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File Number: SAT-STA-20061107-00133
Callsign:

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

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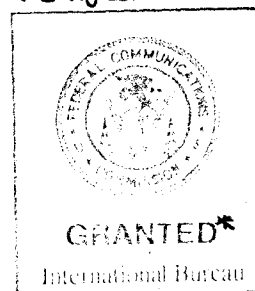
APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Sirius Satellite Radio Request for Modification of Las Vegas, NV SDARS Repeater (30 days)

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		

* subject to attached conditions



File # SAT-STA-20061107-00133

Call Sign _____ Grant Date 11/15/06
(or other identifier)

Term Dates
From 11/16/06 To 12/15/06

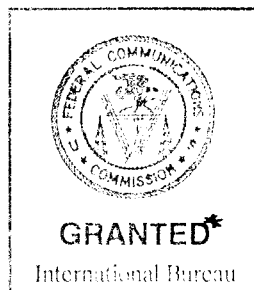
Approved: Fern J. Jarmulnek
Fern Jarmulnek, Deputy Chief
Satellite Division

**Application of Sirius Satellite Radio Inc. for Special Temporary Authority
IBFS File No. SAT-STA-20061107-00133**

Special temporary authority (STA) IS GRANTED to Sirius Satellite Radio Inc. (Sirius) to operate one terrestrial repeater in Las Vegas, Nevada, at the location and with the technical parameters specified in its application for a period of 30 days subject to the following conditions:

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. Operation of all SDARS repeaters authorized pursuant to this STA is on a non-interference basis with respect to all permanently authorized radiocommunication facilities. Sirius shall provide the information and follow the process set forth in paragraphs 14 and 17 in 16 FCC Rcd 16773 (Int'l Bur. 2001) and 16 FCC Rcd 16781 (Int'l Bur. 2001), as modified by 16 FCC Rcd 18481 (Int'l Bur. 2001) and 16 FCC Rcd 18484 (Int'l Bur. 2001).
3. SDARS repeaters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the satellite directly to SDARS subscriber's receivers.
4. Coordination of SDARS repeater operations shall be completed with all affected Administrations prior to operation, in accordance with all applicable international agreements including those with Canada and Mexico.
5. SDARS repeaters shall comply with Part 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures.
6. SDARS 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.
7. SDARS repeater out-of-band emissions shall be limited to $75 + \log(\text{EIRP})$ dB less than the transmitter EIRP.
8. This STA commences on November 16, 2006, and will expire 30 days thereafter, or on the date on which permanent rules governing repeater operations become effective, whichever occurs first.
9. 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.

10. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.



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Term Dates
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Approved: Fern J. Jarmulnek

*subject to attached conditions

Fern Jarmulnek, Deputy Chief
Satellite Division

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:		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 checked="" type="radio"/> Change Station Location <input type="radio"/> Extend Expiration Date <input 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 requests Special Temporary Authority for 30 days to relocate one of its terrestrial repeaters in Las Vegas, NV due to the destruction of the Stardust Hotel and Casino.

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") requests that the Federal Communications Commission ("FCC" or "Commission") grant special temporary authority ("STA") for 30 days, beginning as soon as possible but no later than December 15, 2006, to allow Sirius to operate a substitute satellite digital audio radio service ("satellite DARS") repeater in Las Vegas, NV, as set forth in the attached Exhibit.¹

Sirius requires repeaters to allow it to provide high quality commercial satellite DARS programming nationwide. On September 17, 2001, the Commission granted Sirius an STA to operate its satellite DARS terrestrial repeater network, including a repeater located on the Stardust Hotel and Casino in Las Vegas, NV ("Stardust Hotel").² 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.³ The FCC has also previously granted several modifications of the STA.

The Stardust Hotel closed on November 1, 2006 and will be razed early in 2007 to allow for construction of a new hotel. Thus, the structure on which Sirius currently has installed its repeater will no longer exist. Sirius has identified an acceptable alternate location for its repeater, and Sirius will be required to install this substitute repeater at the new site in the near future. Sirius was recently advised that the construction schedule for the Stardust could require shut-down of the existing repeater as soon as early December, and that the repeater must be physically removed from the Stardust by December 15, 2006. The technical parameters of the current repeater and the proposed substitute repeater are attached as an Exhibit.

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,

¹ Because Sirius is requesting STA for only 30 days, the Commission can grant this application without placing it on Public Notice. 47 C.F.R. § 25.120(b)(4). Concurrent with this STA request, Sirius is filing an application for a 180-day STA to operate the substitute repeater.

² *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").

³ 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. *Establishment 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).

including educational, ethnic and religious programming.”⁴ In particular, grant of this modification will help ensure the continued reliable service that Las Vegas residents and businesses have come to expect from Sirius.

Although the *2001 STA Grant Order* requires that Sirius pre-coordinate with WCS licensees any repeater affecting an operational WCS base station,⁵ Sirius is not aware of any operational WCS base station in Las Vegas and has therefore not provided notice of the proposed modification to the WCS licensees. However, to the extent deemed necessary by the Commission, Sirius requests a waiver of the pre-coordination requirement. There is good cause for the requested waiver because Sirius has received no complaints of interference caused by the current repeater, and waiving notice will ensure continued service for Sirius subscribers.⁶ Because the new repeater will operate at the same Effective Isotropically Radiated Power (“EIRP”) as the current repeater, Sirius does not anticipate any out-of-band interference.

In addition, because the repeater being installed is a substitute repeater as that term is defined in the proposed rules recently submitted by Sirius in the SDARS rulemaking proceeding,⁷ the Commission should approve this application using the grant stamp mechanism. The proposed repeater is replacing a repeater at a site that is “physically unusable,” is less than three kilometers away from the repeater it is replacing, does not increase the size of the area within the -44 dBm contour of the repeater it replaces, and does not extend the -44 dBm contour of the repeater it replaces more than 3 km in any direction. Thus, the Commission can be assured that the substitute repeater will have no incremental impact on any licensees and can approve this application in the routine manner.

Sirius understands that the operation of this repeater 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.

⁴ *2001 STA Grant Order* at ¶ 9.

⁵ *Id.* at ¶ 14.

⁶ See 47 C.F.R. § 1.3; *WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1166 (D.C. Cir. 1990).

⁷ See Sirius Satellite Radio, Petition for Rulemaking, IB Dkt. Nos. 95-91, 90-357 (filed Aug. 23, 2006).

EXHIBIT

Current Las Vegas Stardust Repeater site

Market	No Of Sectors	Antenna Type	Sector 1				Sector 2				Sector 3				Coordinates		Antenna Height (feet)
			Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Longitude (W)	Latitude (N)	
Las Vegas	1	EMS FR90-16-00NVL	90	180	0	8800	-	-	-	-	-	-	-	115-10-00.00	36-07-57.00	401	

Proposed Las Vegas Repeater site

Market	No Of Sectors	Antenna Type	Sector 1				Sector 2				Sector 3				Coordinates		Antenna Height (feet)
			Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Longitude (W)	Latitude (N)	
Las Vegas	2	EMS FR90-17-00NVL, EMS FR65-18-00NVL	90	180	0	4400	65	240	0	4400	-	-	-	-	115-09-04.80	36-08-10.28	300