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ORIGINAL

February 11, 2002

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BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
236 Massachusetts Avenue, NE
Washington, DC 20002

RECEIVED

FEB 11 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Request to Modify Special Temporary Authority to Operate Satellite DARS Terrestrial Repeaters; *Establishment of Rules and Policies for the Digital Audio Radio Service in the 2310-2360 MHz Frequency Band*, IB Docket No. 95-91

Dear Mr. Caton:

By its attorneys, Sirius Satellite Radio Inc. ("Sirius") hereby requests that the Commission modify its special temporary authority ("STA") to operate two of its satellite DARS terrestrial repeaters with Equivalent Isotropically Radiated Powers ("EIRPs") greater than 2kW. Specifically, Sirius requests that the Commission modify its STA to operate one of its terrestrial repeaters in Detroit, Michigan and one of its terrestrial repeaters in Las Vegas, Nevada.

On July 24, 2001, Sirius requested STA to begin commercial service using its satellite DARS terrestrial repeater network. This request included an Exhibit providing technical information—such as, geographic coordinates, total EIRP, antenna orientation, antenna radiation pattern and any applicable vertical downtilt—for each planned terrestrial repeater with an EIRP greater than 2kW. On September 17, 2001, the Commission granted Sirius STA to operate its satellite DARS terrestrial repeater network.[1] The Commission granted Sirius STA to operate its terrestrial repeaters with EIRPs greater than 2kW "as specified in Exhibit A of the STA request."[2]

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1 *Sirius Satellite Radio, Inc. Application for Special Temporary Authority to Operate Satellite Digital Audio Radio Service Complementary Terrestrial Repeaters*, Order and Authorization, File No. SAT-STA-20010724-00064, 2001 FCC LEXIS 4931, DA 01-2171 (Sept. 17, 2001) ("*Sirius STA Order*").

2 *Id.* ¶ 17.

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Sirius recently determined that the technical specifications of two of its terrestrial repeaters with EIRPs greater than 2kW must be altered. Thus, Sirius requests that the Commission modify its STA to permit it to operate its Detroit repeater at a new downtilt and its Las Vegas repeater at a new downtilt and orientation set forth in the Exhibit attached hereto.[3] Sirius also discovered that the power level for its Las Vegas repeater that was listed in the Exhibit to its STA request is incorrect. Sirius requests that the Commission modify its STA to permit Sirius to operate its Las Vegas repeater at the actual power level for that repeater, which is indicated in the attached Exhibit.[4]

In granting Sirius STA, the FCC required Sirius to protect operational WCS stations from interference caused by its repeaters.[5] Sirius determined that no WCS licensee in Detroit or Las Vegas has constructed or is operating facilities and, thus, that its proposed modifications to its terrestrial repeaters in those cities would not raise any interference issues.[6] As a courtesy, Sirius contacted representatives for

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(Continued . . .)

[3] Sirius seeks to modify the downtilt of its Detroit repeater—located at Longitude (W) 83-02-51.00, Latitude (N) 42-19-50.00—from 0 to 6 degrees, and the downtilt of its Las Vegas repeater—located at Longitude (W) 115-10-00.00, Latitude (N) 36-07-57.00—from 0 to 7 degrees. Sirius also seeks to change the orientation of its Las Vegas repeater from 105 to 135 degrees.

[4] The Exhibit that Sirius submitted with its STA request indicated an EIRP of 7943.28 Watts for the Las Vegas repeater. The Exhibit should have indicated an EIRP of 15848.90 Watts.

[5] *Sirius STA Order* ¶ 13.

[6] WCS licensees other than WorldCom have acknowledged that "WCS licensees are still in the design phase of their networks and are not likely to have significant deployment within the 18-month compensation period" proposed by the the Commission's November 1, 2001 Public Notice requesting further comments on certain issues regarding the authorization of SDARS terrestrial repeater networks. Comments of the WCS Coalition, *Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band*, IB Docket No. 95-91, at 14 (Dec. 14, 2001). WorldCom has indicated that it currently

each entity holding a WCS license covering Detroit (*i.e.*, AT&T Wireless, Voicestream and Comcast) or Las Vegas (*i.e.*, AT&T Wireless, BAL\RIVGAM and Metricom) to notify them of its proposed changes to its repeaters in those cities. AT&T Wireless and Voicestream have notified Sirius that they have no objections to the proposed changes to its terrestrial repeaters in Detroit and Las Vegas. While Sirius has provided Metricom's representative with detailed information regarding the proposed changes to its terrestrial repeaters, Metricom has been unable to determine whether it has any objections to these changes. To date, Sirius has received no reply from BAL\RIVGAM or Comcast.

Sirius respectfully requests that the Commission modify its STA as indicated in the attached Exhibit. Such action will assist Sirius in its provision of commercial service to customers and will not alter its obligations to protect WCS and other authorized radiocommunications facilities from interference. Further, the final characteristics of these and the other Sirius terrestrial repeaters remains subject to the outcome of the Further Notice of Proposed Rulemaking in the above-captioned proceeding.

If there are any questions about this submission, please do not hestitate to contact the undersigned.

Sincerely,

Carl R Frank /HOP

Carl R. Frank
Counsel for Sirius Satellite Radio Inc.

Enclosure

(Continued . . .)
provides WCS service only in Memphis, Tennessee. WorldCom Opposition to STA Request, *XM Radio, Inc. Request for Special Temporary Authorization and Sirius Satellite Radio, Inc. Request for Special Temporary Authority*, IB Docket No. 95-91, File Nos. SAT-STA-20010712-00063 and SAT-STA-20010724-00064, at 2 (Aug. 21, 2001).

cc (w/encl): Donald Abelson
Ron Repasi
Chris Murphy
Jennifer Gilsenan
Rockie Patterson
William Wiltshire, *Counsel for AT&T Wireless*
James Balitsos, *BAL\RIVGAM, L.L.C.*
Tom Davidson, *Counsel for Metricom*
Dan Menser, *Counsel for Voicestream*
Christina H. Burrow, *Counsel for Comcast WCS*
Jeffrey E. Smith, *Comcast WCS*

Market	No Of Setors	Antenna Type	Sector 1				Sector 2				Sector 3				Coordinates		Antenna Height (feet)
			Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Longitude (W)	Latitude (N)	
Akron	1	HMD8V90-R05-H	90	320	0	14125.38	-	-	-	-	-	-	-	-	81-30-14.00	41-03-53.00	150
Albany	1	HMD8V360-R05-H	Omni	-	-	8511.38	-	-	-	-	-	-	-	-	73-45-55.80	42-39-32.18	178
Alburquerque	1	HMD8V90-R05-H	90	230	0	22387.21	-	-	-	-	-	-	-	-	106-26-58.50	35-12-46.50	65
Atlanta	2	HMD8PV180-R05-H	180	0	0	6309.57	180	180	0	7943.28	-	-	-	-	84-23-13.19	33-45-39.46	1016
Atlanta	1	HMD8V120-R05-H	120	250	0	19952.62	-	-	-	-	-	-	-	-	84-20-07.00	33-55-16.00	443
Atlanta	2	HMD8V90-R05-H	90	30	0	8317.64	90	150	0	7585.78	-	-	-	-	84-28-25.09	33-53-59.70	228
Atlanta	2	HMD8V90-R05-H	90	45	0	10715.19	90	180	0	10964.78	-	-	-	-	84-22-39.00	33-51-07.00	231
Atlanta	2	HMD8PV180-R05-H	180	0	0	7585.78	180	180	0	7413.10	-	-	-	-	84-23-25.80	33-47-54.60	154
Austin	1	HMD8V120-R05-H	120	175	0	12589.25	-	-	-	-	-	-	-	-	97-44-29.00	30-17-00.00	292
Baltimore	1	HMD8PV180-R05-H	180	0	0	9332.54	-	-	-	-	-	-	-	-	76-36-50.12	39-17-15.41	526
Birmingham	1	HMD8V360-R05-H	Omni	-	-	8241.38	-	-	-	-	-	-	-	-	86-48-30.00	33-31-04.00	537
Boston	1	HMD8V360-R05-H	Omni	-	-	7943.28	-	-	-	-	-	-	-	-	71-03-41.2	42-21-30.60	554
Buffalo	1	HMD8V90-R05-H	90	30	0	9332.54	-	-	-	-	-	-	-	-	78-52-35.00	42-52-47.00	580
Charlotte	1	HMD8PV180-R05-H	180	65	0	10471.29	-	-	-	-	-	-	-	-	80-50-49.74	35-13-29.49	524
Chicago	2	HMD8V90-R05-H,HMD8V120-R05-H	120	235	0	3090.30	90	340	0	3019.95	-	-	-	-	87-37-17.81	41-53-6.88	998
Chicago	2	HMD8V120-R05-H	120	170	0	5623.41	120	340	0	5128.61	-	-	-	-	87-38-21.13	41-55-33.28	286
Chicago	2	HMD8V90-R05-H	90	180	0	4265.80	90	310	0	3388.44	-	-	-	-	87-39-18.00	41-58-50.00	489
Cincinnati	2	HMD8PV180-R05-H	180	170	0	8511.38	180	350	0	7585.78	-	-	-	-	84-30-51.00	39-06-24.00	308
Cleveland	2	HMD8V120-R05-H	120	70	0	7585.78	120	260	0	6606.93	-	-	-	-	81-41-34.37	41-29-58.50	656
Columbus	1	HMD8V360-R05-H	Omni	-	-	5370.32	-	-	-	-	-	-	-	-	82-59-46.00	39-57-47.00	442
Dallas	2	HMD8V120-R05-H	120	80	0	8511.38	120	260	0	8511.38	-	-	-	-	96-47-52.23	32-47-8.95	489
Dallas	1	HMD8PV180-R05-H	180	240	0	10000.00	-	-	-	-	-	-	-	-	97-19-46.00	32-45-11.00	525
Dayton	1	HMD8V120-R05-H	120	115	0	5888.44	-	-	-	-	-	-	-	-	84-11-46.00	39-45-39.00	240
Denver/Boulder	2	HMD8PV180-R05-H	180	150	0	6309.57	180	330	0	7585.78	-	-	-	-	104-59-22.06	39-44-52.04	598
Detroit	1	HMD8V120-R05-H	120	330	6	16218.10	-	-	-	-	-	-	-	-	83-02-51.00	42-19-50.00	648
Detroit	2	HMD8V45-R05-H	45	90	0	19952.62	45	315	0	19952.62	-	-	-	-	83-14-35.42	42-28-28.15	389
Fresno	1	HMD8V90-R05-H	90	120	0	22387.21	-	-	-	-	-	-	-	-	119-52-56.90	36-48-59.50	180
Greensboro	1	HMD8V90-R05-H	90	240	0	14125.38	-	-	-	-	-	-	-	-	79-45-38.10	36-05-10.30	504
Harrisburg	1	HMD8V90-R05-H	90	140	0	22387.21	-	-	-	-	-	-	-	-	76-56-45.00	40-19.07.00	178
Hartford	1	HMD8V360-R05-H	Omni	-	-	6309.57	-	-	-	-	-	-	-	-	72-40-32.00	41-46-06.00	383
Houston	2	HMD8V90-R05-H	90	175	0	9772.37	90	295	0	9772.37	-	-	-	-	95-21-50.00	29-45-37.00	1060
Indianapolis	1	HMD8V360-R05-H	Omni	-	-	8709.64	-	-	-	-	-	-	-	-	86-09-20.00	39-46-13.00	532
Jaksonville	1	HMD8PV180-R05-H	180	345	0	6918.31	-	-	-	-	-	-	-	-	81-39-24.00	30-19-08.00	436
Kansas City	2	HMD8V90-R05-H	90	115	0	12302.69	90	205	0	11481.54	-	-	-	-	94-34-57.00	39-06-12.00	558
Knoxville	1	HMD8V90-R05-H	90	90	0	22387.21	-	-	-	-	-	-	-	-	84-01-22.60	35-57-46.20	265
Las Vegas	2	HMD8PV180-R05-H	180	20	0	4466.84	180	200	0	4570.88	-	-	-	-	115-08-31.00	36-10-10.10	466
Las Vegas	1	HMD8V120-R05-H	120	135	7	15848.90	-	-	-	-	-	-	-	-	115-10-00.00	36-07-57.00	401
Little Rock	1	HMD8V360-R05-H	Omni	-	-	5623.41	-	-	-	-	-	-	-	-	92-16-32.46	34-44-37.67	586
Los Angeles	3	HMD8V120-R05-H	120	0	3	3715.35	120	120	3	3715.35	120	240	3	3715.35	118-15-22.00	34-02-58.00	868
Los Angeles	2	HMD8V90-R05-H	90	60	0	7943.28	90	215	0	7943.28	-	-	-	-	118-27-35.00	34-03-03.00	273
Los Angeles	2	HMD8PV180-R05-H	180	110	0	5011.87	180	290	0	5011.87	-	-	-	-	118-23-55.00	34-03-20.00	158
Los Angeles	2	HMD8PV180-R05-H	180	45	0	4265.80	180	225	0	4677.35	-	-	-	-	118-21-04.55	34-03-44.18	372
Los Angeles	2	HMD8PV180-R05-H	180	90	0	4365.16	180	270	0	5623.41	-	-	-	-	118-18-34.00	34-03-41.00	302
Los Angeles	1	HMD8V45-R05-H	45	110	0	16595.87	-	-	-	-	-	-	-	-	118-11-44.00	34-09-48.00	78
Los Angeles	1	HMD8V90-R05-H	90	10	0	10232.93	-	-	-	-	-	-	-	-	118-15-26.39	34-08-29.27	98
Los Angeles	2	HMD8V90-R05-H	90	135	0	7943.28	90	225	0	7943.28	-	-	-	-	118-11-09.00	33-46-03.00	146
Los Angeles	2	HMD8V90-R05-H	90	0	0	7943.28	90	180	0	7943.28	-	-	-	-	117-52-8.01	33-45-34.23	120
Los Angeles	2	HMD8PV180-R05-H	180	135	0	5011.87	180	315	0	5011.87	-	-	-	-	117-52-52.00	33-41-22.00	159
Los Angeles	2	HMD8V90-R05-H	90	30	0	6918.31	90	290	0	6918.31	-	-	-	-	118-22-03.00	34-07-34.00	50
Los Angeles	1	HMD8V120-R05-H	120	290	0	7079.46	-	-	-	-	-	-	-	-	118-27-55.86	34-09-15.13	218
Louisville	1	HMD8V360-R05-H	Omni	-	-	5623.41	-	-	-	-	-	-	-	-	85-45-28.00	38-15-20.00	560
Memphis	1	HMD8V360-R05-H	Omni	-	-	21379.63	-	-	-	-	-	-	-	-	90-2-59.80	35-8-39.70	358
Miami	2	HMD8V90-R05-H	90	0	0	12022.64	90	230	0	12882.50	-	-	-	-	80-11-31.00	25-46-19.00	596
Miami	1	HMD8V90-R05-H	90	0	0	18620.87	-	-	-	-	-	-	-	-	80-08-30.84	26-06-50.67	640
Milwaukee	1	HMD8PV180-R05-H	180	310	0	15488.17	-	-	-	-	-	-	-	-	87-54-06.69	43-02-17.95	588
Minneapolis	2	HMD8V120-R05-H	120	90	0	5370.32	120	270	0	4466.84	-	-	-	-	93-16-16.00	44-58-36.00	775
Minneapolis	1	HMD8V90-R05-H	90	135	0	8912.51	-	-	-	-	-	-	-	-	93-05-43.00	44-56-52.00	500

Market	No Of Setors	Antenna Type	Sector 1				Sector 2				Sector 3				Coordinates		Antenna Height (feet)
			Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Antenna Beamwidth	Orientation	Downtilt	EIRP (Watts)	Longitude (W)	Latitude (N)	
Monterey	1	HMD8PV180-R05-H	180	180	0	8912.51	-	-	-	-	-	-	-	-	121-51-24.00	36-36-26.00	135
Nashville	1	HMD8V360-R05-H	Omni	-	-	6165.95	-	-	-	-	-	-	-	-	86-46-55.09	36-09-48.85	868
New Haven	1	HMD8PV180-R05-H	180	250	0	10715.19	-	-	-	-	-	-	-	-	72-55-20.00	41-18-33.00	243
New Orleans	1	HMD8V360-R05-H	Omni	-	-	10351.42	-	-	-	-	-	-	-	-	90-04-16.00	29-57-00.00	626
New York	1	HMD8V360-R05-H	Omni	-	-	8912.51	-	-	-	-	-	-	-	-	73-58-55.20	40-45-33.00	670
New York	2	HMD8V90-R05-H	90	140	0	12589.25	90	340	0	12589.25	-	-	-	-	73-57-01.70	40-46-30.00	560
New York	1	HMD8PV180-R05-H	180	210	0	15848.93	-	-	-	-	-	-	-	-	74-00-40.32	40-42-29.88	524
New York	1	HMD8V360-R05-H	Omni	-	-	8912.51	-	-	-	-	-	-	-	-	73-59-48.00	40-42-54.00	474
New York	2	HMD8PV180-R05-H	180	30	0	6165.95	180	210	0	6606.93	-	-	-	-	73-54-19.50	40-51-57.50	170
New York	2	HMD8PV180-R05-H	180	0	0	5754.40	180	180	0	5888.44	-	-	-	-	73-56-36.00	40-48-54.00	180
New York	2	HMD8PV180-R05-H	180	110	0	6309.57	180	290	0	7943.28	-	-	-	-	73-58-22.53	40-51-18.12	210
New York	1	HMD8PV180-R05-H	180	110	0	16218.10	-	-	-	-	-	-	-	-	74-00-03.00	40-47-25.00	438
New York	2	HMD8PV180-R05-H	180	90	0	7943.28	180	270	0	7943.28	-	-	-	-	73-45-44.75	41-01-51.38	261
Newark	1	HMD8V360-R05-H	Omni	-	-	8912.51	-	-	-	-	-	-	-	-	74-10-11.00	40-44-07.00	334
Norfolk	1	HMD8V360-R05-H	Omni	-	-	6760.83	-	-	-	-	-	-	-	-	76-17-29.21	36-50-44.47	270
Oklohoma City	1	HMD8V90-R05-H	90	190	0	22387.21	-	-	-	-	-	-	-	-	97-29-22.00	35-35-52.00	400
Orlando	2	HMD8PV180-R05-H	180	0	0	2511.89	180	180	0	2630.27	-	-	-	-	81-22-44.32	28-32-37.45	312
Philadelphia	2	HMD8V120-R05-H	120	120	0	8317.64	120	280	0	9332.54	-	-	-	-	75-10-11.00	39-57-13.00	758
Phoenix	2	HMD8PV180-R05-H	180	0	0	5888.44	180	180	0	7585.78	-	-	-	-	112-04-23.66	33-28-37.70	298
Pittsburgh	2	HMD8V120-R05-H	120	90	0	9332.54	120	270	0	10000.00	-	-	-	-	79-59-42.00	40-26-29.00	690
Portland	2	HMD8V90-R05-H	90	0	0	3801.89	90	190	0	3715.35	-	-	-	-	122-40-33.74	45-30-47.16	464
Providence	1	HMD8V360-R05-H	Omni	-	-	8912.51	-	-	-	-	-	-	-	-	71-24-36.94	41-49-29.33	421
Raleigh	1	HMD8PV180-R05-H	180	0	0	10000.00	-	-	-	-	-	-	-	-	78-38-25.00	35-46-27.00	458
Richmond	2	HMD8V120-R05-H	120	65	0	6456.54	120	305	0	5370.32	-	-	-	-	77-26-06.00	37-32-11.94	369
Rochester	2	HMD8V90-R05-H	90	130	0	10471.29	90	220	0	11481.54	-	-	-	-	77-36-33.00	43-09-23.00	365
Sacramento	1	HMD8PV180-R05-H	180	5	0	15848.93	-	-	-	-	-	-	-	-	121-29-27.00	38-34-28.00	140
Salt Lake City	1	HMD8V90-R05-H	90	290	0	8912.51	-	-	-	-	-	-	-	-	111-51-02.40	40-45-28.80	135
San Antonio	1	HMD8V90-R05-H	90	110	0	10471.29	-	-	-	-	-	-	-	-	98-29-32.00	29-25-42.00	428
San Diego	2	HMD8V120-R05-H	120	60	0	6309.57	120	240	0	6309.57	-	-	-	-	117-09-43.28	32-42-57.70	450
San Francisco	2	HMD8V45-R05-H,HMD8V120-R05-H	120	25	0	10000.00	45	130	0	19952.62	-	-	-	-	122-26-03.00	37-41-12.00	100
San Francisco	1	HMD8V120-R05-H	120	50	0	15848.93	-	-	-	-	-	-	-	-	122-27-05.00	37-45-20.00	382
San Jose	1	HMD8V90-R05-H	90	270	0	25118.86	-	-	-	-	-	-	-	-	121-45.11.23	37-19-20.06	20
Santa Cruz	1	HMD8PV180-R05-H	180	180	0	8912.51	-	-	-	-	-	-	-	-	121-59-45.00	36-59-35.50	60
Seattle	2	HMD8V120-R05-H	120	180	0	9549.93	120	330	0	8709.64	-	-	-	-	122-19-41.77	47-36-16.71	943
Springfield	1	HMD8V90-R05-H	90	90	0	14125.38	-	-	-	-	-	-	-	-	72-35-33.50	42-06-09.50	445
St. Louis	2	HMD8V90-R05-H	90	135	0	9549.93	90	225	0	10232.93	-	-	-	-	90-11-26.00	38-37-48.00	482
Syracuse	2	HMD8V90-R05-H	90	160	0	6918.31	90	280	0	6025.60	-	-	-	-	76-08-32.00	43-02-49.00	207
Tampa	1	HMD8V360-R05-H	Omni	-	-	10000.00	-	-	-	-	-	-	-	-	82-27-33.00	27-56-48.00	576
Tucson	1	HMD8V120-R05-H	120	135	0	11220.18	-	-	-	-	-	-	-	-	110-58-16.50	32-13-20.10	265
Tulsa	1	HMD8V90-R05-H	90	240	0	15848.93	-	-	-	-	-	-	-	-	95-57-10.85	36-10-10.02	400
Washington D.C.	1	HMD8V360-R05-H	Omni	-	-	6918.31	-	-	-	-	-	-	-	-	77-00-41.00	38-53-48.00	156
Washington D.C.	1	HMD8V360-R05-H	Omni	-	-	10715.19	-	-	-	-	-	-	-	-	77-04-35.08	38-53-43.60	198
Washington D.C.	2	HMD8V120-R05-H	120	90	0	9549.93	120	250	0	8912.51	-	-	-	-	77-03-39.00	38-51-45.00	208
Washington D.C.	1	HMD8V360-R05-H	Omni	-	-	4897.79	-	-	-	-	-	-	-	-	77-06-55.87	38-50-36.60	208
Washington D.C.	3	HMD8V120-R05-H	120	90	0	6025.60	120	210	0	6165.95	120	330	0	5754.40	77-05-44.00	38-59-07.00	200
Wilmington	1	HMD8V90-R05-H	90	225	0	14125.38	-	-	-	-	-	-	-	-	75-32-49.00	39-44-53.00	430
Winston-Salem	1	HMD8V90-R05-H	90	30	0	14125.38	-	-	-	-	-	-	-	-	80-15-05.00	36-05-24.00	330