

SAT-STA-20061218-00153

12/28/06

Approved by OMB
3060-0678

12/29/06

Cassandra C. Thomas

Cassandra C. Thomas
Deputy Chief, Satellite Division

Date & Time Filed: Dec 18 2006 4:37:21:486PM
File Number: SAT-STA-20061218-00153
Callsign: * subject to attached conditions

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 STA for Las Vegas

1. Applicant

Name:	XM Radio Inc.	Phone Number:	202-380-4000
DBA Name:		Fax Number:	202-380-4500
Street:	1500 Eckington Place, NE	E-Mail:	james.blitz@xmradio.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20002
Attention:	James S Blitz		-

Application of XM Radio Inc. for Special Temporary Authority
IBFS File No. SAT-STA-20061218-00153

Special temporary authority (STA) IS GRANTED to XM Radio Inc. (XM) to operate one terrestrial repeater in Las Vegas, Nevada, at the location and with the technical parameters specified in its application and in its letter of December 22, 2006, 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. XM 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 December 29, 2006, and will expire 30 days thereafter, or on the date on which permanent rules governing repeater operations become effective, whichever occurs first.
9. XM 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-20061218-00153

Call Sign _____ Grant Date 12/28/06
(or other identifier)

Term Dates
From 12/29/06 To: 01/28/07

Approved: Cassandra C. Thomas

Cassandra C. Thomas
Deputy Chief, Satellite Division

*subject to above
conditions



December 22, 2006

Mr. John Giusti
Acting Chief, International Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: XM Radio Inc. -- Request for 30-Day Special Temporary Authority to Operate a Low-Power Repeater in Las Vegas
File Number SAT-STA-20061218-00153**

Dear Mr. Giusti:

On December 18, 2006, XM Radio Inc. ("XM") filed the above-referenced application for 30-day Special Temporary Authority ("STA") to operate a temporary, low-power (800 watts) SDARS repeater in Las Vegas, NV, to replace another repeater that was recently removed from atop the Stardust Hotel, which will be razed in early 2007.

The WCS Coalition filed a letter today concerning the application, questioning the duration of the repeater's operation and the power level at which the repeater would operate. As to the duration of this authorization, XM agrees to limit the repeater's operation to the same time period as XM's authorization to use very low power repeaters at the upcoming Consumer Electronics Show in Las Vegas,¹ *i.e.*, from December 27, 2006 to January 11, 2007.

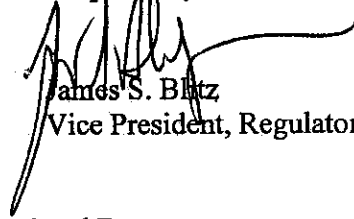
As to the repeater's power level and the peak-vs.-average method of measuring power, XM disagrees with the WCS Coalition about whether SDARS repeaters are limited to operating at no more than 2 kw peak power. Nonetheless, to avoid prolonging the Commission's consideration of an STA request that is time-sensitive, and while disagreeing with the WCS Coalition's position on repeater power limits and calculations, XM herein states that for purposes of this repeater and its intended use with the CES Repeaters, the power level of the facilities sought in this application will not exceed 2 kw peak EIRP.

¹ File Number SAT-STA-20061211-00148, granted December 19, 2006 (the "CES Repeaters").

Mr. John Giusti
December 22, 2006
Page 2

Please contact me directly if you have any questions regarding this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James S. Blitz', with a long horizontal flourish extending to the right.

James S. Blitz
Vice President, Regulatory Counsel

cc: Stephen Duall, FCC International Bureau
Paul Sinderbrand, Counsel for WCS Coalition

2. Contact	
Name: James S. Blitz	Phone Number: 202-380-4000
Company: XM Satellite Radio Inc.	Fax Number: 202-380-4500
Street: 1500 Eckington Place NE	E-Mail: james.blitz@xmradio.com
City: Washington	State: DC
Country: USA	Zipcode: 20002 -
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 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 CRY - Space Station (Geostationary)	
5. Type Request	
<input type="radio"/> Change Station Location	<input type="radio"/> Extend Expiration Date
	<input checked="" type="radio"/> Other
7. Requested Extended Expiration Date	
6. Temporary Orbit Location	

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.)

XM Radio Inc. (XM) requests Special Temporary Authority (STA) to operate a low power terrestrial repeater (less than 2 kW) for thirty days in Las Vegas to replace decommissioned repeater at Stardust Hotel.

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
James S. Blitz

11. Title of Person Signing
Vice President, Regulatory 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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STAMP AND RETURN

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RECEIVED - FCC

December 22, 2006

DEC 22 2006

John Giusti
Acting Chief, International Bureau
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Federal Communications Commission
Bureau / Office

Re: *Request Of XM Radio Inc. For Special Temporary Authorization Regarding Digital Audio Radio Service Terrestrial Repeaters* – File No. SAT-STA-20061218-00153

Dear Mr. Giusti:

In response to concerns expressed by the WCS Coalition regarding the request by XM Radio Inc. ("XM") for special temporary authority ("STA") to operate a new Digital Audio Radio Service terrestrial repeater in Las Vegas, NV in conjunction with the upcoming Consumer Electronics Show,¹ XM this afternoon committed to limit the duration its operations to December 27, 2006 through January 11, 2007 and to transmit at no more than 2,000 Watts peak equivalent isotropically radiated power.² In light of XM's commitments, the WCS Coalition no longer objects to grant of the STA.

Should you have any questions regarding this submission, please contact the undersigned.

Respectfully submitted,



Paul J. Sinderbrand

Counsel to the WCS Coalition

cc: Stephen Duall
James S. Blitz

¹ See Letter from Paul J. Sinderbrand, Counsel to the WCS Coalition, to John Giusti, Acting Chief, International Bureau, FCC, File Nos. SAT-STA-20061218-00153 (filed Dec. 22, 2006).

² See Letter from James S. Blitz, Vice President/Regulatory Counsel, XM Radio Inc, to John Giusti, Acting Chief, International Bureau, FCC, File Nos. SAT-STA-20061218-00153 (filed Dec. 22, 2006).