

SAT-STA-20080131-00034 IE2008000214
Sirius XM Radio Inc.

Approved by OMB
3060-0678

Date & Time Filed: Jan 31 2008 4:31:13:310PM
File Number: SAT-STA-20080131-00034
Callsign:

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 Modification of SDARS Terrestrial Repeater STA to Operate Fifteen Repeaters at 2000 Watts

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 conditions

Police Branch Chief

File # SAT-STA-2008 0131- 00034

Call Sign _____ Grant Date 04/29/08
(or other identifier)

Term Dates see attached
From _____ To: conditions

Approved: *[Signature]*

**Application of Sirius Satellite Radio Inc. for Special Temporary Authority
IBFS File No. SAT-STA-20080131-00034**

Special temporary authority (STA) IS GRANTED to Sirius Satellite Radio Inc. (Sirius) to increase the power of fifteen existing terrestrial repeaters to 2 kW equivalent isotropically radiated power (EIRP). Currently, the repeaters are operating at levels approved by the Commission, ranging from 150 to 800 watts EIRP. This authorization is granted according to the technical parameters specified in Sirius's application and is 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.



File # SAT-STA-20080131-00034
Call Sign _____ Grant Date 04/29/08
(or other identifier) _____
Term Dates see conditions
From _____ To: _____
Approved: [Signature]

* subject to conditions

2. Contact

Name:	Patrick J. 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 SATSTA2004062300119 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 increase the operating power of 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, Gen. Counsel and Secretary
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12. Please supply any need attachments.

Attachment 1: Attachment & Exhibit	Attachment 2:	Attachment 3:
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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 increase the operating power of fifteen low-power satellite digital audio radio service (“satellite DARS”) terrestrial repeaters as set forth in the attached Exhibit.¹ The purpose of this STA application is to increase the power of these repeaters in order to provide improved service to Sirius subscribers.

On September 17, 2001, the Commission granted Sirius an STA to operate its satellite DARS terrestrial repeater network.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.⁴

Sirius previously identified these sites as necessary to allow it to provide high quality commercial satellite DARS programming nationwide. These repeaters are operating within parameters that have already been approved by the Commission, as indicated in the attached Exhibit.⁵ The proposed modification will increase the power of these repeaters to 2000 watts, a power level that has been deemed acceptable by WCS licensees.⁶ This increase in power will improve terrestrial repeater coverage and result in

¹ Sirius hereby requests that this proceeding be designated “permit-but-disclose” for purposes of the Commission's rules governing *ex parte* communications. 47 C.F.R. §§ 1.1200(a) and 1.1206.

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. *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).

⁴ 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, 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, a request to operate four new repeaters at sites in Alaska and Hawaii, and a 180-day request for STA to operate 15 repeaters. *See* IBFS File Nos. SAT-STA-20060623-00067, SAT-STA-20061013-00121, SAT-STA-20061013-00122, SAT-STA-20061107-00132, SAT-STA-20061107-00131, SAT-STA-20071213-00174.

⁵ *See* IBFS File Nos. SAT-STA-20040623-00119, SAT-STA-20030827-00299. Because the Commission has already approved the operation of these repeaters at the current parameters, Sirius has not submitted topographic maps or aerial views of the repeater sites.

⁶ *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

improved service in these areas. 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, ethnic and religious programming."⁷

Sirius does not anticipate any in-band or out of band interference from these repeaters. As noted above, these low-power repeaters will continue to operate at or below a power level that has been deemed acceptable by 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.

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.

terrestrial repeaters operating below 2 kW peak EIRP will not cause undue interference to its WCS operations").

⁷

2001 STA Grant Order at 16776 (¶ 9).

EXHIBIT

Current Granted STA

Market	No Of Sectors	Address	Antenna Type	Sector 1			Sector 2			Sector 3			Coordinates		Antenna Height (feet)			
				Antenna Beamwidth	Orientation	DownTilt	Antenna Beamwidth	Orientation	DownTilt	Antenna Beamwidth	Orientation	DownTilt	Antenna Beamwidth	Orientation		DownTilt	ERP (Watts)	Longitude (W)
Ann Arbor, MI	2	555 East William Street, Ann Arbor, MI 48104	HMD8V120-R05-H	120	150	0	180.00	120	340	0	180.00	180	340	0	180.00	83-44-32.33	42-16-40.26	270
Bridgeport, CT	2	10 Middle Street, Bridgeport CT 06804	EMS RV80-18-00NV	80	50	0	360.00	80	310	0	360.00	-	-	-	-	73-11-19.05	41-10-42.35	240
Columbia, SC	1	1301 Geravia Street, Columbia, SC 29201	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	81-01-55.60	34-00-07.80	290
Des Moines, IA	1	686 Grand Avenue, Des Moines, IA 50309	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	93-37-32.70	41-35-14.80	475
Flint, MI	1	120 East First Street, Flint, MI 48802	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	83-41-24.14	43-00-56.46	260
Grand Rapids, MI	1	11 Monroe Avenue, Grand Rapids, MI 49503	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	85-40-24.50	42-57-50.10	340
Jackson, MS	1	210 E. Capitol Street, Jackson, MS 39201	Mobile Mark CD12-2400	Omni	-	0	400.00	-	-	-	-	-	-	-	-	90-11-03.38	32-18-01.47	324
Los Angeles, CA	1	7700 Irvine Center Drive, Irvine, CA 92618	EMS RV80-18-00NV	80	135	0	800.00	-	-	-	-	-	-	-	-	117-45-00.18	33-39-32.54	148
Madison, WI	1	122 West Washington Avenue, Madison, WI 53703	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	88-23-07.58	43-04-25.54	190
Mobile, AL	1	31 N. Royal Street, Mobile, AL 36602	HMD8V180-R05-H	180	270	0	320.00	-	-	-	-	-	-	-	-	88-02-29.22	30-41-34.80	507
Naples, FL	1	3800 Prospect Avenue, Naples, FL 34104	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	81-45-50.00	26-09-18.99	110
Paramus, NJ	2	590 Industrial Avenue (aka 590 Valley Health Plaza), Paramus, NJ 07652	EMS FR90-17-00NV-L	90	160	0	800.00	90	315	0	800.00	-	-	-	-	74-04-32.30	40-57-41.52	165
Raleigh-Durham, NC	1	300 West Morgan Street, Durham, NC 27701	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	78-54-08.70	35-59-53.30	239
Waterbury, CT	1	117 Pine Street, Waterbury, CT 06710	Andrew HMD8V360-R05-H	Omni	0	0	180.00	-	-	-	-	-	-	-	-	73-02-43.02	41-33-43.00	131
West Palm Beach, FL	2	1601 Belvedere Road, West Palm Beach, FL 33406	HMD8V180-R05-H	180	60	0	150.00	180	240	0	150.00	-	-	-	-	80-04-34.00	26-41-28.00	200

Modifications

Market	No Of Sectors	Address	Antenna Type	Sector 1			Sector 2			Sector 3			Coordinates		Antenna Height (feet)			
				Antenna Beamwidth	Orientation	DownTilt	Antenna Beamwidth	Orientation	DownTilt	Antenna Beamwidth	Orientation	DownTilt	ERP (Watts)	Longitude (W)		Latitude (N)		
Ann Arbor, MI	2	555 East William Street, Ann Arbor, MI 48104	HMD8V120-R05-H	120	150	0	2000.00	120	340	0	2000.00	180	340	0	2000.00	83-44-32.33	42-16-40.26	270
Bridgeport, CT	2	10 Middle Street, Bridgeport CT 06804	EMS RV80-18-00NV	80	50	0	2000.00	80	310	0	2000.00	-	-	-	-	73-11-19.05	41-10-42.35	240
Columbia, SC	1	1301 Geravia Street, Columbia, SC 29201	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	81-01-55.60	34-00-07.80	290
Des Moines, IA	1	686 Grand Avenue, Des Moines, IA 50309	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	93-37-32.70	41-35-14.80	476
Flint, MI	1	120 East First Street, Flint, MI 48802	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	83-41-24.14	43-00-56.46	260
Grand Rapids, MI	1	11 Monroe Avenue, Grand Rapids, MI 49503	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	85-40-24.50	42-57-50.10	340
Jackson, MS	1	210 E. Capitol Street, Jackson, MS 39201	Mobile Mark CD12-2400	Omni	-	0	2000.00	-	-	-	-	-	-	-	-	90-11-03.38	32-18-01.47	324
Los Angeles, CA	1	7700 Irvine Center Drive, Irvine, CA 92618	EMS RV80-18-00NV	80	135	0	2000.00	-	-	-	-	-	-	-	-	117-45-00.18	33-39-32.54	148
Madison, WI	1	122 West Washington Avenue, Madison, WI 53703	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	88-23-07.58	43-04-25.54	190
Mobile, AL	1	31 N. Royal Street, Mobile, AL 36602	HMD8V180-R05-H	180	270	0	2000.00	-	-	-	-	-	-	-	-	88-02-29.22	30-41-34.80	507
Naples, FL	1	3800 Prospect Avenue, Naples, FL 34104	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	81-45-50.00	26-09-18.99	110
Paramus, NJ	2	590 Industrial Avenue (aka 590 Valley Health Plaza), Paramus, NJ 07652	EMS FR90-17-00NV-L	90	160	0	2000.00	90	315	0	2000.00	-	-	-	-	74-04-32.30	40-57-41.52	165
Raleigh-Durham, NC	1	300 West Morgan Street, Durham, NC 27701	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	78-54-08.70	35-59-53.30	239
Waterbury, CT	1	117 Pine Street, Waterbury, CT 06710	Andrew HMD8V360-R05-H	Omni	0	0	2000.00	-	-	-	-	-	-	-	-	73-02-43.02	41-33-43.00	131
West Palm Beach, FL	2	1601 Belvedere Road, West Palm Beach, FL 33406	HMD8V180-R05-H	180	60	0	2000.00	180	240	0	2000.00	-	-	-	-	80-04-34.00	26-41-28.00	200