

<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 checked="" type="radio"/> Yes <input 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 &quot;party to the application&quot; for these purposes.</p>	<p style="text-align: center;"> <input checked="" type="radio"/> Yes <input type="radio"/> 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 style="text-align: center;"> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
<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?</p>	
<p>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.)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Satellite CD Radio, Inc., a wholly-owned subsidiary of Sirius XM Radio Inc. ('Sirius XM') seeks authority to operate the FM-6 satellite (call sign S2812) at the 116.15 W.L. orbital location rather than at 115.20 W.L. Sirius XM also seeks consent to conduct in-orbit testing for a period of thirty days at the 120.50 W.L. orbital location prior to moving to</p> </div> <p>Narrative & Exhibits</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.

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

--->

46. Title of Person Signing
VP, Reg. Counsel, Sirius XM Radio

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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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.

43. Description. (Summarize the nature of the application and the services to be provided).

Satellite CD Radio, Inc., a wholly-owned subsidiary of Sirius XM Radio Inc. ('Sirius XM') seeks authority to operate the FM-6 satellite (call sign S2812) at the 116.15 W.L. orbital location rather than at 115.20 W.L. Sirius XM also seeks consent to conduct in-orbit testing for a period of thirty days at the 120.50 W.L. orbital location prior to moving to 116.15 W.L.