

SAT-STA-20100611-00129

IB2010001818

Sirius XM Radio Inc.

File # SAT-STA-20100611-00129

Call Sign (or other identifier) Grant Date 07/22/10

Approved by OMB 3060-0678

Term Dates see attached conditions

From 06/14/10 To:

Approved: Stephen J. Duall

Stephen J. Duall Chief Satellite Policy Branch



\*subject to conditions

Date & Time Filed: Jun 11 2010 2:41:17:616PM
File Number: SAT-STA-20100611-00129
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 Eight Low Power Terrestrial Repeaters at Various Locations for 180 Days

1. Applicant

Name: Sirius XM Radio Inc. Phone Number: 212-584-5100
DBA Name: Fax Number: 212-584-5353
Street: 1221 Avenue of the Americas E-Mail:
36th Floor
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-20100611-00129**

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM) to continue to operate eight terrestrial repeaters, each having an average Effective Isotropically Radiated Power (EIRP) of up to 2000 watts, one repeater for use on the Sirius network (2320-2332.5 MHz), and seven repeaters 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, for a period of 180 days commencing on June 14, 2010. 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.

**Attachment to Grant**  
**Application of Sirius XM Radio Inc. for Special Temporary Authority**  
**IBFS File No. SAT-STA-20100611-00129**

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.



\*subject to conditions

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Call Sign \_\_\_\_\_ Grant Date 07/22/10  
(or other identifier)

From 06/14/10 Term Dates see attached  
To: conditions

Approved: Stephen J. Duall

Stephen J. Duall  
Chief, Satellite Policy Branch

<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 SATSTA2009110900118 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 checked="" 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 December 16, 2009 (File No. SAT-STA-20091109-00118) to operate eight low power terrestrial repeaters at various locations for 180 days. Absent renewal, this STA will expire on June 14, 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 &amp;quot;party to the application&amp;quot;; 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 Extension Reques</td> <td style="width: 50%;">Attachment 2:</td> </tr> <tr> <td></td> <td>Attachment 3:</td> </tr> </table>		Attachment 1: STA Extension Reques	Attachment 2:		Attachment 3:
Attachment 1: STA Extension Reques	Attachment 2:				
	Attachment 3:				
<p style="text-align: center;">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).</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.

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Fax: 202-380-4500  
www.sirius.com www.xmradio.com

June 11, 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  
Eight Low Power Terrestrial Repeaters at Various Locations  
File No. SAT-STA-20091109-00118**

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 average Effective Isotropically Radiated Power ("EIRP") of up to 2000 watts.<sup>1</sup> Specifically, the application sought authority to operate one new low power repeater in the former Sirius Satellite Radio Inc. ("Sirius") frequency band (2320-2332.5 MHz) and seven new low power repeaters in the former XM Radio Inc. frequency band (2332.5-2345 MHz). Sirius XM requests renewal of this STA for a period of 180 days or until the Commission issues a

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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 Polices 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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blanket license for repeaters used in connection with satellite radio. Absent renewal, this STA is scheduled to expire on June 14, 2010.<sup>2</sup>

Sirius XM currently operates these repeaters pursuant to the STA granted by the International Bureau on December 16, 2009, File No. SAT-STA-20091109-00118. 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 enabling Sirius XM to continue providing quality service to subscribers throughout the United States.

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 by subscribers across the country.

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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 Duall, FCC International Bureau  
Jay Whaley, FCC International Bureau  
Sankar Persaud, FCC International Bureau