

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Request for STA to conduct TT&C operations in conjunction with the relocation of XM-2 to 85.2WL

I. Applicant

Name:	XM Radio Inc.	Phone Number:	202-380-4000
DBA Name:		Fax Number:	202-380-4981
Street:	1500 Eckington Place, NE	E-Mail:	james.blitz@xmradio.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20002 -
Attention:	James S. Blitz		



"Conditions Attached"
File # SES-STA-20070612-00795
Call Sign E040204 Grant Date 9/28/07
(or other identifier)
Term Dates
From 10/12/07 To 12/10/07
Approved Jeanette O. Springs

**XM Radio Inc.
IBFS File No. SES-STA-20070612-00795**

The request of XM Radio Inc. (XM Radio) for special temporary authority (STA) IS GRANTED for a period of 60 days, effective October 12, 2007, subject to the technical specifications set forth in its application, the Commission's rules, and the following conditions:

1. All operations shall be on a non-harmful interference basis, *i.e.*, XM Radio shall not cause interference to, and shall not claim protection from interference caused to it by, any other lawfully operating satellites or radiocommunication services.
2. In the event that any harmful interference is caused as a result of XM Radio's operations, XM Radio shall cease operations immediately upon notification of such interference and shall inform the Commission in writing immediately of such an event.

2. Contact

Name:	Bruce D. Jacobs	Phone Number:	202-663-8000
Company:	Pillsbury Winthrop Shaw Pittman LLP	Fax Number:	202-663-8007
Street:	2300 N Street NW	E-Mail:	bruce.jacobs@pillsburylaw.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20037 -
Attention:		Relationship:	Legal Counsel

(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?

- If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).
- Governmental Entity Noncommercial educational licensee
- Other (please explain):

4b. Fee Classification CGX - Fixed Satellite Transmit/Receive Earth Station

5. Type Request

- Use Prior to Grant Change Station Location Other

6. Requested Use Prior Date

7. City Atlanta	8. Latitude (dd mm ss.s h) 33 39 51.0 N
9. State GA	10. Longitude (dd mm ss.s h) 84 16 24.0 W
11. Please supply any need attachments. Attachment 1: Attachment A Attachment 2: Attachment 3:	
12. 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.) <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">XM seeks for up to sixty days special temporary authority to conduct TT&C operations in conjunction with the relocation of XM-2 from the 115.1WL orbital location to the 85.2WL orbital location.</div>	
13. 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. <input checked="" type="radio"/> Yes <input type="radio"/> No	
14. Name of Person Signing James S. Blitz	15. Title of Person Signing VP, Regulatory Counsel
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.

Attachment A

XM Radio Inc. (“XM”) hereby requests immediate Special Temporary Authority (“STA”) for up to sixty days to permit its earth station (call sign E040204) to conduct telemetry, tracking, and control (“TT&C”) operations with the XM-2 satellite during its proposed drift from the 115.1°W.L. orbital location to the 85.2°W.L. orbital location¹ and for station-keeping operations at the 85.2°W.L. orbital location.² XM seeks to locate the XM-2 satellite near XM-3, which is at the 85.1°W.L. orbital location, as soon as possible to optimize XM’s ability to provide service to its customers through its satellite and repeater network in the event of an XM-3 outage.³ Accordingly, grant of this STA will serve the public interest because it will permit greater continuity of service to XM subscribers in the event of a service outage for XM-3.

XM will only communicate with XM-2 to perform TT&C functions and will not operate the satellite’s communications payload during the drift or at the 85.2°W.L. orbital location, unless and until XM is so authorized by the Commission. This earth station is already authorized to provide TT&C services using the frequencies needed for the drift of XM-2 and to communicate using those frequencies with satellites at the 85.2°W.L. orbital location. XM will coordinate its TT&C operations with other operators to ensure that no harmful interference results to other operators as XM-2 drifts to the 85.2°W.L. orbital location. Accordingly, grant of this STA request will not result in increased risk of harmful interference to any other system.

¹ See XM Radio, Inc., File No. SAT-STA-20070608-00079 (June 8, 2007).

² XM intends to submit soon an application to modify its earth station license to communicate with XM-2 at the 85.2°W.L. orbital location.

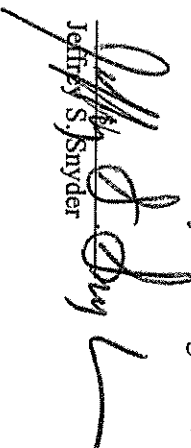
³ See XM Radio, Inc., File No. SAT-STA-20070608-00079 (June 8, 2007), at Exhibit A.

Section 304 Waiver. In accordance with Section 304 of the Communications Act of 1934, as amended, 47 U.S.C. § 304, XM hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.

Technical Certification

I, Jeffrey S. Snyder, Senior Vice President, Space Systems, of XM Radio Inc., certify under penalty of perjury that:

I am the technically qualified person with overall responsibility for preparation of the technical information contained in this application for Special Temporary Authority. I am familiar with the requirements of Part 25 of the Commission's rules, and the information contained in the application is true and correct to the best of my knowledge and belief.


Jeffrey S. Snyder

Dated: June 8, 2007