

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of Application by)
)
XM RADIO LLC) Call Sign S2786
)
For Special Temporary Authority to Operate)
XM-5 Outside its Assigned Stationkeeping Box)

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

XM Radio LLC (“XM Radio”) respectfully requests space station special temporary authority (“STA”) through February 13, 2014, to permit operations of the XM-5 space station slightly outside its assigned stationkeeping volume at 85.15° W.L. +/- 0.1 degrees. As discussed below, this temporary excursion is inadvertent and will not adversely affect any other authorized operations. Granting the requested STA will serve the public interest by permitting XM Radio a reasonable time in which to correct the excursion.

The XM-5 spacecraft typically serves as an in-orbit spare for XM Radio’s fleet of satellite digital audio radio service (“SDARS”) spacecraft, but is currently providing active service in lieu of XM-3 as part of a test of XM-5’s operational readiness. XM Radio learned yesterday that due to an error by the third party under contract to monitor XM-5 and perform stationkeeping maneuvers, XM-5 had drifted slightly beyond the western limit of its licensed east-west stationkeeping allowance beginning on February 9, 2014.¹ The maximum amount of the excursion is 0.05 degrees. Two corrective maneuvers were performed yesterday, and XM-5

¹ XM Radio has been advised that the excursion has no relationship to the ongoing testing of XM-5 and will have no impact on the performance of the network during the testing period.

is expected to return to its authorized stationkeeping box on February 13, 2014. XM Radio seeks STA to authorize operation of XM-5 outside the box for this brief period.

Temporary operation of the XM-5 in-orbit spare satellite outside its assigned stationkeeping volume will not cause harmful interference to the operations of any other spacecraft. XM Radio operates the only satellites authorized to use either S-band or X-band frequencies located within two degrees of 85.15° W.L. XM Radio does not share S-band spectrum with other satellite systems (except its affiliate, Satellite CD Radio), and the SDARS downlink frequencies are not subject to two degree spacing rules. The temporary excursion of XM-5 also will not affect XM-3, the SDARS spacecraft with which XM-5 is collocated.

Nor will there be any impact on the physical operations of any other spacecraft. The closest satellite to the west of XM-5 appears to be NIMIQ-1 at 86.5° W.L. Even at its maximum excursion, XM-5 will be separated from the assigned stationkeeping volume of NIMIQ-1 by no less than 1.25 degrees. Under these circumstances, grant of STA for this brief excursion is consistent with Commission precedent² and will permit XM Radio to return XM-5 to its assigned position without expending an unnecessary amount of fuel.

XM Radio 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. § 862.

² See, e.g., *SES Americom, Inc. Application for Modification of Satcom SN-4 Fixed Satellite Space Station License*, 20 FCC Rcd 11542, 11545 (Sat. Div. 2005) (authorizing operations in an increased east-west stationkeeping volume based on a finding that there would be no adverse effect on adjacent satellite operations).

For the foregoing reasons, XM Radio respectfully requests authority for temporary operations of XM-5 outside its assigned stationkeeping volume as described herein.

Respectfully submitted,

XM Radio LLC

/s/ James S. Blitz

James S. Blitz
Vice President, Regulatory Counsel
XM Radio LLC
1500 Eckington Place, N.E.
Washington, D.C. 20002
(202) 380-4000

Of Counsel

Karis A. Hastings
SatCom Law LLC
1317 F Street, N.W., Suite 400
Washington, D.C. 20004
(202) 599-0975

Dated: February 12, 2014