

# SIRIUS XM

RADIO INC.

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June 2, 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  
Two Low Power Terrestrial Repeaters in Puerto Rico  
File No. SAT-STA-20091030-00115**

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 two low power terrestrial repeaters, each with an average Effective Isotropically Radiated Power ("EIRP") of 2000 watts.<sup>1</sup> Sirius XM requests renewal of this STA for a period of 180 days or until the Commission issues a blanket license for

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<sup>1</sup> The Commission recently adopted formal rules for satellite radio terrestrial repeaters. Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, *Report and Order and Second Report and Order*, FCC 10-82, Para. 264 (released May 20, 2010) (the "*May 20 Order*"). The *May 20 Order* authorizes the International Bureau "to continue to grant STAs for new or modified repeaters ... [until] any permanent authorization to operate SDARS repeaters becomes effective."

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repeaters used in connection with satellite radio. Absent renewal, this STA is scheduled to expire on June 8, 2010.<sup>2</sup>

Sirius XM currently operates both of the repeaters in connection with the legacy Sirius frequency band (2320-2332.5 MHz), pursuant to the STA granted by the International Bureau on December 10, 2009. Sirius XM has not changed 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 allowing Sirius XM to continue to provide a quality signal to its subscribers in Puerto Rico.

Sirius XM has been using the repeaters authorized in the above-referenced STA for over 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. 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>3</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 in Puerto Rico.

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<sup>2</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.

<sup>3</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. In the *May 20 Order*, the Commission concluded “that SDARS terrestrial repeaters can operate at an average EIRP of 12 kw with maximum PAPR of 13 dB without causing harmful interference to WCS base station receivers.” *Id.* at Para. 243.

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Please direct any questions regarding this matter to the undersigned.

Very truly yours,



James S. Blitz  
Vice President, Regulatory Counsel

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