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May 13, 2010

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

Re: Notice of Written *Ex Parte* Communication; WT Docket No. 07-293 and
IB Docket No. 95-91

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 May 11, 2010 a written *ex parte* communication from Mel Karmazin, Chief Executive Officer of Sirius XM Radio Inc. ("Sirius XM"), was circulated to FCC Commissioners and staff. A copy of the letter is attached hereto for inclusion in the above referenced proceedings.

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

Respectfully,

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

cc: Julius Genachowski
Michael Copps
Robert McDowell
Mignon Clyburn
Meredith Atwell Baker
Bruce Gottlieb
David Goldman
John Giusti
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SIRIUS XM
RADIO INC.

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Via Electronic Mail

The Honorable Julius Genachowski
The Honorable Michael J. Copps
The Honorable Robert M. McDowell
The Honorable Mignon Clyburn
The Honorable Meredith Attwell Baker
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Written Ex Parte Presentation in WT Docket No. 07-293 and IB Docket
No. 95-91

Dear Mr. Chairman and Commissioners:

In my recent meetings at the Commission, I suggested that if the FCC changes its rules as proposed in its April 2, 2010 Public Notice, it should also adopt specific procedures for avoiding and stopping any resulting interference to the millions of current satellite radio consumers. Attached is an outline of the procedures that offer a simple, practical, and common-sense approach to resolving the interference issues that we continue to believe will occur.

Sincerely,



cc: Bruce Gottlieb
David Goldman
John Giusti
Angela E. Giancarlo
Rick Kaplan
Louis Peraertz
Charles Mathias
Julius Knapp
Marlene H. Dortch (for the record of WT Docket No. 07-293)

WCS & Satellite Radio -- Interference Mitigation Proposals

1. Overview.

Sirius XM recommends the FCC incorporate the following measures into the modified Part 25 and 27 Rules to help mitigate any interference between WCS and satellite radio operations.

2. Definition of Interference

- Interference shall be deemed harmful if the following criteria are exceeded.
 - Interference criteria:
 1. Interference caused by commercially available mobile or portable WCS devices that repeatedly interrupts the commercial satellite radio service by muting satellite receivers at separation distances exceeding 3 meters.
 2. A reduction of satellite radio service availability by WCS service by more than 0.3%.

Prior to any WCS licensees deploying advanced wireless networks capable of providing service to mobile or portable devices, such WCS licensee shall certify to the FCC and Sirius XM that its network will not knowingly cause harmful interference.

3. Exchange of Information.

- WCS licensees deploying advanced wireless networks capable of providing service to mobile or portable devices will provide Sirius XM information regarding proposed locations and operational parameters for each base station at least 180 days prior to the offering of service to the public in a given market.
 - As soon as practicable, and in all events within 60 days of receiving this information, Sirius XM will provide the WCS licensee with a list of base stations that, based on predictive analysis, are reasonably likely to interfere with satellite radio service.
- As soon as practicable after the effective date of the Report and Order, and in all events within 60 days of the Report and Order, Sirius XM will provide WCS licensees with information regarding its existing terrestrial repeaters.
 - Sirius XM will provide WCS licensees a quarterly update of any new terrestrial repeaters that are broadcasting in accordance with its blanket license.
 - Relevant information shall include the geographic coordinates of each terrestrial repeater.
 - Applications for new terrestrial repeaters that do not conform to the terms of the satellite radio blanket license shall be concurrently served on potentially affected WCS licensees.
- This exchange of information will be used solely to coordinate between licensees to maximize the effective utilization of spectrum and minimize the possibility of interference. This exchange of information will be subject to non-disclosure agreements that prevent dissemination of proprietary information to unaffiliated entities.
- This exchange of information shall not be necessary if WCS licensees are not deploying wireless networks capable of providing service to mobile or portable devices.

4. Benchmarking Satellite Radio Service Availability.

- Sirius XM will provide to affected WCS licensees and the FCC a report on the availability of satellite radio service in each market prior to the initiation of WCS service. These

“benchmark reports” shall be completed using industry-accepted practices and will be distributed subject to non-disclosure agreements that prevent dissemination of proprietary information to unaffiliated entities.

5. Interference Identification and Resolution Process.

a. WCS Uplink Interference Resolution.

- At least 60 days prior to initiating commercial service, WCS licensees that have completed initial network construction in a market will provide Sirius XM with a sufficient number of user terminals in order for Sirius XM to evaluate whether harmful interference will occur. The reasonable costs of the user terminals shall be paid by Sirius XM.
- WCS licensees will be obligated to resolve any harmful interference within one week of notification. Steps by WCS licensees for resolving interference may include:
 - Lowering maximum allowable user terminal EIRP until interference is removed.
 - Modifying other operational network parameters until interference is removed.

b. WCS Downlink Interference Resolution.

- Interference from a WCS base station that results in signal muting in commercial satellite radio receivers over continuous tested road length greater than 100 meters will be deemed as harmful interference. WCS licensees will be required to resolve harmful interference within one week of being notified of its existence by Sirius XM or the FCC.

c. Satellite Radio Repeater Interference Resolution.

- Interference from a satellite radio terrestrial repeater that results in signal muting in commercial WCS mobile/portable devices over continuous tested road length greater than 100 meters will be deemed as harmful interference. Sirius XM will be required to resolve harmful interference within one week of being notified of its existence by a WCS licensee or the FCC.

d. Final Resolution Steps and the FCC’s Involvement.

- In the event that licensees cannot agree on interference resolutions, they will notify the Chief of the FCC’s Office of Engineering and Technology. The licensees will provide the Chief with documentation that provides evidence of harmful interference and resolution efforts that have been unsatisfactorily attempted. The Chief will issue a determination within 14 days after being presented with this documentation.

e. Alternative Processes.

- In lieu of the above obligations, WCS licensees and Sirius XM may jointly agree to alternative notification and coordination processes. These alternative measures shall be implemented through an exchange of signed documents by the affected parties.

f. Further FCC Review.

- One year after the WCS substantial service buildout deadline, the Commission will seek public comment on whether the interference mitigation provisions continue to be necessary in the public interest. The Commission will then determine whether those provisions should be modified, removed, or extended.