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Federal Communications Commission  
Office of the Secretary

ORIGINAL

Ex Parte

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *Request for Special Temporary Authority for 30 days; SAT-STA-20061002-00114*  
*Request for Special Temporary Authority for 180 days; SAT-STA-20061013-00119*

Dear Ms. Dortch:

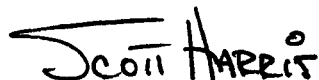
On 2 November 2006, undersigned counsel representing XM Satellite Radio met with Emily Willeford, advisor to Chairman Martin, in connection with the above-noted requests for STAs. In this meeting, I asked that the Commission promptly grant XM's request for a thirty-day STA and put its request for a 180-day STA on public notice. More specifically, I noted the following:

1. While there are many variances between the XM repeater network "as built" and the existing STAs, the network is smaller, less powerful and causes less potential interference than what the FCC authorized. For example, XM was authorized to build almost 1200 repeaters – yet it built only about 800. Similarly, XM was authorized to build over 100 high-power repeaters, yet it built a relative handful; predominantly building low-power repeaters instead. In addition, many of the "variances" arose because XM decided to use sectorized antennas instead of omni-directional antennas, and (all else being equal) sectorized antennas generally have less interference potential than omni-directional antennas.
2. Granting the 30-day STA will restore robust service to tens of thousands of consumers whose service on a number of major roadways has been degraded by the remedial actions XM has taken to reduce the number of variances while the STA requests are pending. It will also assure that XM can provide robust service to *all* of its seven million consumers while the 180-day STA and the final rules for SOARS repeater networks are being considered by the Commission.
3. The XM repeater network "as built" has not caused a single case of known interference and granting the 30-day STA will cause no interference to anyone.

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4. Granting the 30-day STA would be entirely without prejudice to the ongoing rulemaking on the final rules for SDARS repeater networks or the ongoing negotiations between SDARS operators and WCS licensees.

Please let me know if you have any questions about this filing.

Sincerely yours,

A handwritten signature in black ink that reads "Scott Harris". The signature is written in a cursive style with a prominent horizontal stroke at the beginning.

Scott Blake Harris  
*Counsel to XM Satellite Radio*

Cc: Emily Willeford