

SAT-STA-20100415-00078

IB2010001191

XM Radio Inc.



File # SAT-STA-2010 0415-00078

Call Sign Grant Date 07/07/10

(or other identifier)

Term Dates From 05/05/10 To (See conditions) 180 days

Approved by OMB 3060-0678

Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

Date & Time Filed: Apr 15 2010 3:58:32:136PM

File Number: SAT-STA-20100415-00078

Call sign:

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 Extension of Special Temporary Authority to Operate a Low Power Terrestrial Repeater in Las Vegas, Nevada for 180 Days

1. 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@siriusxm.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20002
Attention:	James S. Blitz		

Application of XM Radio Inc. for Special Temporary Authority
IBFS File No. SAT-STA-20100415-00078

Special temporary authority (STA) is granted to XM Radio Inc. (XM Radio) to continue to operate a terrestrial repeater with an Effective Isotropically Radiated Power (EIRP) of up to 2,000 watts (average) in Las Vegas, Nevada, at the Tropicana Hotel, for a period of 180 days commencing on May 5, 2010. This authorization is granted according to the technical parameters specified in XM Radio'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 repeater 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 repeater shall comply with Part 17 of the Commission's rules – Construction, Marking, and Lighting of Antenna Structures.
5. The terrestrial repeater 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. XM Radio 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.

Application of XM Radio Inc. for Special Temporary Authority
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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.



*subject to conditions

File # SAT- STA-2010 0415-00078

Call Sign _____ Grant Date 07/07/10
(or other identifier)

Term Dates period of 180 days
From 05/05/10 To: (see conditions)

Approved: *Stephen J. Duall*
Stephen J. Duall
Chief, Satellite Policy Branch

2. Contact			
Name:	James S. Blitz	Phone Number:	202-380-4000
Company:	Sirius XM Radio Inc.	Fax Number:	202-380-4981
Street:	1500 Eckington Place NE	E-Mail:	james.blitz@siriusxm.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20002 -
Attention:		Relationship:	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 SATSTA2009093000102 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 CRY - Space Station (Geostationary)			
5. Type Request			
☐ Change Station Location		☒ Extend Expiration Date ☐ 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.) XM Radio Inc. requests extension of Special Temporary Authority (STA) granted on November 5, 2009 to operate a low power terrestrial repeater in Las Vegas, Nevada for 180 days (File No. SAT-STA-20090930-00102). Absent renewal, this STA will expire on May 4, 2010.					
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. <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Attachment 1: STA Request</td> <td style="width: 50%;">Attachment 2:</td> </tr> <tr> <td colspan="2">Attachment 3:</td> </tr> </table>		Attachment 1: STA Request	Attachment 2:	Attachment 3:	
Attachment 1: STA 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
Tel: 202-380-4000
Fax: 202-380-4500
www.sirius.com www.xmradio.com

April 15, 2010

Via IBFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: XM Radio Inc.
Request for Extension of 180-Day Special Temporary Authority to Operate a
New Low Power Terrestrial Repeater in Las Vegas, Nevada
File No. SAT-STA-20090930-00102**

Dear Ms. Dortch:

Pursuant to Section 25.120(b)(2) of the Commission's rules, 47 C.F.R. § 25.120(b)(2), XM Radio Inc. ("XM"), a satellite radio licensee in the Satellite Digital Audio Radio Service, hereby requests extension of the above-referenced Special Temporary Authority ("STA") to operate in its licensed frequency band a low power terrestrial repeater which has an average Effective Isotropically Radiated Power ("EIRP") of 2000 watts. XM requests that the Commission renew this STA for a period of 180 days or until the Commission issues a blanket license for repeaters used in connection with satellite radio. Absent renewal, this STA is scheduled to expire on May 4, 2010.¹

XM currently operates the repeater pursuant to the STA granted by the International Bureau on November 5, 2009. XM has not changed technical parameters for this repeater since the original grant of the STA and is not herein requesting modification of any of those parameters. Renewing this STA will serve the public interest by allowing XM to continue to

¹ Because this request is timely, pursuant to Section 1.62 of the Rules, this STA 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.

Ms. Marlene H. Dortch
April 15, 2010
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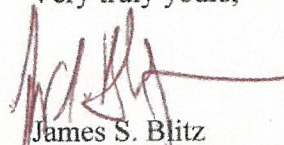
provide a quality signal to its subscribers in the Las Vegas, Nevada area.

XM has been using the repeater authorized in the above-referenced STA for over 180 days and is not aware of any incidents where the equipment has caused any interference to other radio services. XM emphasizes that the repeater operates at a power level of not more than 2000 watts. As the Bureau acknowledged in granting XM's original repeater STA requests, and the WCS licensees have confirmed, operating terrestrial repeaters at an EIRP of 2000 watts or less does not pose interference concerns.²

XM will continue to comply with the conditions the Commission imposed in granting the above-referenced STA to operate the repeater. These conditions and the technical parameters of the repeater have provided sufficient protection to other radio services. Therefore, prompt grant of XM's extension request will allow for the continued reception of the SDARS signal in Las Vegas.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



James S. Blitz
Vice President, Regulatory Counsel

² See *XM Radio, Inc., Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complimentary Terrestrial Repeaters, Order and Authorization*, 16 FCC Rcd. 16781 ¶ 12 ("The comments from WCS licensees express concern about blanketing interference from DARS repeaters that operate with an Equivalent Isotropically Radiated Power (EIRP) above 2 kW."). Moreover, in March 2007, the WCS Coalition said that it will defer from objecting to STA requests that propose operations of no more than 2,000 watts EIRP, even if they do not specify peak or average EIRP, provided that grant of the STA (i) is conditioned on operation on a non-interference basis; and (ii) is subject to the condition that the issue of peak versus average EIRP will be addressed in the pending DARS rulemaking (IB Docket No. 95-91). See Letter from Paul J. Sinderbrand, Counsel to the WCS Coalition, to Ms. Helen Domenici, FCC, File No. SAT-STA-20061207-00145 (March 19, 2007). XM agrees to these conditions.

Ms. Marlene H. Dortch
April 15, 2010
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cc: Stephen Duall, FCC International Bureau
Jay Whaley, FCC International Bureau
Sankar Persaud, FCC International Bureau