

APPLICATION FOR EARTH STATION SPECIAL TEMPORARY AUTHORITY

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

1. Applicant

Name:	Sirius XM Radio Inc.	Phone Number:	202-380-1383
DBA Name:		Fax Number:	
Street:	1221 Avenue of the Americas 36th Floor	E-Mail:	james.blitz@siriusxm.com
City:	New York	State:	NY
Country:	USA	Zipcode:	10020 -
Attention:	James S. Blitz		

"WITH Conditions"



File # SES-STA-20090624-00791

Call Sign E080168 Grant Date 7/1/09
(or other identifier)

Term Dates
From 6/29/09 To 8/27/09

Approved: Kathy Melly
Chief, Satellite Engg. Br.

Attachment

SES-STA-20090624-00791
E080168

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 60 days beginning June 29, 2009 and ending August 27, 2009.

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.

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.

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 File No. SES-AMID-20080822-01086 (filed Aug. 22, 2008).

2. Contact

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006 -
Attention:	Jennifer D. Hindin	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 Ellenwood

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 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;">Sirius XM Radio Inc. ('Sirius XM') hereby requests Special Temporary Authority ('STA') to continue performing on-station telemetry, tracking, and command ('TT&C') operations in the 4/6 GHz band using Sirius XM's Ellenwood, Georgia earth station.</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 Vice President, 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.

**Application for Special Temporary Authority for
Ellenwood, GA Earth Station Call Sign E080168**

Sirius XM Radio Inc. (“Sirius XM”), pursuant to Section 25.120 of the Commission’s rules, 47 C.F.R. § 25.120, and Condition 197(d) of the Ellenwood, Georgia earth station authorization (call sign E080168),¹ hereby requests Special Temporary Authority (“STA”) for 60 days commencing June 29, 2009 to continue performing on-station telemetry, tracking, and command (“TT&C”) operations in the 4/6 GHz band using Sirius XM’s Ellenwood, Georgia earth station for the Sirius FM-1, -2, and -3 space stations.

In February 2009, the Commission granted Sirius XM authority to use its Ellenwood, Georgia earth station to perform backup TT&C.² Condition 197(d) of the authorization requires Sirius XM to notify the Commission within two days of commencing on-station back-up TT&C and to seek STA if Sirius XM intended to continue such operations for more than five consecutive days. Consistent with this condition, on June 24, 2009, Sirius XM notified the Commission that, on June 24, 2009, it commenced use of the Ellenwood earth station for TT&C. Due to continued antenna failures and maintenance problems experienced by Sirius XM’s primary TT&C earth stations in Quito, Ecuador and Urtive, Panama, Sirius XM herein seeks STA to continue use of the Ellenwood earth station for TT&C operations for 60 days or until grant of Sirius XM’s pending application for modification of the Ellenwood earth station authorization to allow routine TT&C operations.³

Technical Information

Sirius XM will use the 4196.35-4196.65, 4196.85-4197.15, 6422.0-6423.0, and 6424.0-6425.0 MHz C-band frequencies for TT&C of the Sirius FM-1, -2, and -3 space stations for the time periods during which each satellite is in orbit over North America. Sirius XM will operate the earth station in conformance with the technical parameters provided in the pending modification application and the current authorization, which are incorporated herein by reference.⁴

¹ Sirius XM Radio Inc., File No. SES-LIC-20080714-00933, Call Sign E080168, Condition 197(d) (granted Feb. 17, 2009).

² *Satellite Communications Serv. Actions Taken*, Report No. SES-01114, File Nos. SES-LIC-20080714-00933, SES-AMD-20080822-01086, SES-AMD-20090204-00145 (Feb. 18, 2009) (Public Notice).

³ *See Modification of Ellenwood, Georgia Earth Station Authorization*, IBFS File No. SES-MOD-20090604-00692 (filed June 4, 2009).

⁴ *Id.*; see also *supra* note 2; Sirius XM was granted waiver of Section 25.202(g) of the Commission’s rules, 47 C.F.R. § 25.202(g), to use C-band frequencies for TT&C of the Sirius FM-1, -2, and -3 space stations. To the extent required, Sirius XM requests continuation of its existing waiver of Section 25.202(g) for this STA application.

Public Interest Considerations

Grant of the requested STA will serve the public interest because it will allow Sirius XM to ensure constant and safe satellite operations. As described in Sirius XM's pending modification application, Sirius XM currently performs TT&C functions for the Sirius FM-1, -2, and -3 space stations using C-band frequencies from its earth stations in Quito, Ecuador and Utiye, Panama. Recently, both of these earth stations experienced antenna failures and other maintenance problems, which left them temporarily unable to perform TT&C operations. On or about May 15, 2009, one of the two antennas at the Quito station became permanently unusable. Because of continued mechanical difficulties, Sirius XM commenced TT&C operations from the Ellenwood facility and seeks this STA to continue such operations for more than five consecutive days. Grant of this STA application will allow Sirius XM to use the Ellenwood antennas as full-time complements to the remaining, usable antennas in Quito and Utiye for TT&C functions, which will allow both for the needed lengthy maintenance periods at the South America stations on a scheduled basis and for relieving stress on the remaining three antennas there through reduced usage and rest periods.

Grant of this modification will not cause interference to any operators in the C-band. Sirius XM will use only a small portion of the C-band and will transmit uplink commands primarily while its satellites are sufficiently far away from the GSO equatorial arc to preclude interference. As shown in the frequency coordination studies provided as Attachment B in the pending modification application and incorporated herein by reference, Sirius XM has carefully coordinated all C-band operations with other operators using these frequencies and updates this coordination every six months. In the unlikely event that harmful interference occurs, Sirius XM will immediately take all necessary steps to eliminate the interference.

Accordingly, and for good cause shown, Sirius XM respectfully requests a STA for 60 days to use the Ellenwood, Georgia earth station in the manner described herein.