

SAT-STA-20091023-00111

IB2009005830

Sirius XM Radio Inc.

File # SPT- STA - 20091023- 00111

Call Sign Grant Date 12/10/09

(or other identifier)

Term Dates period of

From 11/09/09 To: 180 days

Approved by OMB  
3060-0678

Date & Time Filed: Oct 23 2009 3:36:12:826PM

File Number: SAT-STA-20091023-00111

Call sign:

Approved: *Stephen J. Duall*

*Stephen J. Duall*  
Chief, Satellite Policy Branch



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 Two Low Power Terrestrial Repeaters in Harrisburg, Pennsylvania for 180 Days

1. Applicant

<b>Name:</b>	Sirius XM Radio Inc.	<b>Phone Number:</b>	212-584-5100
<b>DBA Name:</b>		<b>Fax Number:</b>	212-584-5353
<b>Street:</b>	1221 Avenue of the Americas 36th Floor	<b>E-Mail:</b>	
<b>City:</b>	New York	<b>State:</b>	NY
<b>Country:</b>	USA	<b>Zipcode:</b>	10020 -
<b>Attention:</b>	Patrick L. Donnelly		

**Attachment to Grant**  
**Application of Sirius XM Radio Inc. for Special Temporary Authority**  
**IBFS File No. SAT-STA-20091023-00111**

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM), for a period of 180-days commencing on November 9, 2009, to continue to operate two terrestrial repeaters in Harrisburg, Pennsylvania: one terrestrial repeater with an average Effective Isotropically Radiated Power (EIRP) of up to 1000 watts for use on the Sirius network (2320-2332.5 MHz), and one terrestrial repeater with an average EIRP of up to 2000 watts for use on the XM network (2332.5-2345 MHz). This authorization is granted according to the technical parameters specified in Sirius XM's application and is subject to the conditions below.

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 the terrestrial repeaters is authorized pursuant to this STA on a non-interference basis with respect to all permanently authorized radiocommunication facilities. Sirius 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. The terrestrial repeaters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the satellite directly to SDARS subscribers' receivers.
4. 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 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures.
6. 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.
7. The terrestrial repeaters' out-of-band emissions shall be limited to 75+ 10log(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 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 attached conditions

File # SAT-STA-20091023-00111

Call Sign \_\_\_\_\_ Grant Date 12/10/09  
(or other identifier)

Term Dates period of  
From 11/09/09 To: 180 days

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

<b>2. Contact</b>	
<b>Name:</b>	James S. Blitz
<b>Company:</b>	Sirius XM Radio Inc.
<b>Street:</b>	1500 Eckington Place NE
<b>City:</b>	Washington
<b>Country:</b>	USA
<b>Attention:</b>	
<b>Phone Number:</b>	202-380-4000
<b>Fax Number:</b>	202-380-4981
<b>E-Mail:</b>	james.blitz@siriusxm.com
<b>State:</b>	DC
<b>Zipcode:</b>	20002 -
<b>Relationship:</b>	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 SATSTA2009032400036 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 CXW - Space Station (Non-Geostationary)	
5. Type Request	
<input 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	

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 XM Radio Inc. requests extension of Special Temporary Authority (STA) granted on May 13, 2009 (File No. SAT-STA-20090324-00036) to operate two low power terrestrial repeaters in Harrisburg, Pennsylvania. Absent renewal, this STA will expire on November 9, 2009.

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: Extension 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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**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

October 23, 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  
Two Low Power Repeaters in Harrisburg, Pennsylvania  
File No. SAT-STA-20090324-00036**

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 one low power terrestrial repeater having average Effective Isotropically Radiated Power ("EIRP") of up to 1000 watts for use on the Sirius network (2320-2332.5 MHz) and one low power terrestrial repeater having average EIRP of up to 2000 watts for use on the XM network (2332.5-2345 MHz). 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 November 9, 2009.<sup>1</sup>

Sirius XM currently operates these repeaters pursuant to the STA granted by the International Bureau on May 13, 2009, File No. SAT-STA-20090324-00036. Sirius XM has not changed technical parameters for the repeaters since the original grant of the STA and is not herein

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<sup>1</sup> 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  
October 23, 2009  
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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 to its subscribers in the Harrisburg, Pennsylvania area.

Sirius XM has been using the repeaters 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 operate at a power level of not more than 2000 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 at an EIRP of 2000 watts or less does not pose interference concerns.<sup>2</sup>

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.

Sirius XM hereby certifies that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

Sirius XM is submitting payment to the Federal Communications Commission in the amount of Two Thousand Eight Hundred Sixty Dollars (\$2860.00) -- the filing fee applicable to requests for STAs for non-geostationary ("NGSO") satellites.<sup>3</sup>

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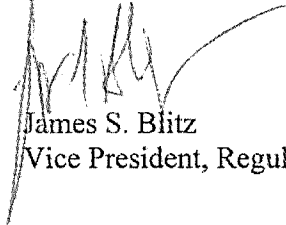
<sup>2</sup> See *XM Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complimentary Terrestrial Repeaters, Order and Authorization*, 16 FCC Rcd. 16781 ¶ 12 ("The comments from WCS licensees express concern about blanketing interference from DARS 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.

<sup>3</sup> See *International and Satellite Services Fee Filing Guide* (February 2009).

Ms. Marlene H. Dortch  
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Please direct any questions regarding this matter to the undersigned.

Very truly yours,

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

James S. Blitz  
Vice President, Regulatory Counsel

cc: Stephen Duall, FCC International Bureau  
Jay Whaley, FCC International Bureau  
Sankar Persaud, FCC International Bureau