

SAT-STA-20100322-00052

IB2010000914

Sirius XM Radio Inc.

File # SAT- STA - 20100322-00052

Call Sign \_\_\_\_\_ Grant Date 07/07/10

(or other identifier)

Term Dates 180 days Approved by OMB  
From 04/06/10 To: (see conditions) 3060-0678

**GRANTED\***

Federal Communications Commission

\*subject to conditions

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

Date & Time Filed: Mar 22 2010 1:36:19:363PM

File Number: SAT-STA-20100322-00052

Call sign:

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 Six Low Power Terrestrial Repeaters at Various Locations 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		


**Application of Sirius XM Radio Inc. for Special Temporary Authority**  
**IBFS File No. SAT-STA-20100322-00052**

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM) to continue to operate, for a period of 180-days commencing on April 6, 2010, five 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 one terrestrial repeater 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.
2. SDARS terrestrial repeaters are restricted to the simultaneous retransmission of the complete programming, and only that programming, transmitted by the SDARS licensee's satellite(s) directly to the SDARS licensee's subscribers' receivers, and may not be used to distribute any information not also transmitted to all subscribers' receivers.
3. 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.
4. The terrestrial repeaters shall comply with Part 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures.
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.
6. Any SDARS terrestrial repeater operating at a power level greater than 2-watt average EIRP is required to attenuate its out-of-band emissions below the transmitter power P by a factor of not less than  $90 + 10 \log (P)$  dB in a 1-megahertz bandwidth outside the 2320-2345 MHz band, where P is average transmitter output power in watts. Any SDARS terrestrial repeater operating at a power level equal to or less than 2-watt average EIRP is required to attenuate its out-of-band emissions below the transmitter power P by a factor of not less than  $75 + 10 \log (P)$  dB in a 1-megahertz bandwidth outside the 2320-2345 MHz band, where P is average transmitter output power in watts..
7. This STA expires after 180 days, or on the date that permanent authority to operate the covered repeater operations becomes effective, whichever occurs first.
8. 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.

**Application of Sirius XM Radio Inc. for Special Temporary Authority  
IBFS File No. SAT-STA-20100322-00052**

9. 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.

 <b>GRANTED*</b> International Bureau	File # <u>SAT-STA-20100322-00052</u>
	Call Sign _____ Grant Date <u>07/07/10</u> (or other identifier)
	Term Dates <u>period of</u> From <u>04/06/10</u> To: <u>180 days (see conditions)</u>
	Approved: <u><i>Stephen J. Duall</i></u> Stephen J. Duall Chief, Satellite Policy Branch
	*subject to conditions

<b>2. Contact</b>	
<b>Name:</b> James S. Blitz	<b>Phone Number:</b> 202-380-4000
<b>Company:</b> Sirius XM Radio Inc.	<b>Fax Number:</b> 202-380-4981
<b>Street:</b> 1500 Eckington Place NE	<b>E-Mail:</b> james.blitz@siriusxm.com
<b>City:</b> Washington	<b>State:</b> DC
<b>Country:</b> USA	<b>Zipcode:</b> 20002
<b>Attention:</b>	<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 SATSTA2009072100074 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 checked="" type="radio"/> Change Station Location	<input type="radio"/> Extend Expiration Date <input 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 October 7, 2009 to operate six low power terrestrial repeaters at various locations for 180 days (File No. SAT-STA-20090721-00074). Absent renewal, this STA will expire on April 5, 2010.</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 "party to the application"; for these purposes.</p> <p style="text-align: right;"> <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;"> <b>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT</b>          (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

March 22, 2010

**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  
Six New Low Power Terrestrial Repeaters at Various Locations  
File No. SAT-STA-20090721-00074**

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 multiple low power terrestrial repeaters, each of which has an average Effective Isotropically Radiated Power ("EIRP") of 2000 watts. Sirius XM requests that the Commission renew this STA for a period of 180 days or until the Commission issues a blanket license for repeaters used in connection with satellite radio. Absent renewal, this STA is scheduled to expire on April 5, 2010.<sup>1</sup>

Sirius XM is authorized to operate five of the repeaters in connection with the Sirius frequency band (2320-2332.5 MHz) and one of the repeaters in connection with the XM Radio Inc. ("XM") frequency band (2332.5-2345 MHz), pursuant to the STA granted by the International Bureau on October 7, 2009. Sirius XM has not changed technical parameters for

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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.



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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 allowing Sirius XM to continue to provide a quality signal at to its subscribers at various locations across the United States.

Sirius XM has been permitted to use the repeaters authorized in the above-referenced STA for over 180 days and is not aware of any incidents where the equipment has caused interference to other radio services. Sirius XM emphasizes that the repeaters are all authorized to operate at a power level of not more than 2000 watts. 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. 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 at the various locations authorized in this STA.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



James S. Blitz  
Vice President, Regulatory Counsel

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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 Red. 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.



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