

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

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Federal Communications Commission  
Bureau / Office

*XM Radio Inc.*

*Request for 180-Day Special Temporary  
Authority to Operate a Single Satellite Digital  
Audio Radio Service Repeater at Specific PGA  
Tour Events*

File No. SAT-STA-20061114-00138

*Request for 30-Day Special Temporary  
Authority to Operate a Single Satellite Digital  
Audio Radio Service Repeater at Specific PGA  
Tour Events*

File No. SAT-STA-20061221-00156

To: Acting Chief, International Bureau

**RESPONSE TO THE WCS COALITION**

XM Radio Inc. ("XM") has filed the above-referenced 30-day and 180-day STA requests (the "STA Requests") for authority to operate one low power terrestrial repeater at certain Professional Golfers' Association ("PGA") Tour events, occurring at the locations and durations identified in those requests.<sup>1</sup> These filings are similar to four STA requests that the Commission previously granted to XM for use of a repeater at other PGA events, the latest of which expired on December 17, 2006.<sup>2</sup>

<sup>1</sup> Pursuant to Section 25.120(b)(4) of the Rules, 47 C.F.R. § 25.120(b)(4), the Commission may grant the request for 30-day STA, File No. SAT-STA-20061221-00156, without Public Notice. As to the 180-day STA, File No. SAT-STA-20061114-00138, the Commission accepted that application for filing on December 22, 2006. See Report No. SAT-00407.

<sup>2</sup> See *XM Radio Inc.*, File No. SAT-STA-20060421-00046 (DA 06-1310) (granted July 15, 2006); see also File No. SAT-STA-20050418-00086 (DA 05-1642) (granted June 9, 2005); File No. SAT-STA-20051108-00213 (DA 06-29) (granted January 4, 2006); File No. SAT-STA-20051109-00214 (DA 06-29) (granted January 4, 2006).

In its recent filings concerning the STA Requests, the WCS Coalition urges the Commission to impose an unnecessary and irrelevant condition on those STAs.<sup>3</sup> In particular, the WCS Coalition states that it would not object to the STA Requests as long as XM agrees to operate the subject repeater at no more than 2 kW *peak* EIRP – as compared to 2 kW *average* EIRP – based on the Coalition’s allegations of interference to its members’ WCS operations that would be caused by repeaters that operate at 2 kW average EIRP.

Regardless of the debatable validity of the WCS Coalition’s concern, it is completely academic in this context because *no WCS licensee has deployed any facilities that might be affected by this repeater during the limited time period and in the limited locations in which it will be operating.* As the STA Requests make clear, XM seeks authority to operate only a single low-power repeater *at golf courses* used for specified PGA Tour events, only for the duration of those events, and only through July 1, 2007.<sup>4</sup>

The issue the WCS Coalition raises is irrelevant for purposes of the Commission’s consideration of these requests unless any WCS licensee operates a facility that may receive interference at the proposed golf course locations. Since no such WCS facility

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<sup>3</sup> See WCS Coalition “Conditional Petition to Deny,” File No. SAT-STA-20061114-00138 (filed Jan. 5, 2007); Letter from Paul J. Sinderbrand, Counsel to the WCS Coalition, to John Giusti, Acting Chief, International Bureau, FCC, File No. SAT-STA-20061221-00156 (filed Dec. 22, 2006).

<sup>4</sup> See Request for Special Temporary Authority to Operate a Single Digital Audio Radio Service Repeater at Specific PGA Tour Events, File No. SAT-STA-20061114-00138 (filed November 14, 2006).

exists, the Commission should promptly dismiss the Coalition's objections and grant the requested 30-day and 180-day STAs so that XM can provide repeater coverage at these PGA events.

Respectfully submitted,

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12 January 2007

**CERTIFICATE OF SERVICE**

I, Jennifer E. Kunkle hereby certify that on this 12th day of January 2007, I served a true copy of the foregoing by first-class United States mail, postage prepaid, upon the following:

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