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SATELLITE RADIO

ORIGINAL

Satellite Engineering Branch
International Bureau

April 9, 2003



GRANTED
International Bureau

File # SAT-STA-20030409-00076

As supplemented with June 26, 2003 letter.

With Attached Conditions

Call Sign _____ Grant Date June 26, 2003

(or other identifier)

From June 26, 2003 Term Dates To December 26, 2003

or until the permanent rules for SDARS

Approved Jennifer M. Gilson

become effective, whichever occurs first.

DELIVER VIA COURIER TO MELLON BANK

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: **XM Radio Inc.
Request for Special Temporary Authority to Operate In-Store Signal
Boosters in the Satellite Digital Audio Radio Service**

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 Special Temporary Authority ("STA") to operate up to 5000 in-store signal boosters with an Effective Isotropically Radiated Power ("EIRP") of 0.0001 watts in its licensed frequency band (2332.5 - 2345 MHz) at retail outlets.² This STA is requested for a period of 180 days or until the date on which permanent rules become effective for the operation of SDARS terrestrial repeaters, whichever occurs first.

Background. On July 12, 2001, XM Radio filed a request for an STA to operate SDARS terrestrial repeaters for commercial service.³ Included in this STA request was a list of the markets in which XM Radio sought to operate terrestrial repeaters pursuant to the STA. On September 17, 2001, the International Bureau granted this STA request pursuant to certain conditions.⁴

¹47 C.F.R. § 25.120.

²XM Radio has included the following technical information for each of the signal boosters it seeks to operate pursuant to this STA: (1) antenna type; (2) antenna beamwidth; (3) total EIRP; and (4) Height Above Ground Level (AGL).

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

⁴See XM Radio Inc., *Order and Authorization*, File No. SAT-STA-20010712-00063, DA 01-2172 (Sept. 17, 2001) ("*XM Radio STA Order*").

Micro-Repeater STA Conditions

1. Sirius and XM Radio shall operate the in-store signal boosters at their own risk and such operation shall not prejudice the outcome of the final rules adopted by the Commission in GEN Docket 95-91;
2. Sirius and XM Radio shall operate the in-store signal boosters on a non-interference basis with respect to all permanently authorized radiocommunication facilities;
3. The in-store signal boosters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the satellite directly to SDARS receivers;
4. Where applicable, coordination of the in-store signal boosters shall be completed with all affected Administrations prior to operation, in accordance with all applicable international agreements including those with Canada and Mexico;
5. The in-store signal boosters shall comply with Part 17 of the Commission's rules - Construction, Marking, and Lighting of Antenna Structures;
6. The in-store signal boosters shall comply with Part 1 of the Commission's rules, Subpart I - Procedures Implementing the National Environmental Policy Act of 1969, including the guidelines for human exposure to radio frequency electromagnetic fields as defined in Sections 1.1307(b) and 1.1310 of the Commission's rules;
7. The out-of-band emissions of the in-store signal boosters shall be limited to $75 + \log(\text{EIRP})$ dB less than the transmitter EIRP;
8. Sirius and XM Radio shall operate the in-store signal boosters according to the technical parameters provided in their applications for special temporary authority to operate such in-store signal boosters;
9. The total aggregate number of in-store signal boosters between Sirius and XM Radio shall not exceed 5,000;
10. Sirius and XM Radio shall have joint ownership of each of the in-store signal boosters;
11. Sirius and XM Radio shall have joint operational control of each of the in-store signal boosters;
12. The in-store repeaters shall be professionally installed pursuant to written instructions provided by Sirius and XM Radio and shall be labeled with contact telephone numbers for Sirius and XM Radio to be called in the event that a booster causes interference;
13. Sirius and/or XM Radio shall immediately shut down any, or all, in-store signal boosters upon a complaint of interference, upon direction from the Commission, or upon finding that an in-store signal booster has not been properly installed;

Micro-Repeater STA Conditions

14. Sirius and XM Radio shall have joint and several liability for any harmful interference caused by an in-store signal booster, and shall have joint and several liability for any forfeiture or other penalty imposed by the Commission as a result of any harmful interference.