

SAT-STA-20070710-00097 IE2007001637
Sirius XM Radio Inc.

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Call Sign _____ Grant Date 09/15/10

(or other identifier)

Term Dates See conditions

From 09/15/10 To: conditions

Approved: _____

Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

Approved by OMB
3060-0678

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY
FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Request for Renewal of STA for 5,000 In-Store Signal Boosters

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:	pdonnelly@siriusradio.com
City:	New York	State:	NY
Country:	USA	Zipcode:	10020
Attention:	Patrick L. Donnelly		

Attachment to Grant
Application of Sirius XM Radio Inc. for Special Temporary Authority
IBFS File Nos. SAT-STA-20020312-00048, SAT-STA-20031219-00369, SAT-STA-20040623-00119,
SAT-STA-20040623-00122, SAT-STA-20050301-00053, SAT-STA-20070710-00097, SAT-STA-
20081020-00206

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM), for a period of 180 days, to continue to operate previously authorized terrestrial repeaters for use in the 2320-2345 MHz frequency band, as set forth in the above-referenced applications. This authorization is granted according to the technical parameters specified in these applications and is subject to the conditions below.

1. Any actions taken as a result of these STAs are solely at the applicant's own risk. These STAs 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. These STAs expire after 180 days, or on the date that permanent authority to operate the covered repeater operations becomes effective, whichever occurs first.

8. Sirius 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.

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.



File # See above
Call Sign _____ Grant Date 09/15/10
(or other identifier)
Term Dates see
From 09/15/10 To: conditions
Approved: Stephen J. Duall
Stephen J. Duall
Chief, Satellite Policy Branch

2. Contact

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006
Attention:	Jennifer Hindin	Relationship:	Legal Counsel

(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?

- 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 renewal of its 180-day STA to operate up to 5,000 in-store signal boosters with an EIRP of 0.0001 watts in its licensed frequency band (2320-2332.5 MHz) at retail outlets. This STA is requested for an additional 180 days or until the date on which the permanent rules become effective for the operation of

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 Executive VP, Gen. Counsel and Secretary

11. Title of Person Signing

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.

8. Description

Sirius Satellite Radio Inc. herein requests a renewal of its 180-day STA to operate up to 5,000 in-store signal boosters with an EIRP of 0.0001 watts in its licensed frequency band (2320-2332.5 MHz) at retail outlets. This STA is requested for an additional 180 days or until the date on which the permanent rules become effective for the operation of Satellite Digital Audio Radio Service terrestrial repeaters, whichever occurs first.

Attachment

Sirius Satellite Radio Inc. (“Sirius”) requests that the Federal Communications Commission (“FCC” or “Commission”) renew for 180 days Sirius’ special temporary authority (“STA”) to operate up to 5,000 in-store signal boosters with an Effective Isotropically Radiated Power of 0.0001 watts in its licensed frequency band (2320-23332.5 MHz) at retail outlets. These signal boosters were initially authorized under STA for a 180-day period beginning on January 18, 2007 and expiring on July 17, 2007.¹ This STA is requested for an additional 180 days or until the date on which permanent rules become effective for the operation of Satellite Digital Audio Radio Service (“SDARS”) terrestrial repeaters, whichever occurs first. Sirius understands that pursuant to Section 1.62 of the Commission’s rules, its STA will continue in effect without further action by the Commission until such time as the Commission shall make a final determination with respect to this request.²

Grant of this renewal will serve the public interest for the same reasons that the FCC granted Sirius’ initial STA for these in-store boosters. Specifically, these in-store boosters will allow Sirius to meet the growing demand for satellite radio. As Sirius has previously noted, in-store signal boosters enable Sirius to provide a clear signal for reception by SDARS receivers located within retail outlets. Retail stores, who require signal boosters to effectively market satellite radio to consumers and more easily test SDARS receivers installed in consumers’ vehicles, have asked that Sirius make these in-store boosters available so that the stores can sell and promote satellite radio to the public.

The technical qualifications and interference considerations of these in-store signal boosters are already on file with the Commission.³ Moreover, Sirius certifies that the continued operation of these in-store boosters will comply with the “Micro-Repeater STA Conditions” that the Commission imposed on Sirius in granting the original STA to operate 5,000 in-store signal boosters.⁴ Sirius is unaware of any incidents of interference to other radio services by the several thousand boosters that are currently operating. Therefore, prompt grant of Sirius’ renewal request would serve the public interest.

¹ See *Sirius Satellite Radio Inc.*, SAT-STA-20050601-00114, Grant of Authority, *Policy Branch Information Actions Taken*, Public Notice, Report No. SAT-00413 (Jan. 19, 2007). Sirius jointly owns these boosters with XM Radio Inc. (“XM Radio”). XM Radio has filed an application for extension of its STA to operate these boosters. See *XM Radio Inc.*, *Request for Extension of STA to Operate Additional 5000 In-Store Boosters*, File No. SAT-STA-20070706-00096 (filed July 6, 2007).

² 47 C.F.R. § 1.62.

³ *Sirius Satellite Radio*, *Request for Special Temporary Authority to Operate In-Store Signal Boosters in the Satellite Digital Audio Radio Service*, File No. SAT-STA-20050601-00114 (filed June 1, 2005); Letter from Patrick Donnelly, Sirius Satellite Radio Inc. to Marlene Dortch, Federal Communication Commission, File No. SAT-STA-20050601-00114 (July 29, 2005).

⁴ See *Sirius Satellite Radio Inc.* *Request for Special Temporary Authority to Operate In-Store Signal Boosters in the Satellite Digital Audio Radio Service*, File No. SAT-STA-20030411-00075 (grant stamp with conditions issued June 26, 2003).