

Approved by OMB
3060-0678

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File Number: SAT-STA-20061207-00145
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:

Request for Modification of SDARS Terrestrial Repeater STA - 15 New Low Power Repeaters

1. 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		



File # SAT-STA-20061207-00145

Call Sign: [REDACTED] Grant Date 06/29/07

Term Dates: [REDACTED] for a period of 180 days

Approved: [Signature]
Chief, Satellite Policy Branch

subject to conditions

Application of Sirius Satellite Radio Inc. for Special Temporary Authority
IBFS File No. SAT-STA-20061207-00145

Special temporary authority (STA) IS GRANTED to Sirius Satellite Radio Inc. (Sirius) to operate 15 terrestrial repeaters at power levels at or below 2 kW EIRP for a period of 180 days, at the locations set forth in the Exhibit attached to its application, with the technical parameters specified in its application, and 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. The issue concerning EIRP raised by the WCS Coalition will be addressed in that proceeding. Operations prior to such action will be subject to condition 2 below.
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 expires after 180 days, 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.



File # SAT-STA-20061207-00145

Call Sign _____ Grant Date 06/29/07
(or other identifier)

From 06/29/07 Term Dates for a period of
To 180 days

Authorized: [Signature]
Chief, Satellite Policy Branch

*subject to
conditions*

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 36th Floor	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?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
 Governmental Entity Noncommercial educational licensee
 Other (please explain):

4b. Fee Classification CXW - Space Station (Non-Geostationary)

5. Type Request

- Change Station Location Extend Expiration Date 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 Inc. herein requests a modification of its Special Temporary Authority to operate fifteen low-power satellite digital audio radio service terrestrial repeaters.

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: Attachment

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 15 new low-power satellite digital audio radio service (“satellite DARS”) terrestrial repeaters as set forth in the attached Exhibit.

On September 17, 2001, the Commission granted Sirius an STA to operate its satellite DARS terrestrial repeater network.¹ That STA allowed Sirius to “operate complementary terrestrial repeaters...at or below 2kW nationwide,” though it limited that STA to a list of those repeaters provided by Sirius.² Thus, the Commission recognized that repeaters operating at or below the 2000 Watt threshold were presumptively unlikely to cause harmful interference to other radiocommunications operations. Indeed, WCS licensees have deemed the 2000 Watt threshold acceptable.³

Sirius has identified these sites as necessary to allow it to provide high quality commercial satellite DARS programming nationwide. These repeaters will operate at or below the 2000 Watt threshold, and are therefore granted the benefit of the presumption that they will not cause harmful interference. Thus, any opposition to the grant of these repeaters bears the burden of establishing that grant of this application will cause harmful interference or is otherwise contrary to the public interest. Nevertheless, Sirius submits that grant of 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,

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*”). 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. 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). The FCC has also previously granted several modifications of the STA.

² *Id.* at 16779 (¶ 17).

³ See, e.g., *Petition to Dismiss or Deny of BellSouth Mobile Data, Inc. and BellSouth Wireless Cable, Inc.*, File No. SAT-STA-20060623-00067 (filed September 18, 2006) at 6 (“BellSouth believes that terrestrial repeaters operating below 2 kW peak EIRP will not cause undue interference to its WCS operations”).

ethnic and religious programming.”⁴ In particular, grant of this modification will help ensure that these benefits can be experienced nationwide.

Sirius does not anticipate any in-band or out of band interference from these repeaters. As noted above, these low-power repeaters will operate at or below a power level that has been deemed presumptively acceptable by both the Commission and WCS licensees. In addition, WCS licensees will have an opportunity to comment on the STA during the public notice period; as a result, Sirius has not notified the WCS licensees in the affected MSAs prior to filing this request. Therefore, Sirius respectfully requests that the Commission promptly grant its proposed modifications to its STA.⁵

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.

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

⁵ 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, a 180-day request to operate a substitute repeater at a new site in Las Vegas, NV due to the destruction of the Stardust Hotel, and a request to operate four new repeaters at sites in Alaska and Hawaii. See IBFS File Nos. SAT-STA-20060623-00067, SAT-STA-20061013-00121, SAT-STA-20061013-00122, SAT-STA-20061107-00132, SAT-STA-20061107-00131.

SIRIUS SATELLITE RADIO INC.
EXHIBIT

Proposed SDARS Repeater STA sites

Market	No Of Sectors	Antenna Type	Sector 1			Sector 2			Sector 3			Antenna Height (feet)						
			Antenna Beamwidth	Orientation	Downtilt	ERP (Watts)	Antenna Beamwidth	Orientation	Downtilt	ERP (Watts)	Antenna Beamwidth		Orientation	Downtilt	ERP (Watts)	Longitude (W)	Latitude (N)	Coordinates
Atlanta	2	EMS FR90-17-00NVL / EMS FR65-18-00NVL	90	45	2	2000	65	135	2	2000	-	-	-	-	-	84-10-59.28	33-57-54.15	215
Atlanta	2	EMS FR65-18-00NVL	65	70	2	2000	65	130	2	2000	-	-	-	-	-	84-14.49	33-49-03	165
Atlanta	2	EMS FR65-18-00NVL	65	170	2	2000	65	230	2	2000	-	-	-	-	-	84-29-26.98	33-37-19.8	145
Atlanta	2	EMS FR65-18-00NVL	65	200	2	2000	65	260	2	2000	-	-	-	-	-	84-31-38.0	33-51-21	200
Atlanta	2	EMS FR65-18-00NVL	65	80	2	2000	65	140	2	2000	-	-	-	-	-	84-14-2.12	33-44-10.74	160
Chicago	2	EMS FR90-17-00NVL / EMS FR65-18-00NVL	90	180	2	2000	65	250	2	2000	-	-	-	-	-	87-30-49.2	41-38-59.30	145
Chicago	2	EMS FR65-18-00NVL / EMS FR90-17-00NVL	65	220	2	2000	90	270	2	2000	-	-	-	-	-	88-2-22.24	41-52-58.10	130
Cleveland	2	EMS FR90-17-00NVL	90	90	0	2000	90	180	0	2000	-	-	-	-	-	81-34-37.9	41-26-35	170
Detroit	2	EMS FR65-18-00NVL	65	35	0	2000	65	325	0	2000	-	-	-	-	-	83-16-8.04	42-37-6.0	175
Kansas City	2	EMS FR65-18-00NVL / EMS FR90-17-00NVL	65	180	2	2000	90	270	2	2000	-	-	-	-	-	94-42-16.85	38-59-20.02	122
New York	2	EMS FR65-18-00NVL	65	30	2	2000	65	90	2	2000	-	-	-	-	-	72-20-46.6	40-58-10.8	210
Orlando	2	EMS FR65-18-00NVL	65	30	0	2000	65	330	0	2000	-	-	-	-	-	81-20-34.39	28-42-50.12	250
Phoenix	2	EMS FR65-18-00NVL	65	90	2	2000	65	150	2	2000	-	-	-	-	-	111-47-18.5	33-20-11.1	85
Tampa	2	EMS FR65-18-00NVL	65	20	2	2000	65	320	2	2000	-	-	-	-	-	82-44-28.3	28-09-21.1	150
Tampa	2	EMS FR90-17-00NVL / EMS FR65-18-00NVL	90	140	2	2000	65	180	2	2000	-	-	-	-	-	82-17-0.66	27-56-10.9	110