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June 14, 2010

Michael A. Lewis
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Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentation
WT Docket No. 07-293; IB Docket No. 95-91

Dear Ms. Dortch:

On June 11, 2010, representatives from Sirius XM Radio Inc. (“Sirius XM”) met with FCC staff members to discuss issues associated with the above-captioned proceedings. Participating in the meeting were Terrence Smith, Craig Wadin, Riza Akturan, and James Blitz from Sirius XM, and myself. The FCC staff participants are identified at the end of this notice.

During this meeting, Sirius XM discussed several issues relating to the Commission’s recently released orders in the above-captioned proceedings.¹ More specifically, Sirius XM sought clarification from the staff on the following topics addressed in those orders:

- The relevance and technical accuracy of footnote 315, including the reliance of COST-231 Hata propagation model;
- The applicability of the prohibition against outdoor antennas for WCS fixed customer premises equipment (“CPE”) and the establishment of two classes of fixed CPE devices;
- The procedures and timeframes for WCS licensees to notify Sirius XM of new station construction, especially with reference to the discussion of “market trials”;
- The significance and correctness of comparing satellite radio service to mobile satellite service;

¹ See 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, *Report and Order*, Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band, IB Docket No. 95-91, *Second Report and Order*, FCC 10-82 (rel. May 20, 2010).



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- The description and definition of duty cycle and activity level;
- The application of more stringent out-of-band emissions limits above 2365 MHz;
- The ability of Sirius XM to improve receiver performance over time; and
- The notice requirements for very low power satellite radio repeaters.

Please let me know if there are any questions about this submission.

Sincerely,

/s/ Michael A. Lewis

Michael A. Lewis

Engineering Consultant

Wiley Rein LLP

Counsel for Sirius XM Radio Inc.

cc: FCC Meeting Participants

Julius Knapp, Office of Engineering and Technology (“OET”)

Ron Repasi, OET

Pat Forster, OET

Robert Weller, OET

Gardner Foster, International Bureau (“IB”)

Stephen Duall, IB

Chip Fleming, IB

Linda Chang, Wireless Telecommunications Bureau (“WTB”)

Renee Crittenden, WTB

Richard Arsenault, WTB

Jay Jackson, WTB