

SAT-STA-20061107-00131
Sirius XM Radio Inc. IB2006003001

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Term Dates See conditions

Approved by OMB
3060-0678

Approved: *Stephen J. Duall*

Stephen J. Duall
Chief, Satellite Policy Branch



FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Sirius Satellite Radio Request for STA to operate four SDARS repeaters in Alaska and Hawaii

I. Applicant

Name:	Sirius Satellite Radio Inc.	Phone Number:	212-584-5100
DBA Name:		Fax Number:	212-584-5353
Street:	1221 Avenue of the Americas 36th Floor	E-Mail:	
City:	New York	State:	NY
Country:	USA	Zipcode:	10020
Attention:	Mr. Patrick L Donnelly		

Attachment to Grant
Application of Sirius Satellite Radio Inc. for Special Temporary Authority
IBFS File No. SAT–STA–20061107–00131


Special temporary authority (STA) is granted to Sirius Satellite Radio Inc. (Sirius) to operate four terrestrial repeaters, each with an Effective Isotropically Radiated Power (EIRP) of less than 2,000 watts (average) at various locations in Alaska and Hawaii, for a period of 180 days. This grant is taken in response to the Commission's instructions in the *Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band*, IB Docket No. 95-91, *Second Report and Order*, FCC 10-82 (rel. May 20, 2010).¹ As a result of this instruction by the Commission, we also take the ministerial action of dismissing the petitions to deny Sirius's STA request to operate repeaters in Alaska and Hawaii that were filed by the National Association of Broadcasters (NAB), Mt. Wilson FM Broadcasters, Inc., and the Alaska Broadcasters Association/the Hawaii Association of Broadcasters. This authorization is granted according to the technical parameters specified in Sirius XM's application and is subject to the conditions below.

1. Any actions taken as a result of this STA are solely at the applicant's own risk. This STA shall not prejudice the outcome of the final rules adopted by the Commission in IB Docket No. 95-91.
2. SDARS terrestrial repeaters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the SDARS licensee's satellite(s) directly to the SDARS licensee's subscribers' receivers, and may not be used to distribute any information not also transmitted to all subscribers' receivers.
3. Coordination of the operations of the terrestrial repeaters shall be completed with all affected Administrations prior to operation, in accordance with all applicable international agreements including those with Canada and Mexico.
4. The terrestrial repeaters shall comply with Part 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures.
5. The terrestrial repeaters 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.
6. Any SDARS terrestrial repeater operating at a power level greater than 2-watt average EIRP is required to attenuate its out-of-band emissions below the transmitter power P by a factor of not less than $90 + 10 \log (P)$ dB in a 1-megahertz bandwidth outside the 2320-2345 MHz band, where P is average transmitter output power in watts. Any SDARS terrestrial repeater operating at a power level equal to or less than 2-watt average EIRP is required to attenuate its out-of-band emissions below the transmitter power P by a factor of not less than $75 + 10 \log (P)$ dB in a 1-megahertz bandwidth outside the 2320-2345 MHz band, where P is average transmitter output power in watts.
7. This STA expires after 180 days, or on the date that permanent authority to operate the covered repeater operations becomes effective, whichever occurs first.
8. Sirius is granted 30 days from the date of the release of this authorization to decline the authorization as conditioned. Failure to respond within that period will constitute formal acceptance of the authorization as conditioned.

¹ *Second Report and Order* at paras. 288-89 & n.666 (finding that the public interest favors the ability of SDARS licensees to operate terrestrial repeaters in areas that are not within the service footprint of SDARS satellites and instructing the International Bureau to grant Sirius's pending STA application to operate repeaters in Alaska and Hawaii).

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IBFS File No. SAT-STA-20061107-00131

9. This action is taken on delegated authority pursuant to 47 C.F.R. § 0.261 and is effective upon release. Petitions for reconsideration under 47 C.F.R. § 1.106 or applications for review under 47 C.F.R. § 1.115 may be filed within 30 days of the date of the Public Notice announcing this action.

 GRANTED* International Bureau *with conditions	File # SAT-STA-20061107-00131
	Call Sign _____ Grant Date 12/21/10 (or other identifier)
	From 12/21/10 Term Dates see conditions To: _____
	Approved: <u>Stephen J. Duall</u> Stephen J. Duall Chief, Satellite Policy Branch

2. Contact	
Name:	Mr. Patrick L. Donnelly Phone Number: 212-584-5100
Company:	Sirius Satellite Radio Inc. Fax Number: 212-584-5353
Street:	1221 Avenue of the Americas E-Mail:
City:	New York State: NY
Country:	USA Zipcode: 10020
Attention:	Same Relationship: Same
(If your application is related to an application filed with the Commission, enter either the file number or the IB Submission ID of the related application. Please enter only one.)	
3. Reference File Number SATSTA2005030100053 or Submission ID	
4a. Is a fee submitted with this application?	
<input checked="" type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).	
<input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee	
<input type="radio"/> Other (please explain):	
4b. Fee Classification CXW – Space Station (Non-Geostationary)	
5. Type Request	
<input type="radio"/> Change Station Location <input type="radio"/> Extend Expiration Date <input checked="" type="radio"/> Other	
6. Temporary Orbit Location	
7. Requested Extended Expiration Date	

8. Description (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Sirius Satellite Radio herein requests Special Temporary Authority to operate four satellite digital audio radio service terrestrial repeaters in Alaska and Hawaii.

9. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.

Yes No

10. Name of Person Signing
Patrick L. Donnelly

11. Title of Person Signing
Executive VP and Gen. Counsel

12. Please supply any need attachments.

Attachment 1: STA Request

Attachment 2:

Attachment 3:

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

Attachment

Sirius Satellite Radio Inc. (“Sirius”) hereby requests that the Federal Communications Commission (“FCC” or “Commission”) modify its existing special temporary authority (“STA”) to allow Sirius to operate four (4) additional satellite digital audio radio service (“satellite DARS”) terrestrial repeaters set forth in the attached Exhibit.

Sirius has identified these new sites, which will operate below 2000 watts, as necessary to allow it to provide high quality commercial satellite DARS programming in Alaska and Hawaii. Because Sirius’ satellites are focused over the continental United States and Sirius does not use spot beams for Alaska and Hawaii, these repeaters are essential to ensure that residents of these states can receive optimal SDARS service from Sirius. These complementary terrestrial repeaters will also be used to overcome the effects of satellite signal blockage and multipath interference within those states.

On September 17, 2001, the Commission granted Sirius an STA to operate its satellite DARS terrestrial repeater network.¹ Since that time, the Commission has extended the STA several times, pending the issuance of final rules governing the use of satellite DARS terrestrial repeaters.² The FCC has also previously granted several modifications of the STA.³

Granting this modification will serve the public interest for the same reasons discussed in the Commission’s *2001 STA Grant Order*, which include the provision of “high quality radio signals to areas that have limited radio service,” continuous radio coverage for individuals on long-distance trips, and “[d]iverse program formats, including educational, ethnic and religious programming.”⁴ In particular, grant of this modification will help ensure that these benefits can be experienced nationwide.

¹ *Sirius Satellite Radio Inc. Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complementary Terrestrial Repeaters*, Order and Authorization, 16 FCC Rcd 16773 (Int’l Bur. 2001) (“*2001 STA Grant Order*”).

² In September of 2004, the Commission granted Sirius a new STA to operate for 180 days or until the Commission issued final rules governing the use of satellite DARS terrestrial repeaters. *Sirius Satellite Radio Inc. Request to Modify Special Temporary Authority To Operate Satellite DARS Terrestrial Repeaters*, Order and Authorization, 19 FCC Rcd 18140 (2004) (“*2004 STA Grant Order*”). Sirius timely filed an application for renewal of this STA on March 1, 2005. *See* File No. SAT-STA-20050301-00053. To date, the Commission has not acted on this application. Under Section 1.62(f) of the Commission’s rules, the timely filed renewal tolls the expiration of the previously granted STA. 47 C.F.R. §1.62(f).

³ In addition to this application, Sirius currently has pending a request for modification of STA to operate 16 additional repeaters, 30-day and 180-day requests for STA to operate 11 repeaters at new sites, and 30-day and 180-day requests, being filed concurrently with this application, to operate a substitute repeater at a new site in Las Vegas, NV due to the destruction of the Stardust Hotel. *See* File Nos. SAT-STA-20060623-00067, SAT-STA-20061013-00121, SAT-STA-20061013-00122.

⁴ *2001 STA Grant Order* at 16776 (¶ 9).

Sirius does not anticipate any in-band or out of band interference from these repeaters. In addition, because these repeaters will operate below 2000 watts, Sirius has not notified Wireless Communications Services (“WCS”) licensees. WCS licensees have indicated that repeaters operating at or below 2000 watts do not pose a threat of interference with WCS receivers. Therefore, Sirius respectfully requests that the Commission promptly grant its proposed modifications to its STA without requiring further notice.

Sirius understands that the operation of these repeaters is subject to the conditions placed upon that operation by the *2004 STA Grant Order*. Grant of the requested modification will not alter Sirius’ obligations to protect authorized radiocommunications facilities from interference. Further, the final characteristics of these and the other Sirius terrestrial repeaters remain subject to the outcome of the Commission’s rulemaking proceeding.

EXHIBIT

Proposed Repeater Information

Market	No Of Sectors	Antenna Type	Sector 1			Sector 2			Sector 3			Coordinates		Antenna Height (feet)		
			Antenna Beamwidth	Orientation	Down tilt	ERP (Watts)	Antenna Beamwidth	Orientation	Down tilt	ERP (Watts)	Antenna Beamwidth	Orientation	Down tilt		ERP (Watts)	Longitude (W)
Anchorage, AK	1	Andrew HMD8V360-R05-H	Omni	0	0	1800	-	-	-	-	-	-	-	149-55-46.00	61-12-54.84	296
Fairbanks, AK	1	Andrew HMD8V360-R05-H	Omni	0	0	1800	-	-	-	-	-	-	-	147-42-58.69	64-50-38.93	110
Juneau, AK	1	Andrew HMD8V360-R05-H	Omni	0	0	1800	-	-	-	-	-	-	-	134-26-12.00	58-18-05.04	100
Honolulu, HI	1	Andrew HMD8V360-R05-H	Omni	0	0	1800	-	-	-	-	-	-	-	157-51-41.38	21-18-29.95	429

CERTIFICATE OF SERVICE

I, Carol Hilton, do hereby certify that on November 7, 2006, I served a copy of Sirius' **Request for Special Temporary Authority** upon the following parties by U.S. first-class mail, postage pre-paid:

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