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Wiley Rein & Fielding LLP

1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

Virginia Office
7925 JONES BRANCH DRIVE
SUITE 6200
McLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wrf.com

January 24, 2002

Carl R. Frank
202.719.7269
cfrank@wrf.com

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
236 Massachusetts Avenue, NE
Suite 110
Washington, DC 20002

Re: Notice of *Ex Parte* Presentation
***Establishment of Rules and Policies for the Digital Audio Radio Service in the 2310-2360 MHz Frequency Band,* IB Docket No. 95-91**

Dear Ms. Salas:

On behalf of Sirius Satellite Radio Inc. ("Sirius"), submitted herewith pursuant to Section 1.1206(b)(2) of the Commission's rules, are an original and one copy of this notice regarding a permitted oral *ex parte* presentation in the above referenced proceeding. On January 23, 2002, Carl R. Frank, representing Sirius, met with Bryan Tramont, Senior Legal Advisor to Commissioner Abernathy. The purpose of the meeting was to discuss the FCC Public Notice, released November 1, 2001, and the comments and reply comments filed on December 14, 2001 and December 21, 2001, respectively.

Sirius first addressed the fact that, because the WCS industry concedes that it does not plan to deploy substantial numbers of base stations in the next 18 months, *Comments of the WCS Coalition* at 14 (filed Dec. 14, 2001), there is no need to adopt any transition plan. Sirius argued that the Commission instead should adopt only those policies that the Commission proposed to apply after the first 18 months of service, as modified to include averaging of repeater power over 360 degrees and a power cap of 18 kW, and that the FCC should make these policies immediately applicable to satellite DARS.

Sirius also pointed out that the WCS industry was aware of the terrestrial repeater power levels proposed by Sirius well before the date of the WCS auction. The record in this proceeding reflects the fact that Sirius gave explicit notice of its plans regarding terrestrial repeaters, including repeater power levels, more than a decade ago and repeatedly has set forth its proposed repeater power levels since that time.

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Finally, Sirius distributed the attached documents—a chart comparing the prices paid by DARS and WCS licensees per MHz of spectrum and a copy of a BusinessWire article regarding Netro Corporation's agreement to acquire the fixed wireless assets of AT&T Wireless. Sirius explained that the BusinessWire article indicates that Netro plans to concentrate on international markets. Further, Sirius noted that, according to the article, existing technology and equipment intended for use in the WCS band will be adapted for use in other frequency bands and/or other countries.

If there are any questions about this submission, please contact the undersigned at 202.719.7269.

Sincerely,

Carl R. Frank
Counsel for Sirius Satellite Radio Inc.

Enclosures

cc (w/encl.): Bryan Tramont

WCS v. DARS: Price Paid Per MHz of Spectrum

Frequency Block	AWS Paid Per MHz	WCS Licensees Paid Per MHz (on average)
A	$1,852	$9,769
B	$5,905	$8,942
C	$5,881	$31,000
D	$1,137	$34,166
Average across all 4 blocks (weighted)	$4,139	$11,759

Sirius Paid Per MHz	XM Paid Per MHz	DARS Licensees Paid Per MHz (on average)
$5.55 million	$5.99 million	$5.77 million

Netro Corporation To Acquire AT&T Wireless Fixed Wireless Assets

BusinessWire, Tuesday, January 15, 2002 at 00:01

SAN JOSE, Calif.--(BUSINESS WIRE)--Jan. 15, 2002--

Extends Netro's Fixed Wireless Access Product Offering to Carriers

Targeting Small Businesses and Residential Users, With a Leading,

Field-proven Non-Line-of-Sight Platform

Netro Corporation (Nasdaq:NTRO), a leading provider of broadband fixed wireless access networks, today announced a definitive agreement to acquire fixed wireless assets from AT&T Wireless (NYSE:AWE).

For $16 million in cash and 8.2 million shares of Netro common stock, Netro will acquire AT&T Wireless' fixed wireless development team, a license to intellectual property, equipment and proprietary software assets. The technology was originally developed under the code name "Project Angel." The transaction is expected to close in the next 30 days subject to customary closing conditions. At that time, AT&T Wireless will own approximately 13.5 percent of Netro's outstanding common stock.

In addition, Lewis Chakrin, Executive Vice President, Corporate Strategy and Planning at AT&T Wireless, will join Netro's Board of Directors.

The AT&T Wireless fixed wireless technology, the first orthogonal frequency division multiplexing (OFDM)-based non-line-of-sight solution to be deployed in volume, is field-proven and provides toll-quality voice and high-speed data. AT&T Fixed Wireless deployed this technology to approximately 47,000 subscribers in 10 US metropolitan markets, offering both voice and high-speed packet data services.

With this acquisition, Netro will offer a range of low and high-frequency products for fixed wireless access solutions targeting business and residential end users, access and backhaul infrastructure as well as the widest set of licensed frequencies (1.9 to 39 GHz) for point to multipoint. Netro expects to sell the fixed wireless product internationally into its installed base and targeted markets, using its extensive global sales and distribution network. The initial prospective market for Netro will be international

Netro Corporation

Netro Holder Seeks Special Shareholder Meeting
[Dow Jones Online News]
11/14/2001 16:25

C. Robert Coates Seeks Netro Special Stockholders Meeting
[PR Newswire]
11/14/2001 14:30

Netro and Your Communications Team Up to Provide High-Speed Internet Access and Voice Service in the United Kingdom
[BusinessWire]
11/06/2001 16:32

Netro Corporation Appoints Shirley Young to Board of Directors; Chinese Business Expert to Contribute to Netro's Efforts in Growing Asian Broadband Wireless Market
[BusinessWire]
10/29/2001 17:02

Netro Holder Urges Co To Consider $6/Share Self-Tender Offer
[Dow Jones Online News]
10/19/2001 11:44

C. Robert Coates Urges Netro Maximize Shareholder Value
[PR Newswire]
10/19/2001 10:58

C. Robert Coates Sues to Invalidate Netro Takeover Defenses
[PR Newswire]
10/08/2001 14:39

Previous 10 | 25 stories

carriers who own spectrum in the popular 3.5 GHz frequency band. Netro will begin to adapt the technology for the international market immediately and expects to generate revenue from product sales in the second half of 2002.

"I am very excited about the addition of AT&T Wireless' Fixed Wireless Access assets to our portfolio," said Gideon Ben-Efraim, Netro's Chairman and CEO. "In the last several months, we had reviewed several strategic initiatives and decided to focus on the next generation, low frequency fixed wireless access market to address the international emerging markets that require a voice and data wireless solution to complement a limited wireline infrastructure. After reviewing many options, we have determined that AT&T Wireless' fixed wireless technology is the best platform to meet our market vision and extend our broadband wireless access product portfolio."

"With the acquired assets, we believe that Netro is well positioned for future growth and that Netro has a competitive advantage in providing a one-stop solution for our customers," Ben-Efraim added. "This transaction should greatly expand our presence in the residential marketplace and should serve as a platform for continued expansion into new and existing geographic and customer segments. In addition, I am very pleased to welcome Lewis Chakrin to our Board of Directors. Lew's extensive experience in the wireless industry will be invaluable to us as we further extend our marketing and product strategy."

"We're pleased that Netro will be acquiring the AT&T Wireless fixed wireless development team as well as a license to intellectual property, equipment and proprietary software assets. It's a field-tested and proven technology," Chakrin said. "I look forward to working as a Board member with the company's senior leaders as Netro executes on its growth strategy."

The acquisition will be accounted for as a purchase of assets. At the completion of the acquisition, approximately 126 AT&T Wireless employees will become Netro employees. Included in the added team will be AT&T Fixed Wireless vice president of engineering, John Saw, who will become senior vice president engineering, Angel Products and acting general manager of the Redmond facility.

An analyst conference call to discuss the acquisition, will be held today, at 2:00 p.m. PST, 5:00 p.m. EST. Dial in numbers for the call are: Domestic 1-800-310-1961; and International 1-719-457-2692 with the passcode 484 854.

The call will be webcast using the links at http://www.netro-corp.com with a 14-day archive available. For

those unable to participate in the call, there will be a replay available from January 15, 2002 at 5:00 p.m. PST, through January 17, 2002 11:59 p.m. Please call: Domestic 1-888-203-1112 or International 1-719-457-0820 with the passcode 484 854.

About Netro Corporation

Netro Corporation (NASDAQ:NTRO) is a leading provider of fixed broadband wireless access systems used by telecommunications service providers to deliver voice and high-speed data services to customers worldwide. Netro's vision is to provide breakthrough technology packaged in a carrier-class, practical solution that enables quick service delivery and efficient use of capital. Netro offers the industry's broadest range of low and high frequency products for business and residential, access and backhaul infrastructure needs, with the widest set of licensed frequencies for point to multipoint- 1.9 to 39 GHz. The Company's AirStar and Angel products have an impressive track record of performance and stability worldwide.

Safe Harbor Statement under the Private Securities Litigation Reform Act of 1995

Except for the historical information contained herein, the matters discussed in this news release are forward-looking statements involving risks and uncertainties that could cause actual results to differ materially from those in such forward-looking statements. Potential risks and uncertainties include, but are not limited to, the ability to timely adopt the Angel product for the international marketplace, achieving revenues from the Angel product in the second half of 2002, and Netro's ability to manufacture and sell the Angel product on a cost-effective basis. We expressly disclaim any responsibility to update any projections contained herein. Further information regarding these and other risks is included in Netro's Annual Report on Form 10-K for the fiscal year ended December 31, 2000 and in its other filings with the Securities and Exchange Commission.

CONTACT: Netro

Haven Bourque, 408/216-1500 (Media)

havenb@netro-corp.com

Sanjay Khare, 408/216-1500 (Investor Relations)

sanjayk@netro-corp.com

OR

PR21 (for Netro)

Rowan Benecke, 415/369-8102

rowan.benecke@pr21.com

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with Hyperlinks to your home page.

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Companies or Securities discussed in this article:

Symbol	Name
NASDAQ:NTRO	Netro Corporation (NM)
NYSE:AWE	At&t Wireless Svcs

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