

SIRIUS XM

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May 18, 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 30-Day Special Temporary Authority
For a New Low Power Repeater in Arlington, Virginia**

Dear Ms. Dortch:

Pursuant to Section 25.120(b)(4) of the Commission's rules, 47 C.F.R. § 25.120(b)(4), Sirius XM Radio Inc. ("Sirius XM"), a satellite radio licensee in the Satellite Digital Audio Radio Service ("SDARS"), hereby requests 30-Day Special Temporary Authority ("STA") for a new low power terrestrial repeater with an Effective Isotropically Radiated Power ("EIRP") of up to 2000 watts in Arlington, Virginia.¹ Specifically, this application seeks authority to operate one new low power repeater in the former XM Radio Inc. ("XM") frequency band (2332.5-2345 MHz). Sirius XM requires a 30 day STA due to the landlord's unexpected termination of the lease for the current site. This new repeater will be co-located with an existing Sirius repeater at the same site (Sirius 46-20).

The Commission has recognized that SDARS operators require terrestrial repeaters to provide high-quality service nationwide.² Consistent with this policy, in September 2001, the Bureau granted STAs to Sirius XM to operate a nationwide network of terrestrial repeaters.³ In the years since, the

¹ Under Section 25.120(b)(4), the Commission may grant this application for a 30-Day STA without placing it on Public Notice.

² See *Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking*, 12 FCC Rcd 5754, 5770 ¶ 37 (1997).

³ See *Sirius Satellite Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complimentary Terrestrial Repeaters, Order and Authorization*, 16 FCC Rcd. 16773 ¶ 18 (2001) ("Sirius STA Order"). *XM Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service*

Bureau has granted Sirius XM additional STAs to operate terrestrial repeaters, pending issuance of final rules governing the deployment and use of repeaters.⁴

Public Interest Considerations. Sirius XM has recently been informed by the landlord of the current site at which this repeater is located that its equipment needs to be removed from the location by May 31. Sirius XM currently operates a repeater on the Sirius network at a nearby site in Arlington, Virginia and Sirius XM seeks to co-locate this repeater at the Arlington location. Grant of the STA by May 31, 2010 will allow Sirius XM to continue providing uninterrupted service to its subscribers in Arlington, Virginia. Without this repeater, Sirius XM cannot provide the signal quality that its Washington, D.C. area subscribers expect.

Technical Information for the New Low Power Repeaters. The following technical information pertaining to the repeater is provided in Exhibit A: (1) antenna type; (2) antenna orientation; (3) average EIRP; (4) height above ground level (“AGL”); and (5) antenna downtilt.⁵ Exhibits B and C consist respectively, of Google™ satellite images and topographic maps showing the location of the proposed facilities. The specification sheet for the antenna to be used by the repeater is attached as Exhibit D.

Complimentary Terrestrial Repeaters, Order and Authorization, 16 FCC Rcd. 16781 ¶ 18 (2001) (“*XM STA Order*”).

⁴ See, e.g., *Sirius Satellite Radio Inc.; Request to Modify Special Temporary Authority to Operate Additional Satellite Digital Audio Radio Service Terrestrial Repeaters, Order and Authorization*, 19 FCC Rcd. 18140 (2004) (granting Sirius an STA in File No. SAT-STA-20031106-00370, effective Sept. 15, 2004. Since that time, the Commission has extended the STA several times, pending the issuance of final rules governing the use of satellite DARS terrestrial repeaters. In September 2004, the Commission granted Sirius a new STA to operate for 180 days or until the Commission issues final rules governing the use of satellite DARS terrestrial repeaters. See *Sirius Satellite Radio Inc. Request to Modify Special Temporary Authority to Operate Satellite DARS Terrestrial Repeaters, Order and Authorization*, 19 FCC Rcd 18149 (2004) (“2004 STA Grant Order”). Sirius timely filed an application for renewal of this STA on March 1, 2005. See File No. SAT-STA-20050301-00053. To date, the Commission has not acted on this application. See also, *XM Radio, Inc.; Request for Special Temporary Authority to Operate Additional Satellite Digital Audio Radio Service Terrestrial Repeaters, Order and Authorization*, 19 FCC Rcd. 18140 (2004) (granting XM an STA in File No. SAT-STA-20031112-00371, effective Sept. 15, 2004); *Public Notice*, 2002 FCC Lexis 5670 (rel. Oct. 30, 2002) (granting XM an STA in File No. SAT-STA-20020815-00153, effective Sept. 30, 2002); *Public Notice*, 2003 FCC Lexis 4803 (rel. Aug. 29, 2002) (granting XM an STA in File No. SAT-STA-20030409-00076, effective June 26, 2003). XM has filed applications to renew its STAs, and those renewal applications remain pending.

⁵ For purposes of Sirius XM’s repeater STA applications, “antenna downtilt” refers to an antenna’s mechanical downtilt, without reference to any electrical downtilt built into the antenna.

Interference Considerations. As proposed in this STA, the repeater will operate at an average EIRP of less than 2000 watts. Because Sirius XM has exclusive use of its licensed band, it is highly unlikely that this low power repeater will create interference to other licensees. To the extent Sirius XM's original 2001 STAs require it to coordinate with affected Wireless Communications Services ("WCS") licensees prior to operating any repeater, Sirius XM is sending a copy of this STA application to Horizon Wi-Com LLC ("Horizon") in satisfaction of this coordination requirement.⁶ Moreover, as the Bureau acknowledged in granting Sirius XM's original repeater STA requests, the WCS licensees have confirmed that operating terrestrial repeaters at an EIRP of 2 kW or less is not an interference concern.⁷ However, if prohibited interference does occur, Sirius XM will cease operation of the repeater until such interference can be eliminated.⁸

Ownership and Control of Repeaters. Sirius XM will own the repeater and it will be responsible for the repeater's installation and operation.

⁶ Despite the Bureau's statement in the *XM STA Order* (at ¶ 14) and *Sirius STA Order* (at ¶ 14) that it expects "WCS licensees to provide a schedule or as much advance notice as possible of when their stations are to be placed in operation," Sirius XM has not received information directly from any WCS licensee regarding plans for WCS deployment in these markets. However, Sirius XM's own review of Commission files shows that Horizon has certified that it operates a WCS station serving the Washington, DC metro area, Call Sign KNLB315. It is not clear from the certification whether the base station is receiving transmissions from CPE or is engaged in transmit-only operations. If only the latter, potential interference to the base station is not an issue. In any event, Sirius XM has conducted an interference analysis and determined that its proposed repeaters will not create any interference concern for Horizon's operating WCS site beyond any concerns that may exist from Sirius XM's existing repeaters in the vicinity, none of which have been the subject of any interference complaints from WCS licensees or users.

⁷ *XM STA Order* ¶ 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). XM agrees to these conditions.

⁸ This repeater's design includes several automated shutdown mechanisms that are triggered in the event of equipment major malfunctions. The transmit chain also includes a transmit output coupler which feeds a self-monitoring system detecting any transmission anomalies. Any such anomalies are automatically reported back to Sirius XM's National Repeater Control Center (202-380-4725), which is available on a continuous basis to receive any reports of any suspected interference and take immediate corrective action.

Certifications. Sirius XM certifies that it will operate the repeater subject to the conditions and certifications set forth in the *Sirius STA Order* and *XM STA Order* granting Sirius XM's September 2001 requests for STAs to operate terrestrial repeaters. Specifically, Sirius XM certifies the following:

- (1) Sirius XM will operate this repeater at its own risk, and such operation shall not prejudice the outcome of the final rules adopted by the Commission in GEN Docket 95-91;
- (2) Sirius XM will operate these facilities on a non-interference basis with respect to all permanently authorized radiocommunication facilities;
- (3) The facilities will be 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 facilities will be completed with all affected Administrations prior to operation, in accordance with all applicable international agreements including those with Canada and Mexico;
- (5) The facilities will comply with Part 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures;
- (6) The facilities will 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 out-of-band emissions of the facility will be limited to $75+10\log$ (EIRP) dB less than the transmitter EIRP;
- (8) Sirius XM will operate this repeater according to the technical parameters provided in this application;
- (9) Sirius XM will maintain full ownership and operational control of this repeater; and
- (10) Sirius XM will immediately shut down this repeater upon a complaint of interference, upon direction from the Commission, or upon finding that a facility has not been properly installed.

Granting this request will not alter Sirius XM's obligation to protect authorized radio-communications facilities from interference, nor will it prejudice the outcome of the Commission's ongoing rulemaking pertaining to the deployment and operation of terrestrial repeaters.

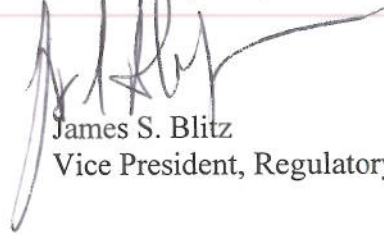
Sirius XM hereby certifies that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

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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.⁹

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



James S. Blitz
Vice President, Regulatory Counsel

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

⁹ See International and Satellite Services Fee Filing Guide (February 2009).

Exhibit A

Technical parameters for repeaters

CITY	NETWORK AND ANTENNA NUMBER	SITE LATITUDE (N)	SITE LONGITUDE (W)	ANTENNA TYPE	ANTENNA ORIENTATION (AZIMUTH)	ANTENNA HEIGHT (FT. AGL)	ANTENNA DOWNTILT (DEGREES)	TOTAL AVERAGE EIRP(W)
Arlington, VA	XM WDC 46-20	38-51-45	77-03-39	EMS FR90-17-00NVL	90	208	0	2000
Arlington, VA	XM WDC 46-20	38-51-45	77-03-39	EMS FR90-17-00NVL	250	208	0	2000

Exhibit B

Google™ Satellite Image of Repeater Location

XM WDC 46-20

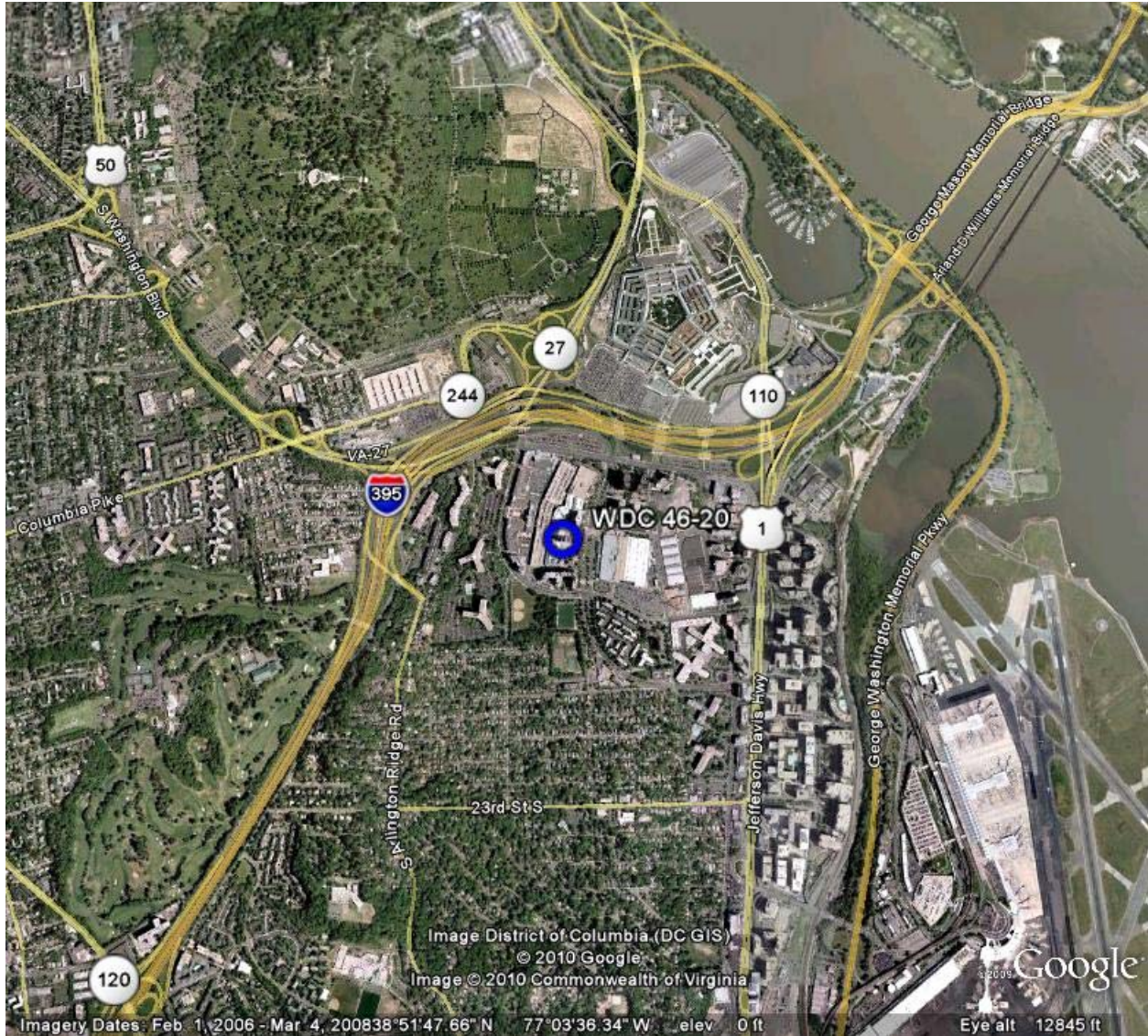


Exhibit C

Topographic Map of Repeater Location

XM WDC 46-20

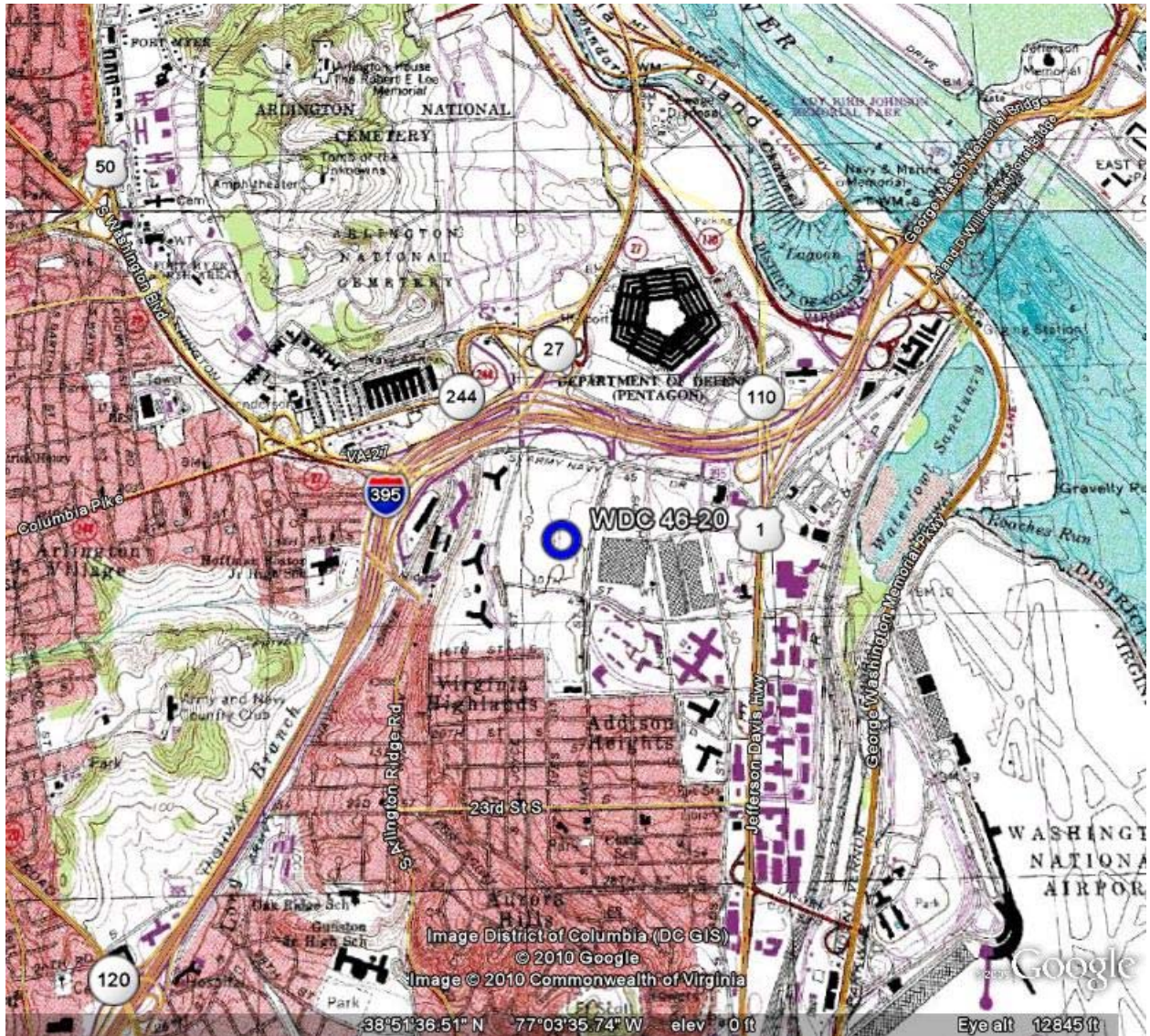


Exhibit D

Antenna Specification Sheet for Repeaters



FR90-17-XXXVL

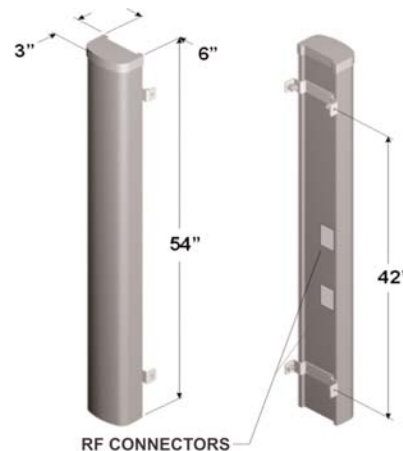
DualPol® Polarization

2305 MHz - 2360 MHz

OptiFill™
Suppressor™

Electrical Specifications

Azimuth Beamwidth (-3 dB)	90° ± 5°
Elevation Beamwidth (-3 dB)	5.6°
Elevation Sidelobes (Upper)	> 20 dB
Gain	16.6 dBi (14.5 dBd)
Polarization	Slant, ±45°
Front-to-Back Ratio	> 25 dB (> 30 dB Typ.)
Electrical Downtilt Options	0°
VSWR	1.33:1 Max (1.22:1 Typ)
Connectors	2; 7-16 DIN (female), or Type N
Power Handling	250 Watts CW
Passive Intermodulation	< -147 dBc [2 x 20 W (+ 43 dBm)]
Lightning Protection	Chassis Ground



Mechanical Specifications

Dimensions (L x W x D)	54 in x 6 in x 3 in (137.2 cm x 15.2 cm x 7.6 cm)
Rated Wind Velocity	150 mph (241 km/hr)
Equivalent Flat Plate Area	2.3 ft² (.21 m²)
Front Wind Load @ 100 mph (161 kph)	66 lbs (294 N)
Side Wind Load @ 100 mph (161 kph)	33 lbs (147 N)
Weight (Without Mounting Options)	13 lbs (6.0 kg)

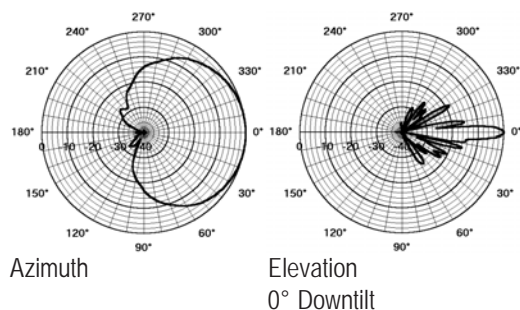
Mounting Options

MTG-P00-10, MTG-S02-10, MTG-DXX-20*, MTG-CXX-10*, MTG-C02-10, MTG-TXX-10*



Note: *Model number shown represents a series of products. See Mounting Options section for specific model number.

Patterns



Revised 09/03/04

EMS' antennas are protected by one or more of the following U.S. patents: 5,844,529; 6,067,053; 6,462,710; 6,392,600; 6,069,590; 5,966,102; 5,757,246. EMS' antenna designs may also be covered by pending U.S. patent applications and by pending & awarded international patents.