

**SIRIUS SATELLITE RADIO INC.**  
1221 Avenue of the Americas, 36<sup>th</sup> Floor  
New York, NY 10020

**XM RADIO INC.**  
1500 Eckington Place, NE  
Washington, DC 20002

May 30, 2008

**WRITTEN EX PARTE**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band - WT Docket No. 07-293; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band - IB Docket No. 95-91, GEN Docket No. 90-357, RM-8610**

Dear Ms. Dortch:

On May 30, 2008, James Blitz of XM Radio Inc. ("XM"), Carl Frank and Michael Lewis (engineering consultant) of Wiley Rein LLP, counsel for Sirius, and Peter Rohrbach of Hogan & Hartson LLP, counsel for XM, met with Angela Giancarlo, Chief of Staff and Senior Legal Advisor to Commissioner McDowell. The points made by Sirius and XM during the course of the meeting are reflected in their earlier filings in the dockets and in the attached. In particular, Sirius and XM discussed how data from a joint testing program, supervised by the FCC staff, would further resolve technical issues and expedite completion of these dockets.

Respectfully submitted,

*/s/ Patrick L. Donnelly*  
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Executive Vice President, General Counsel  
& Secretary  
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*/s/ James S. Blitz*  
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CC:  
Angela Giancarlo

## SATELLITE RADIO AND WCS: THE GULF BETWEEN

<b>ISSUE</b>		<b>SATELLITE RADIO</b>	<b>WCS</b>
<b>OVERLOAD INTERFERENCE</b>	<b>Measurement Data</b>	A satellite radio receiver experiences muting from a 250 mw WCS device at distances between 55 and 128 feet (17 and 39 meters).	No muting is experienced by a satellite radio receiver at distances greater than 13 feet (less than 4 meters) from a 250 milliwatt WCS device.
	<b>Proposal for Control</b>	Limit WCS mobile devices to power levels between 1 mw and 10 mw.	Allow WCS mobile devices up to 2 W.
<b>OUT-OF-BAND EMISSIONS INTERFERENCE</b>	<b>Measurement Data</b>	Using the mask proposed by the WCS Coalition, a 250 mw WCS device increases the satellite radio noise floor by 1 db at more than 860 meters.	A satellite radio receiver would experience no impairment from WCS devices operating at the proposed OOB levels.
	<b>Proposal for Control</b>	Relax OOB mask to $103 + 10 \log(P)$ on condition that mobile power limits described above are also adopted.	Relax OOB mask to $55 + 10 \log(P)$ .
<b>SERVICE FROM EXISTING REPEATERS</b>	<b>Data</b>	Current networks do not interfere with WCS operations.	Satellite radio claims regarding interference and expenses related to new repeaters are overstated.
	<b>Proposal</b>	Adopt ground based limits based on -35 dBm.	Require satellite radio terrestrial repeaters to reduce power to 2000 watts average power.