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August 5, 2009

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VIA IBFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Sirius XM Radio Inc.
Notice of *Ex Parte* Presentation
File No. SAT-STA-20081027-00210**

Dear Ms. Dortch:

In accordance with Section 1.1206 of the rules of the Federal Communications Commission (“FCC” or “Commission”), 47 C.F.R. § 1.1206, and the FCC’s designation of the above-referenced proceeding as *permit but disclose*,¹ this letter notifies the Commission that on August 4, 2009, James Blitz and Terrence Smith of Sirius XM Radio Inc. (“Sirius XM”) and Robert Pettit and Jennifer Hindin of Wiley Rein LLP, counsel to Sirius XM, met with Roderick Porter, Robert Nelson, Gardner Foster, Steven Spaeth and Jay Whaley of the FCC’s International Bureau.

During the meeting the participants discussed Sirius XM’s pending application to use terrestrial repeaters to provide satellite radio service to the Commonwealth of Puerto Rico. Sirius XM seeks authority to operate these repeaters in Puerto Rico as required by the Commission’s order approving the merger of Sirius Satellite Radio Inc. and XM Radio Inc.² Sirius XM discussed its desire to market its service in Puerto Rico and apprised the Commission of the preliminary steps it has taken so far to construct the requested terrestrial repeaters so that it is able to commence service promptly, should the Commission grant this application. Sirius XM also informed the Commission that the Arecibo Observatory in Puerto Rico had determined that Sirius XM’s proposal terrestrial repeaters were “unlikely to cause

¹ Letter from Stephen J. Duall, Chief, IB Policy Branch, FCC to Sirius XM Radio Inc., File No. SAT-STA-20081027-00210 (July 22, 2009) (stamp grant permitting change to *ex parte* status for the duration of the proceeding).

² *Applications for Consent to the Transfer of Control of Licenses XM Satellite Radio Holdings Inc., Transferor To Sirius Satellite Radio Inc., Transferee*, 21 FCC Rcd 12,348 (2008).



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harmful interference to the passive use of the Radio Astronomy bands”.³ Sirius XM further noted that it currently provides Sirius satellite radio service in Puerto Rico, however, the satellite signal is weaker than that covering the contiguous United States and the terrain in Puerto Rico makes the signal subject to more frequent interruptions, making the need for complementary terrestrial repeaters even more compelling. Allowing the deployment of terrestrial repeaters in Puerto Rico would significantly enhance signal availability and reliability. For these reasons, Sirius XM urged the Commission promptly to grant the pending application.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,

/s/ Jennifer D. Hindin

Jennifer D. Hindin

cc (via email):Roderick Porter
Robert Nelson
Gardner Foster
Steven Spaeth
Jay Whaley

³ Letter from Reinaldo Velez, Spectrum Manager, National Astronomy and Ionosphere Center, Arecibo Observatory, to James S. Blitz (Aug. 3, 2009) (attached).

NATIONAL ASTRONOMY AND IONOSPHERE CENTER
ARECIBO OBSERVATORY



August 3, 2009

Mr. James S. Blitz
Vice President, Regulatory Counsel
1500 Eckington Place N.E.
Washington DC 20002

Re: Sirius XM Radio Inc.
For Special Temporary Authority to operate 20 terrestrial transmitters

Dear: James S. Blitz:

Thank you very much for the notification on minor equipment changes of your FCC application sent to us in accordance with the Puerto Rico Coordination zone agreements. We have considered the technical aspects of your application and find that your installation is unlikely to cause harmful interference to the passive use of the Radio Astronomy bands at the Observatory. We therefore have no objection to your proposed installation.

Sincerely yours,

Reinaldo Vélez
Spectrum Manager

RV:ws

Cc: FCC
PRCZ files [File #009080026]