



**Larry Walke**  
Associate General Counsel  
Legal & Regulatory Affairs  
1771 N Street, NW • Washington DC 20036-2800  
(202) 429-5313 • Fax: (202) 775-3526

January 12, 2007 **FILED/ACCEPTED**

**JAN 12 2007**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20445

Federal Communications Commission  
Office of the Secretary

**Re: XM Radio: SAT-STA-20061002-00114; SAT-STA-20061013-00119;  
Sirius: SAT-STA-20061013-00121; SAT-STA-20061013-0122; SAT-  
STA-20061107-00131**

Dear Ms. Dortch:

Attached please find an *Ex Parte* Communication regarding a meeting held on January 11, 2007, between NAB and members of Commissioner Adelstein's and Commissioner McDowell's staff regarding the above-captioned applications for Special Temporary Authority ("STA").

Please place this communication in the IBFS docket files for the STA applications listed above. We are also in the process of emailing an electronic copy to the CurTrishia Banks of the International Bureau so she can electronically insert our letter into the listed docket files in IBFS.

Thank you for your attention to this matter.

Respectfully submitted,

**NATIONAL ASSOCIATION OF  
BROADCASTERS**  
1771 N Street, N.W.  
Washington, D.C. 20036  
Tel: (202) 429-5430

Larry Walke



**Larry Walke**

Associate General Counsel  
Legal & Regulatory Affairs  
1771 N Street, NW • Washington DC 20036-2800  
(202) 429-5313 • Fax: (202) 775-3526

January 12, 2007

**Ex Parte Communication**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20445

**Re: XM Radio: SAT-STA-20061002-00114; SAT-STA-20061013-00119;  
Sirius: SAT-STA-20061013-00121; SAT-STA-20061013-0122; SAT-  
STA-20061107-00131**

Dear Ms. Dortch:

On January 11, 2007, Jane Mago and the undersigned of the National Association of Broadcasters ("NAB"), and Frank R. Jazzo of Fletcher, Heald & Hildreth, on behalf of the Alaska Broadcasters Association, met with Barry Ohlson of Commissioner Adelstein's office and Angela Giancarlo of Commissioner McDowell's office to discuss the above-captioned applications for Special Temporary Authority ("STAs").

Specifically, the parties discussed Sirius Satellite Radio, Inc. and XM Radio, Inc.'s requests for STA approval of their as-built terrestrial repeaters that both have operated for some time inconsistently with the STA authorizations of the repeaters in question. We urged the Commission to place both the 30-day and 180-day STA requests filed by Sirius and XM regarding these repeaters on public notice so that interested parties may have an opportunity to comment on the satellite radio companies' evidence and arguments related to the legitimacy of the repeaters. We also requested that the Commission launch an investigation into the facts and circumstances surrounding both companies' deployment of the relevant repeaters.

The parties also discussed Sirius' request for STA approval to provide service in Alaska and Hawaii. We addressed whether Sirius' use of terrestrial repeaters in these circumstances is permissible under the Commission's regulatory regime governing satellite radio terrestrial repeaters.

Please direct any questions concerning this matter to the undersigned.

Respectfully submitted,

**NATIONAL ASSOCIATION OF  
BROADCASTERS**  
1771 N Street, N.W.  
Washington, D.C. 20036  
Tel: (202) 429-5430

A handwritten signature in black ink, appearing to read "Larry Walke". The signature is written in a cursive style with a large initial "L" and a distinct "W".

Larry Walke

## **CERTIFICATE OF SERVICE**

I, Patricia Jones, hereby certify that I have caused copies of the foregoing *Ex Parte* Communication, to be served via U.S. Mail on this 12<sup>th</sup> day of January 2007, on the following parties listed below:

Mr. Patrick L. Donnelly  
Sirius Satellite Radio, Inc.  
121 Avenue of the Americas  
36<sup>th</sup> Floor  
New York, NY 10020

Mr. James S. Blitz  
XM Radio, Inc.  
1500 Eckington Place, NE  
Washington, DC 20002