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October 26, 2006

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

Re: *Request Of Sirius Satellite Radio Inc. For Special Temporary
Authorization Regarding Digital Audio Radio Service Terrestrial
Repeaters – File No. SAT-STA-20061013-00122*

Dear Ms. Dortch:

I am writing on behalf of the WCS Coalition in regard to the above-referenced request by Sirius Satellite Radio Inc. (“Sirius”) for a 30-day special temporary authorization (“STA”) in connection with its Digital Audio Radio Service (“DARS”) terrestrial repeaters. In that filing, XM disclosed to the Commission that eleven of its DARS terrestrial repeaters have been constructed and operated in a manner at material variance from the terms and conditions of the STAs under which the Commission had previously authorized DARS terrestrial repeaters. Sirius has requested a 30-day STA to operate those repeaters, which it apparently is continuing to operate at variance from the terms of its current STAs, and has separately sought a long-term 180-day STA that, under Section 25.120(b)(2) of the Commission’s Rules, will be placed on public notice by the Commission for formal public response.

The WCS Coalition is presently examining the extent of Sirius’ non-compliance with its existing STAs and the implications of that non-compliance for licensees in the Wireless Communications Service (“WCS”). This is not a trivial issue for the WCS Coalition, particularly since just days after disclosing the unlawful operation of these repeaters, Sirius submitted to the Commission a “Petition for Rulemaking, and Comments” that, among other things, would “grandfather” these repeaters by exempting them from whatever final rules the Commission adopts to govern SDARS terrestrial repeaters (but without continuing Sirius’ absolute obligation under its STAs to protect WCS).¹

¹ See Petition of Sirius Satellite Radio for Rulemaking, and Comments, IB Docket No. 95-91 at 6 (filed Oct. 17, 2006). Given Sirius’ position in IB Docket No. 95-91, WCA disagrees with Sirius’ contention that the Commission may grant even the 30 day STA request without placing it on public notice. Clearly, Sirius is seeking permanent

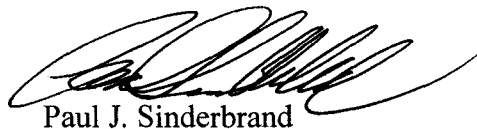
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The WCS Coalition's investigation into the implications of Sirius' disclosures may not be complete before the Bureau acts on Sirius' pending 30-day STA request. In any event, the WCS Coalition fully intends to comment when the Commission provides the requisite formal opportunity for public comment on Sirius' request for a 180-day STA. To avoid any doubt, the WCS Coalition must stress that the lack of any formal petition to deny the pending 30-day STA request should not be interpreted as acquiescence by the WCS Coalition to Sirius' activities, to the arguments advanced by Sirius in support of its STA request, or to grant of any additional DARS terrestrial repeater STAs by the Commission.

Should you have any questions regarding this submission, please contact the undersigned.

Respectfully submitted,



Paul J. Sinderbrand

Counsel to the WCS Coalition

cc: John Giusti
Patrick L. Donnelly