

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

APPLICANT INFORMATION Enter a description of this application to identify it on the main menu:
Applicaton for Special Temporary Authority for 30 Days for Ellenwood, Georgia Earth Station

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:	pdonnelly@siriusradio.com
City:	New York	State:	NY
Country:	USA	Zipcode:	10020 -
Attention:	Mr Patrick L Donnelly		

30 days

"GRANTED WITH ATTACHED CONDITIONS"



File # SES-STA-20090128-00082

Call Sign E080168 Grant Date 02/03/2009
(or other identifier)

Term Dates
From 02/04/2009 To: 03/05/2009

Approved: Eleanor M. Lott

Application of Sirius XM Radio Inc. for Special Temporary Authority
Conditions to Grant

IBFS File No. SES-STA-20090128-00082

Special temporary authority (STA) is granted to Sirius XM Radio Inc. (Sirius XM) to operate the uplink and telemetry, tracking, and control (TT&C) functions of its earth station in Ellenwood, GA, for a period of thirty days, beginning February 4, 2009 for emergency back up purposes only. This authorization is granted according to the parameters specified in Sirius XM's application and is subject to the following conditions:

1. Uplinks shall be conducted in the X-band frequencies (7025-7075 MHz) previously authorized in connection with Sirius XM's non-geostationary satellite orbit (NGSO) satellite network for test purposes, or as emergency back up in the case of failure of Sirius XM's currently-operating uplink earth station in Vernon Valley, NJ, during the period of this STA.
2. Transmissions may be conducted in the C-band frequencies (6422-6425 MHz) set forth in Sirius XM's application in connection with Sirius XM's NGSO satellite network for TT&C test purposes, or as emergency back up in the case of failure of the existing Sirius XM TT&C facilities located outside the United States during the period of this STA.
3. Sirius XM shall coordinate its operations with U.S. licensed satellites that are within $\pm 5^\circ$ of Sirius XM's nodal crossings of the satellites' final geosynchronous orbit. Sirius XM shall coordinate its TT&C operations with non-U.S. licensed satellites that are located within $\pm 10^\circ$ of Sirius XM's nodal crossings of the satellites' final geosynchronous orbit.
4. In the event Sirius XM provides emergency back up pursuant to conditions 1 & 2 above, Sirius XM must notify the Commission, in writing, of such activation within three business days of the start of the emergency back up communications.
5. Operations pursuant to this STA are on a non-harmful interference basis with respect to all permanently authorized radiocommunication facilities operating in accordance with the ITU Radio Regulations. Sirius XM shall immediately cease transmissions if notified of harmful interference to such permanently authorized radiocommunication facilities.
6. This STA may be terminated or modified at the International Bureau's discretion, without a hearing, if conditions warrant.
7. Any action taken or expense incurred as a result of operations pursuant to this special temporary authority is solely at Sirius XM's own risk.
8. Authority granted in this STA is without prejudice to the disposition of the underlying application by Sirius XM for regular authority to conduct C-band TT&C from the Ellenwood, GA, earth station, including the request for waiver of Section 25.202(g) of the Commission's rules. See IBFS File No. SES-AMD-20080822-01086 (filed Aug. 22, 2008).
9. This authorization is not one relating to an "activity of a continuing nature" for purposes of Section 1.62 of the Commission's rules and Section 558(c) of the Administrative Procedure Act. Continuation of operations beyond the term of this authorization will require prior affirmative authorization by the FCC.

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10. Sirius XM is afforded thirty days from the date of release of this action to decline this special temporary authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the special temporary authorization as conditioned.

11. This grant is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. 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.