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Via Electronic Filing

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

Re: Written *Ex Parte* Presentation

WT Docket No. 10-153 (*Amendment of Part 101 of the Commission's Rules to Facilitate the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees*)

Dear Ms. Dortch:

In its Reply Comments in this proceeding, Comsearch opposed the recommendation of Sirius XM Radio Inc. ("Sirius XM") that the Commission reject its proposal to limit the circumstances under which applications for fixed service transmitters pointing at the geostationary arc must obtain a waiver of the Rules.¹ In support of its position, Comsearch claims that 97% of existing fixed transmitters have elevation angles that would not interfere with Sirius XM's geostationary receivers.²

Even assuming that Comsearch's number is correct, this statistic does not support the idea of eliminating the waiver requirement for the numerous remaining links that would be oriented toward the geostationary arc. As Sirius XM stated, the current waiver process provides satellite operators the opportunity to scrutinize easily potentially disruptive links without imposing any significant burden to fixed station applicants.³ Also, Sirius XM does not recommend use of the waiver process in order to ultimately prevent fixed service links pointing to the geostationary arc. Sirius XM agrees with Comsearch that geostationary satellite receivers should be able to coexist

¹ See Reply Comments of Comsearch, WT Docket No. 10-153, October 25, 2011 ("Comsearch Reply Comments"); Comments of Sirius XM Radio Inc., WT Docket No. 10-153, October 4, 2011 ("Sirius XM Comments"). See also, Reply Comments of Sirius XM Radio Inc., WT Docket No. 10-153 (October 25, 2011) ("Sirius XM Reply Comments").

² Comsearch Reply Comments at 5.

³ Sirius XM Comments at 3.

with multiple fixed, low-power fixed links without interference.⁴ This fact should allow for expedited waiver review in most circumstances.

Fundamentally, Sirius XM agrees with Comsearch that there is “an EIRP limit below which FS transmitters should not be able to degrade the performance of satellite transponders.”⁵ As Sirius XM previously commented, however, the waiver process allows for the consideration of the potential impact created by high powered FS transmitters and by multiple FS transmitters impinging on the geostationary arc.⁶ Adopting an objective interference limit as Sirius XM recommends would further expedite and simplify the waiver review process.⁷

Respectfully submitted,

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⁴ In its reply comments, Sirius XM estimated that as many as 10 fixed service transmitters could be accommodated without raising interference levels to geostationary links to unacceptable levels. Sirius XM Reply Comments at 3. Comsearch agrees that “multiple” fixed transmitters would not result in a “significant buildup of interference.” Comsearch Reply Comments at 7.

⁵ Comsearch Reply Comments at 7.

⁶ Sirius Reply Comments at 3.

⁷ Sirius XM recommended in its reply comments that the Commission define an aggregate interference level for Sirius XM’s uplink receivers in the 7025-7075 MHz radio frequency band where the total EIRP from the fixed service transmitters impinging the useful geostationary satellite arc (between 80 and 120 degrees West Longitude) raises the receivers' noise floor by 25 percent (*i.e.*, a 1 dB increase in the receiver noise floor). The permitted interference for any individual fixed service link should be less than this aggregate level so that several links could be accommodated across the country. *See* Sirius XM Reply Comments at 3-4.