

SAT-STA-20110303-00047

IE2011000669

Sirius XM Radio Inc.

Date & Time Filed: Mar 3 2011 5:40:38:526PM

File Number: SAT-STA-20110303-00047

Callsign:

File # SAT-STA-2011 0303-00047

Call Sign (or other identifier)

Grant Date 05/11/11

Term Dates From 03/15/11 To: (see conditions) period of 180 days

Approved by OMB 3060-0678

Approved: Stephen J. Duall

Stephen S. Duall Chief, Satellite Policy Branch



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 Bulk Extension of Special Temporary Authority to Operate 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-20110303-00047**

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM), for a period of 180 days commencing March 15, 2011, to continue to operate Satellite Digital Audio Radio Service (SDARS) terrestrial repeaters that were previously authorized to operate in the 2320-2332.5 MHz frequency band under multiple separate grants of special temporary authority, as listed in Sirius XM's application. This grant will not change the previously authorized technical parameters of the repeaters, each of which will operate with an effective isotropically radiated power of less than 12,000 watts (average) at various locations throughout the United States. 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.
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-20110303-00047

Call Sign \_\_\_\_\_ Grant Date 05/11/11

(or other identifier)

From 03/15/11 Term Dates period of 180 days  
To: (see 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 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 bulk extension of Special Temporary Authority (STA) grants to operate multiple terrestrial repeaters at various locations across the United States for 180 days. Absent renewal, these STAs will expire on March 14, 2011.

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.

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).

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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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Washington, D.C. 20002  
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www.sirius.com www.xmradio.com

March 2, 2011

**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 Bulk Extension of Special Temporary Authority to Operate  
Terrestrial Repeaters at Various Locations for 180 Days  
FCC File Nos. SAT-STA-20050301-00053; SAT-STA-20070710-00097; SAT-  
STA-20081020-00206; SAT-STA-20040623-00119; SAT-STA-20040623-  
00122; SAT-STA-20020312-00048; SAT-STA-20031219-00369**

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 ten above-referenced grants of Special Temporary Authority ("STA") to operate terrestrial repeaters.<sup>1</sup> Sirius XM requests extension of

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<sup>1</sup> The Commission's order adopting rules for satellite radio terrestrial repeaters authorized the International Bureau "to continue to grant STAs for new or modified repeaters ... [until] any permanent authorization to operate SDARS repeaters becomes effective." 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*, 25 FCC Rcd 11710, at Para. 264 (2010) (the "*May 20 Order*"). The Commission may not grant these blanket licenses 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); 76 Fed. Reg. 3892 (Jan. 21, 2011) (requesting public comment on the Part 25 information collection requirements).

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March 2, 2011  
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these STA grants to operate repeaters in the Sirius XM frequency band (2320-2332.5 MHz) at various locations across the United States, for a period of 180 days or until the Commission issues a blanket license for these repeaters pursuant to 47 C.F.R. § 25.144(e), whichever occurs first. Absent renewal, each of these STAs will expire on March 14, 2011.<sup>2</sup>

The *May 20 Order* established mechanisms to facilitate the continued operation of repeaters under STA until the new rules were fully in effect, including directing the Bureau to provide a uniform expiration date for all such STAs:

In order to effect an orderly transition from operations under grants of STA to permanent authority to operate terrestrial repeaters, we instruct the International Bureau to extend all existing grants of STA for SDARS repeaters for a period of 180 days from the release date of this *Second Report and Order*.<sup>3</sup>

The instant application asks that the Bureau grant a bulk STA extension for the seven STA authorizations identified above. Sirius XM is currently authorized to operate these repeaters pursuant to multiple STAs granted by the International Bureau on September 15, 2010. Sirius XM has not changed technical parameters for the repeaters since the original grants of the STAs and is not herein requesting modification of any of those parameters. Renewing these STAs will serve the public interest by assisting the Bureau to implement the Commission's directive in the *May 20 Order* concerning STA extensions and will enable Sirius XM to continue to provide a quality signal to its subscribers at various locations across the United States.

During the time since the referenced STAs were granted, Sirius XM has not been made aware of any incidents where its equipment has caused interference to other radio services. None of these repeaters exceed 12 kw average EIRP, which is the maximum power level the Commission permits in its new rules for satellite radio terrestrial repeaters.<sup>4</sup>

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<sup>2</sup> Because this request is timely, pursuant to Section 1.62 of the Rules, the listed STAs 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. A similar Request for Bulk STA Extension is being filed for the terrestrial repeater STA grants issued the same day to XM Radio Inc.

<sup>3</sup> *May 20 Order*, at Para. 264. The *May 20 Order* also allows Sirius XM to request further 180 day extensions of this initial 180 day automatic extension “[i]n the event blanket licenses are not issued within 180 days of the effective date of this Order.” *Id.*, note 615.

<sup>4</sup> 47 C.F.R. § 25.214(d)(1). The Commission concluded in the *May 20 Order* “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.

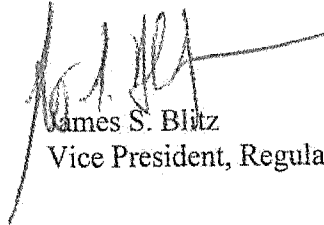
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Sirius XM will continue to comply with the conditions the Commission imposed in granting the referenced STAs to operate these repeaters. These conditions and the technical parameters of the repeaters have provided sufficient protection to other radio services.

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.<sup>5</sup>

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

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<sup>5</sup> See International and Satellite Services Fee Filing Guide (February 2009).