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SEP - 7 2006

September 7, 2006

Federal Communications Commission
Office of Secretary

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Application of Sirius Satellite Radio, Inc. For Modification of Special Temporary Authority To Operate Satellite Digital Audio Radio Service Terrestrial Repeaters – FCC File No. SAT-STA-20060623-00067*

Dear Ms. Dortch:

On behalf of Sprint Nextel Corporation, parent company of Nextel Spectrum Acquisition Corp. (collectively, Sprint Nextel), we are submitting the attached letter from Sprint Nextel to Sirius Satellite Radio, Inc. ("Sirius"), in which Sprint Nextel has withdrawn its June 21, 2006 statement of non-opposition to Sirius's proposed modifications to its existing Special Temporary Authority to operate satellite Digital Audio Radio Service terrestrial repeaters, as set forth in the application referenced above.

Should there be any questions concerning this matter, please contact the undersigned.

Respectfully submitted,



Paul J. Sinderbrand
Counsel for Sprint Nextel Corporation

Attachment

cc: Carl R. Frank

WILKINSON) BARKER) KNAUER) LLP

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Federal Communications Commission
Office of the Secretary

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September 7, 2006

Patrick L. Donnelly
Executive Vice President and General Counsel
Sirius Satellite Radio Inc.
1221 Avenue of the Americas
New York, NY 10020

Re: *Withdrawal of Sprint Nextel Consent to Modification of Existing Special
Temporary Authority For Terrestrial SDARS Repeaters*

Dear Mr. Donnelly:

On behalf of our client Sprint Nextel Corporation, parent company of Nextel Spectrum Acquisition Corp. (collectively, "Sprint Nextel"), I am writing to advise you that Sprint Nextel withdraws its statement of non-opposition to the proposed modifications to Sirius' existing Special Temporary Authority ("STA") set forth in the modification application filed on June 23, 2006 (FCC File No. SAT-STA-20060623-00067).

Our letter to you of June 21, 2006 made it clear that Sprint Nextel does not believe you should be deploying repeaters operating at power levels higher than 2 kW, but would not oppose the proposed modifications *if* the newly-authorized terrestrial repeaters do not cause interference to any facilities Sprint Nextel deploys on its WCS spectrum. Sprint Nextel also made it clear that its was accepting operations only for a period of 180 days from June 21, 2006 and that its letter was "without prejudice to any position Sprint Nextel has taken or may take in the future on any FCC action relating to SDARS interference to WCS operations." In an *ex parte* letter to the Commission dated August 14, 2006, Sirius asks the Commission to, among other things, permanently grandfather all SDARS repeaters authorized under Sirius' STA as configured on the date the Commission adopts final rules governing SDARS interference to WCS. However, although the STA is expressly contingent upon Sirius providing full interference protection to WCS facilities, nowhere in Sirius' August 14, 2006 *ex parte* filing does Sirius state that grandfathered SDARS repeaters should have a permanent obligation to protect WCS from interference. As such, Sirius is advocating a regulatory approach at fundamental odds with Sprint's prior statement of temporary non-opposition; to the contrary, Sirius is advocating an approach that will lead to the permanent deployment of terrestrial repeaters that will operate in excess of 2 kW, yet have no obligation to avoid interference to Sprint Nextel's WCS facilities. Under these circumstances, Sprint Nextel does not believe that the public interest is served by

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Patrick L. Donnelly

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permitting Sirius to add more terrestrial repeaters while the Commission's rulemaking on SDARS/WCS interference remains pending.

Should there be any questions concerning this matter, please contact me directly.

Respectfully submitted,



Paul J. Sinderbrand

cc: Carl. R. Frank