



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

7925 JONES BRANCH DRIVE  
McLEAN, VA 22102  
PHONE 703.905.2800  
FAX 703.905.2820

[www.wileyrein.com](http://www.wileyrein.com)

March 4, 2010

Robert L. Pettit  
202.719.7019  
[rpettit@wileyrein.com](mailto:rpettit@wileyrein.com)

**VIA ECFS**

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

Re: Notice of Written Ex Parte Communication  
WT Docket No. 07-293

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this letter notifies the Commission that on March 4, 2010 Mel Karmazin, Chief Executive Officer of Sirius XM Radio Inc. ("Sirius XM"), transmitted a written *ex parte* communication to Commissioner Robert McDowell, Angela Giancarlo, and Christine Kurth discussing matters associated with the above captioned proceeding. This letter presented Sirius XM's reaction to the proposal presented during the March 2, 2010 meeting between Sirius XM, WCS licensees, and FCC engineers. A copy of the letter is attached hereto for inclusion in the referenced proceeding.

Please contact the undersigned if there are any questions with this filing.

Respectfully,

*/s/ Robert L. Pettit*  
Robert L. Pettit  
Counsel for Sirius XM Radio Inc.

**Mel Karmazin**  
Chief Executive Officer

TEL 212 584 5120  
FAX 212 584 5160  
mkarmazin@siriusradio.com

**SIRIUS XM**  
RADIO INC.

1221 Avenue of the Americas | New York, NY 10020

March 4, 2010

The Honorable Robert M. McDowell  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Dear Commissioner McDowell:

Thank you, again, for meeting with me on Monday. I enjoyed the chance to speak with you and discuss the significant issues impacting the future of satellite radio.

As anticipated, representatives from Sirius XM and WCS licensees met Tuesday with FCC engineers to again discuss long-overdue rules on satellite radio repeaters and relaxation of the WCS rules to allow mobile operations in that band – and heard, really for the first time, the staff's proposal for rule changes that would permit mobile WCS use.

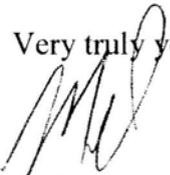
We are extremely disturbed by the proposal. The proposed rules seem to bear little resemblance to the technical record in this proceeding. More importantly, the proposal raises the real and direct threat of crippling interference to our 35 million current listeners and the 90 million satellite radio-equipped vehicles that will share the road with mobile WCS by 2015.

- We were told bluntly that the staff proposal would enable the deployment of WCS “usage models” that would cause interference to satellite radio consumers.
- The staff proposal for WCS mobile transmitters in the C and D blocks – the blocks immediately adjacent to our satellites – would double the power levels the WCS licensees themselves asked for, and would exceed the levels the WCS licensees themselves demonstrated in Ashburn, Virginia.

We were told not to worry that the relaxed WCS technical standards might cause interference to satellite radio because WCS licensees would bear the ultimate responsibility to avoid interference. The staff offered no details about any sort of coordination or complaint process that would identify and eliminate sources of interference created by WCS networks – and particularly mobile transmitters. This entire process presumes that consumers would complain instead of just discontinuing their subscriptions. Any such cumbersome, after-the-fact system would not work to protect consumers and would place the Commission in the impossible role of policing interference to all of our subscribers.

This cannot be the result the Commission intends. I urge you to establish a process that allows the Commission and all parties to better understand the real impact of the proposed rules. At a minimum, this means in advance of any decision, seeking comment on the proposed rules and the results of testing WCS implementations under the parameters of the proposed rules against our existing satellite radio systems.

I look forward to working with you to ensure that our 35 million current listeners are protected.

Very truly yours,  
  
Mel Karmazin