

SAT-STA-20100907-00190
Sirius XM Radio Inc.

IB2010002799

Date & Time Filed: Sep 7 2010 10:46:34:486AM
File Number: SAT-STA-20100907-00190
Callsign:

File # SAT-STA-20100907-00190

Call Sign (or other identifier) Grant Date 11/03/10

Term Dates see conditions Approved by OMB 3060-0678
From 09/09/10 To:

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



FEDERAL COMMUNICATIONS COMMISSION
APPLICATION FOR SPACE STATION SPECIAL TEMPORARY AUTHORITY

FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Request for Extension of Special Temporary Authority to Operate Very Low Power Repeaters and Signal Boosters at Trade Show Events 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 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-20100907-00190

Sirius XM Radio Inc. (Sirius XM) is granted special temporary authority (STA) for a period of 180 days, commencing on September 9, 2010, to continue to operate indoor terrestrial repeaters with an effective isotropically radiated power (EIRP) of (1) up to 10 watts and (2) up to 0.0001 watts at trade shows and other indoor locations, such as automobile industry promotional events, press and marketing events, and investor relations events. Sirius XM is authorized to operate these repeaters using the 2320-2345 MHz frequency band, which is assigned for Sirius XM's exclusive use to provide Satellite Digital Audio Radio Service (SDARS). This authorization is subject to the Commission's rules, the operational and technical parameters specified in Sirius XM's application, and the following conditions:

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.
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.



File # SAT-STA-20100907-00190
Call Sign _____ Grant Date 11/03/10
(or other identifier) _____
Term Dates see
From 09/09/10 To: conditions
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 SATSTA2010030300039 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	

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 Radio Inc. requests extension of Special Temporary Authority (STA) granted on May 6, 2010 to operate very low power terrestrial repeaters and signal boosters at trade show events for 180 days (File No. SAT-STA-20100303-00039). Absent renewal, this STA will expire on September 8, 2010.

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"; 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).

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0678), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0678.

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

September 7, 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
Very Low Power Repeaters and Signal Boosters at Trade Show Events
File No. SAT-STA-20100303-00039**

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 (i) very low power terrestrial repeaters with an Effective Isotropically Radiated Power ("EIRP") of up to ten watts and (ii) signal boosters with an EIRP of up to 0.0001 watts that have previously been approved for use in retail stores and other indoor locations.¹ Sirius XM requests renewal of this STA for a period of

¹ 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 (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." See Para. 264. However, no such permanent authorization can become effective until after the new rules have been approved by the Office of Management and Budget, which has not yet occurred. See 75 Fed. Reg. 45058, 45058 (Aug. 2, 2010).

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 September 8, 2010.²

Sirius XM currently operates these repeaters and boosters in connection with both the Sirius frequency band (2320-2332.5 MHz) and the former XM Radio Inc. ("XM") frequency band (2332.5-2345 MHz), pursuant to the STA granted by the International Bureau on May 6, 2010, File No. SAT-STA-20100303-00039. Sirius XM has not changed technical parameters for the repeaters and boosters 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 to provide a quality signal at temporary events in various locations across the United States.

Sirius XM has been using the repeaters and boosters 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 and boosters operate at a power level of not more than ten 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.³

² 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.

³ *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." *May 20 Order* at Para. 243.

Ms. Marlene H. Dortch
September 7, 2010
Page 3

Sirius XM will continue to comply with the conditions the Commission imposed in granting the above-referenced STA to operate the repeaters and boosters. These conditions and the technical parameters of the repeaters and boosters 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 various trade show events across the country.

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