

SAT-STA-20090910-00096

IB2009003948

Sirius XM Radio Inc.

Date & Time Filed: Sep 10 2009 10:58:39:740AM
File Number: SAT-STA-20090910-00096
Callsign:

20090910 - 00096
Filing # SAT-STA-~~200909~~ - 00096

Call Sign _____ Grant Date 12/01/09

(or other identifier)

Term Dates See attached conditions

Approved by OMB
3060-0678

From 09/13/09 To: _____

Approved: _____

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



*subject to conditions

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 Extension of Special Temporary Authority to Operate Repeaters and Signal Boosters at Trade Show Events for 180 Days

1. Applicant

Name:	Sirius XM 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:	Patrick L. Donnelly		

Attachment to Grant
Application of Sirius XM Radio Inc. for Special Temporary Authority
IBFS File No. SAT-STA-20090910-00096

Sirius XM Radio Inc. (Sirius XM) is granted special temporary authority (STA) for a period of 180 days, commencing on September 13, 2009, to continue to operate, indoor terrestrial repeaters with an effective isotropically radiated power (EIRP) of (1) up to 10 watts and (2) up to 0.0001 watts at trade shows and other indoor locations, such as automobile industry promotional events, press and marketing events, and investor relations events. Sirius XM is authorized to operate these repeaters using the 2320-2345 MHz frequency band, which is assigned for Sirius XM's exclusive use to provide Satellite Digital Audio Radio Service (SDARS). This authorization is subject to the Commission's rules, the operational and technical parameters specified in Sirius XM's application, and 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 the terrestrial repeaters is authorized pursuant to this STA on a non-interference basis with respect to all permanently authorized radiocommunication facilities;
3. The terrestrial repeaters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the satellite directly to SDARS receivers;
4. Where applicable, 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;
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, 47 C.F.R. §§ 1.1307(b) and 1.1310;
6. The out-of-band emissions of the terrestrial repeaters shall be limited to 75+10log(EIRP) dB less than the transmitter EIRP;
7. Sirius XM will maintain full ownership and operational control of the terrestrial repeaters;
8. Sirius XM will immediately shut down the terrestrial repeaters upon a complaint of interference, upon direction from the Commission, or upon finding that the repeaters have not been properly installed;
9. 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.
10. 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.



*subject to conditions

File # SAT-STA-20090910-00096

Call Sign _____ Grant Date 12/01/09
(or other identifier)

Term Dates see attached conditions
From 09/13/09 To: _____

Approved: Stephen J. Duall

Stephen J. Duall
Chief, Policy Branch

2. Contact	
Name:	James S. Blitz
Company:	Sirius XM Radio Inc.
Street:	1500 Eckington Place NE
City:	Washington
Country:	USA
Attention:	
Phone Number:	202-380-4000
Fax Number:	202-380-4500
E-Mail:	james.blitz@siriusxm.com
State:	DC
Zipcode:	20002
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 SATSTA2008120500222 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 checked="" type="radio"/> Other (please explain):	
4b. Fee Classification CXW – Space Station (Non-Geostationary)	
5. Type Request	
<input checked="" type="radio"/> Change Station Location	<input type="radio"/> Extend Expiration Date <input checked="" type="radio"/> Other
6. Temporary Orbit Location	
7. Requested Extended Expiration Date	

<p>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.)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Sirius XM Radio Inc. requests extension of Special Temporary Authority (STA) granted on March 17, 2009 (File No. SAT-STA-20081205-00222) to operate repeaters and signal boosters at trade show events at various locations across the United States. Absent renewal, this STA will expire on September 13, 2009.</p> </div>					
<p>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 &quot;party to the application&quot;; for these purposes.</p> <p style="text-align: center;"> <input checked="" type="radio"/> Yes <input type="radio"/> No </p>					
<p>10. Name of Person Signing James S. Blitz</p>	<p>11. Title of Person Signing Vice President, Regulatory Counsel</p>				
<p>12. Please supply any need attachments.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Attachment 1: STA Request</td> <td style="width: 50%;">Attachment 2:</td> </tr> <tr> <td></td> <td>Attachment 3:</td> </tr> </table>		Attachment 1: STA Request	Attachment 2:		Attachment 3:
Attachment 1: STA Request	Attachment 2:				
	Attachment 3:				
<p style="text-align: center;">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).</p>					

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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.

SIRIUS XM

RADIO INC.

1500 Eckington Place, N.E.
Washington, D.C. 20002
Tel: 202-380-4000
Fax: 202-380-4500
www.sirius.com www.xmradio.com

September 9, 2009

Via IBFS

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

**Re: Sirius XM Radio Inc.
Request for Extension of 180-Day Special Temporary Authority to Operate
Very Low Power Repeaters and Signal Boosters at Trade Show Events
File No. SAT-STA-20081205-00222**

Dear Ms. Dortch:

Pursuant to Section 25.120(b)(2) of the Commission's rules, 47 C.F.R. § 25.120(b)(2), Sirius XM Radio Inc. ("Sirius XM"), a satellite radio licensee in the Satellite Digital Audio Radio Service, hereby requests extension of the above-referenced Special Temporary Authority ("STA") to operate in its licensed frequency band (i) very low power terrestrial repeaters with an Effective Isotropically Radiated Power ("EIRP") of up to ten watts and (ii) signal boosters with an EIRP of up to 0.0001 watts that have previously been approved for use in retail stores and other indoor locations. Sirius XM requests that the Commission renew this STA for a period of 180 days or until the Commission issues a blanket license for the Repeater. Absent renewal, this STA is scheduled to expire on September 13, 2009.¹

Sirius XM currently operates these repeaters and boosters in connection with both the Sirius frequency band (2320-2332.5 MHz) and the XM Radio Inc. ("XM") frequency band (2332.5-2345 MHz), pursuant to the STA granted by the International Bureau on March 17,

¹ Because this request is timely, pursuant to Section 1.62 of the Rules, this 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. *See* 47 C.F.R. § 1.62.

Ms. Marlene H. Dortch
September 9, 2009
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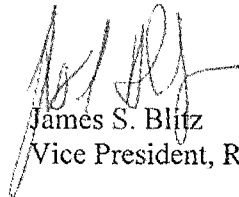
2009. Sirius XM has not changed technical parameters for the repeaters and boosters since the original grant of the STA and is not herein requesting modification of any of those parameters. Renewing this STA will serve the public interest by allowing Sirius XM to continue to provide a quality signal at temporary events in various locations across the United States.

Sirius XM has been using the repeaters and boosters authorized in the above-referenced STA for 180 days and is not aware of any incidents where the equipment has caused any interference to other radio services. Sirius XM emphasizes that the repeaters and boosters operate at a power level of not more than ten watts and at a level which is unlikely to cause any interference. As the Bureau acknowledged in granting Sirius XM's original repeater STA requests, and the WCS licensees have confirmed, operating terrestrial repeaters and boosters at an EIRP of 2000 watts or less does not pose interference concerns.²

Sirius XM will continue to comply with the conditions the Commission imposed in granting the above-referenced STA to operate the repeaters and boosters. These conditions and the technical parameters of the repeaters and boosters have provided sufficient protection to other radio services. Therefore, prompt grant of Sirius XM's extension request will allow for the continued reception of the SDARS signal at various trade show events across the country.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



James S. Blitz
Vice President, Regulatory Counsel

² See *XM Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complimentary Terrestrial Repeaters, Order and Authorization*, 16 FCC Rcd. 16781 ¶ 12 (“The comments from WCS licensees express concern about blanketing interference from DARS repeaters that operate with an Equivalent Isotropically Radiated Power (EIRP) above 2 kW.”). Moreover, in March 2007, the WCS Coalition said that it will defer from objecting to STA requests that propose operations of no more than 2,000 watts EIRP, even if they do not specify peak or average EIRP, provided that grant of the STA (i) is conditioned on operation on a non-interference basis; and (ii) is subject to the condition that the issue of peak versus average EIRP will be addressed in the pending DARS rulemaking (IB Docket No. 95-91). See Letter from Paul J. Sinderbrand, Counsel to the WCS Coalition, to Ms. Helen Domenici, FCC, File No. SAT-STA-20061207-00145 (March 19, 2007). Sirius XM agrees to these conditions.

Ms. Marlene H. Dortch
September 9, 2009
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cc: Stephen Duall, FCC International Bureau
Jay Whaley, FCC International Bureau
Sankar Persaud, FCC International Bureau