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August 23, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via Hand Delivery
Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: **Ex Parte Presentation**
DARS Repeater Rulemaking, IB Docket No. 95-91;
XM Radio Inc., File No. SAT-STA-20010712-00063
Sirius Satellite Radio, Inc., File No. SAT-STA-20010724-00064

Dear Ms. Salas:

On August 22, 2001, Phil Barsky, Derek deBastos, and Lon Levin of XM Radio along with XM Radio's counsel, Bruce Jacobs and David Konczal of Shaw Pittman LLP, met with Rosalee Chiara, Anna Gomez, Alexandra Field, Chris Murphy, Rockie Patterson, and Ron Repasi of the International Bureau and Ron Netro and Catherine Seidel of the Wireless Telecommunications Bureau to discuss XM Radio's request for Special Temporary Authority to operate Digital Audio Radio Service ("DARS") terrestrial repeaters as well as proposed rules for the permanent operation of DARS repeaters.

XM Radio explained that its plans for the operation of repeaters have remained consistent over the five years since the above-captioned rulemaking began. The increase in medium power repeaters reflected in its STA filing relative to those identified in a January 2001 meeting resulted solely from shifting most of its 2 kW repeaters from omnidirectional antennas to sectorized antennas without changing their input power. XM Radio explained that by substituting these directional antennas, XM Radio has substantially reduced the area in which there is any interference risk to WCS licensees, relative to what it would be if XM Radio deployed the 2 kW omnidirectional repeaters that it had planned to deploy.

With respect to its STA request, XM Radio noted that the comments filed on August 21 that it has seen so far indicate only a very few repeaters that the WCS licensees consider may be problematic with respect to specific WCS facilities, either operational or planned. AT&T Wireless has identified only sixteen such XM Radio repeaters in six markets. In almost all of those few cases, the AT&T facilities are not yet operational. Worldcom identified a single operational WCS facility in one market and what appear to be no more than three planned facilities in another market. XM Radio stated that, with cooperation between all of the parties, it believes it can promptly resolve these instances of claimed interference to existing WCS

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operations. No other WCS licensee has identified any specific facilities that might be affected by the 778 repeaters listed in XM Radio's STA request.

Finally, XM Radio discussed possible options for addressing the concerns of WCS licensees regarding the operation of high power repeaters, including the principles involved in the repeater rules that XM has proposed.

Six copies of this notice are being submitted to the Secretary of the FCC. Please direct any questions regarding this matter to the undersigned.

Very truly yours,



David S. Konczal

cc: Rosalee Chiara
Alexandra Field
Anna Gomez
Chris Murphy
Ron Netro
Rockie Patterson
Ron Repasi
Catherine Seidel