



SATELLITE RADIO

ORIGINAL

SAT-STA-20020815-00153

August 1



Call Sign _____ Grant Date 9/30/00
(or other identifier) 3/30/03 or until
Term Date Final rules
From 9/30/00 are adopted in
16 Gen. Inv. #95-91
Approved Jennifer M. Gilman

Deliver Via Courier to Mellon Bank
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Grant is accordance with the terms
and conditions as the original STA granted
September 2001, DA 01-2172, 16 FCC Rcd
16781 (Int. Bur. 2001).

Re: **XM Radio Inc.**
Request for Special Temporary Authority to
Operate Digital Audio Radio Service Terrestrial Repeaters in
Little Rock, Arkansas and Tulsa, Oklahoma
File Nos. SAT-STA-20010712-00063; SAT-STA-20020311-00049

Dear Ms. Dortch:

XM Radio Inc. ("XM Radio"), one of the two Satellite Digital Audio Radio Service ("SDARS") licensees in the United States, pursuant to Section 25.120 of the Commission's rules,¹ hereby requests a 180-day Special Temporary Authority ("STA") to operate two additional SDARS terrestrial repeaters in its licensed band (one in Little Rock, Arkansas and one in Tulsa, Oklahoma) pursuant to the technical parameters listed in Exhibit A.²

On July 12, 2001, XM Radio filed a request for an STA to operate SDARS terrestrial repeaters for commercial service in fifty-nine separate markets.³ On September 17, 2001, the International Bureau ("IB") granted this STA request pursuant to certain conditions.⁴ XM Radio has been providing commercial service pursuant to its STA.

¹47 C.F.R. § 25.120.

²XM Radio has included the following technical information for each of the repeaters it seeks to operate pursuant to this STA: (1) geographic coordinates; (2) antenna type; (3) orientation; (4) downtilt; (5) total EIRP; and (6) Height Above Ground Level (AGL). XM Radio has also included antenna specification sheets for each of the antenna types listed.

³XM Radio Inc. Request for Special Temporary Authority, File No. SAT-STA-20010712-00063 (July 12, 2001).

⁴XM Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complimentary Terrestrial Repeaters, Order and Authorization, DA 01-2172, at ¶ 18 (rel. September 17, 2001) ("XM Radio STA Order").

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Terrestrial repeaters are critical to an SDARS network to overcome the effects of signal blockage and multipath interference.’ In granting XM Radio its original STA to operate repeaters, the IB noted that XM Radio “needs to employ terrestrial repeaters to provide adequate service.” See *XM Radio STA Order* at ¶ 7.

Little Rock and Tulsa were not among the markets for which XM Radio sought authority to operate repeaters in its original STA request. XM Radio has identified areas in Little Rock and Tulsa where it needs to supplement its satellite service with terrestrial repeaters in order to provide adequate service. Grant of this STA will serve the public interest by ensuring that these areas receive adequate satellite radio service. XM Radio’s competitor, Sirius, is operating repeaters in Little Rock and Tulsa.

XM Radio certifies that its operation of repeaters in Little Rock and Tulsa will comply with the same conditions the Commission imposed on XM Radio in granting its original STA. See *XM Radio STA Order* ¶ 18. One of the conditions imposed in the original STA grant was the requirement that XM Radio pre-coordinate with Wireless Communications Service (“WCS”) licensees the operation of any repeater affecting an operational WCS base station. *Id.* at ¶ 14. XM Radio is not aware of any operational WCS base stations in Little Rock or Tulsa. In addition, on July 9, 2002, Phillip Barsky, System Engineering Consultant for XM Radio, contacted representatives of the WCS licensees in Little Rock⁶ and Tulsa’ via telephone as well as via electronic mail regarding this STA request. AT&T Wireless has informed XM Radio that it does not object to grant of this STA. XM Radio has not yet received a response from the other WCS licensees.

XM Radio hereby certifies that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

⁵See Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking, Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 23 to-2360 MHz Frequency Band, 12 FCC Rcd 5754 (1997).

⁶The WCS licensees in Little Rock are BellSouth (C and D blocks), AT&T Wireless (A block), and Comcast (B block). XM Radio contacted Neale Hightower of BellSouth; William Wiltshire of Harris, Wiltshire, and Grannis, LLP, counsel for AT&T Wireless; and Christina Burrow of Dow Lohnes and Alberston, PLLC, counsel for Comcast.

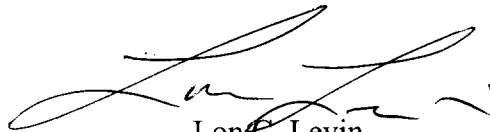
⁷The WCS licensees in Tulsa are AT&T Wireless (A and B block) and Metricom (C and D block). XM Radio contacted William Wiltshire of Harris, Wiltshire, and Grannis, LLP, counsel for AT&T Wireless, and Heidi Anderson of Akin, Gump, Strauss, Hauer, and Feld, LLP counsel for Metricom.

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XM Radio has attached hereto a check made payable to the Federal Communications Commission for the sum of Six Hundred Seventy Dollars (\$670.00).⁸ This filing fee amount is applicable to requests for STAs for geostationary satellites. See International and Satellite Services Fee Filing Guide (September 2000).

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



Lon C. Levin
Senior Vice President, Regulatory

cc: William Wiltshire, Counsel for AT&T Wireless
Christina H. Burrow, Counsel for Comcast
Charles Featherstun, BellSouth
Heidi Anderson, Counsel for Metricom

⁸XM Radio originally tiled this STA request on July 23, 2002 with a filing fee of \$145. XM Radio is refiling this request with a fee of \$670.