

IB2009007986

SAT-STA-20091207-00139

Sirius XM Radio Inc.

Approved by OMB
3060-0678

File # SAT-STA-20091207-00139
Call Sign (or other identifier) Grant Date 01/21/10
From 12/15/09 Term Dates see conditions
Approved: Stephen J. Duall To: conditions



Date & Time Filed: Dec 7 2009 2:47:12:413PM
File Number: SAT-STA-20091207-00139
Callsign:

FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Request for Extension of Special Temporary Authority to Operate Low Power Terrestrial Repeaters at Various Locations for 180 Days

I. 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-20091207-00139

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM), for a period of 180-days commencing on December 15, 2009, to continue to operate 23 terrestrial repeaters having an average Effective Isotropically Radiated Power (EIRP) of up to 2000 watts for use on the Sirius network (2320-2332.5 MHz), and two terrestrial repeaters having an average EIRP of up to 2000 watts for use on the XM network (2332.5-2345 MHz), at various locations throughout the United States, as set forth in Sirius XM's application. 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. Each terrestrial repeater's out-of-band emissions shall be limited to $75 + 10\log(\text{EIRP})$ 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 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-20091207-00139

Call Sign _____ Grant Date 01/21/10
(or other identifier)

From 12/15/09 Term Dates see conditions
To: _____

Approved: Stephen J. Duall

Stephen J. Duall
Chief, Satellite Policy Branch

2. Contact	
Name: James S. Blitz	Phone Number: 202-380-4000
Company: Sirius XM Radio Inc.	Fax Number: 202-380-4981
Street: 1500 Eckington Place NE	E-Mail: james.blitz@siriusxm.com
City: Washington	State: DC
Country: USA	Zipcode: 20002 -
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 SATSTA2009041000042 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).	
Governmental Entity 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	Extend Expiration Date
<input type="radio"/> Other	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 Inc. requests extension of Special Temporary Authority (STA) granted on June 18, 2009 to operate new low power terrestrial repeaters at various locations for 180 days (File No. SAT-STA-20090410-00042). Absent renewal, this STA will expire on December 15, 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

December 7, 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
New Low Power Terrestrial Repeaters at Various Locations
File No. SAT-STA-20090410-00042**

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 ("SDARS"), hereby requests extension of the above-referenced Special Temporary Authority ("STA") to operate in its licensed frequency band multiple low power terrestrial repeaters, each of which has average Effective Isotropically Radiated Power ("EIRP") of up to 2000 watts. Specifically, the application sought authority to operate 23 new low power repeaters in the former Sirius Satellite Radio Inc. ("Sirius") frequency band (2320-2332.5 MHz) and two new low power repeaters in the former XM Radio Inc. frequency band (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 these repeaters. Absent renewal, this STA is scheduled to expire on December 15, 2009.¹

Sirius XM currently operates these repeaters pursuant to the STA granted by the International Bureau on June 18, 2009, File No. SAT-STA-20090410-00042. Sirius XM has not changed

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
December 7, 2009
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technical parameters for the repeaters 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 enabling Sirius XM to continue providing quality service to subscribers throughout the United States. Without these low power terrestrial repeaters, Sirius XM cannot provide the signal quality that its subscribers expect.

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.²

Sirius XM will continue to comply with the conditions the Commission imposed in granting the above-referenced STA to operate the repeaters. These conditions and the technical parameters of the repeaters 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 by subscribers 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.³

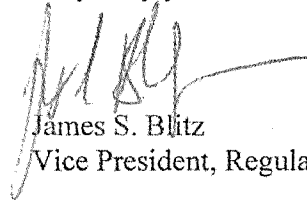
² See *XM Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complimentary Terrestrial Repeaters, Order and Authorization*, 16 FCC Rcd. 16781 ¶ 12 ("The comments from WCS licensees express concern about blanketing interference from DARS repeaters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

³ See *International and Satellite Services Fee Filing Guide* (February 2009).

Ms. Marlene H. Dortch
December 7, 2009
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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 horizontal 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