


Cathy Williams

From: Blitz, James [James.Blitz@siriusxm.com]
Sent: Tuesday, March 22, 2011 9:13 AM
To: Cathy Williams; PRA
Subject: Sirius XM Comments on PRA Approval
Attachments: Sirius XM Letter on PRA Notice.pdf

Ms. Williams – I enclose Sirius XM's comments affirming that it does not object to the paperwork collection obligations on which the Commission sought comment in *Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested*, 76 Fed. Reg. 3892 (Jan. 21, 2011). Please contact me if questions arise concerning this submission. Thank you.

Jim Blitz
V.P., Regulatory Counsel
1500 Eckington Place, N.E.
Washington, D.C. 20002
(202) 380-1383

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SIRIUS XM

RADIO INC.

1500 Eckington Place, N.E.
Washington D.C. 20002
Tel: 202-380-4000
Fax: 202-380-4500
www.sirius.com
www.xmradio.com

March 22, 2011

Via E-mail

Cathy Williams
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Sirius XM Radio Inc. Comments on the Notice of Public Information Collection
WT Docket No. 07-293; IB Docket No. 95-91, OMB Control Number: 3060-xxxx

Dear Ms. Williams:

Sirius XM Radio Inc. ("Sirius XM") hereby comments on the Federal Communications Commission's notice of public information collection published in the Federal Register on January 21, 2011, pursuant to the Paperwork Reduction Act (PRA) of 1995, 22 U.S.C. 3501-3520.¹ Although the Commission should reconsider and clarify various aspects of its *Report and Order and Second Report and Order* -- as Sirius XM discussed in its Petition for Partial Reconsideration and Clarification and subsequent filings² -- we have no objection to the information collections that are the subject of the *Notice*. Sirius XM also notes that it is the only entity to which these rules apply.

The aspects of the *Report and Order and Second Report and Order* that are addressed in the instant *Notice* adopted rules for licensing terrestrial repeaters used in connection with the satellite radio service.³ Specifically, the rule sections at issue pertain to the notice Sirius XM will give to "potentially affected" WCS licensees prior to deploying new terrestrial repeaters or modifying

¹ See Federal Communications Commission, *Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission: Comments Requested*, 76 Fed. Reg. 3892 (Jan. 21, 2011) ("*Notice*").

² See Petition For Partial Reconsideration and Clarification of Sirius XM Radio Inc., WT Docket No. 07-293, (filed Sept. 1, 2010) ("*Petition*").

³ See generally, 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*, 25 FCC Red 11710 (2010), *recons. pending* ("*Order*").

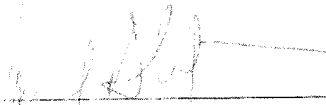
existing terrestrial repeaters and the filing requirements for blanket and site-by-site licensing of terrestrial repeaters under those rules.⁴

Sirius XM continues to urge the Commission to revise the *Order* in the manner described in its *Petition* and related filings (relating both to Parts 25 and 27 of the Rules) and nothing in these comments should be read as modifying those positions.⁵ Sirius XM looks forward to an early resolution of those issues on reconsideration.

However, the terrestrial repeater notice and licensing regimes imposed by the new rules represent a net reduction in the information collection burden to Sirius XM, as compared with the case-by-case STA process that remains in place until completion of the instant proceeding. Because the new rules impose a lesser information collection burden on Sirius XM, Sirius XM has no objection to the information collections under review.

Please communicate with the undersigned if further questions arise in connection with these matters.

Respectfully submitted,



James S. Blitz
Vice President, Regulatory Counsel
Sirius XM Radio Inc.
1500 Eckington Place, N.E.
Washington D.C. 20002

cc: PRA@fcc.gov

⁴ See *Notice*, 76 Fed. Reg. at 3892 (referring to rule sections 25.144(e)(3), (e)(8), (e)(9); 25.263(b), (c)).

⁵ Among the provisions of the *Order* of which Sirius XM sought reconsideration was the definition of a "potentially affected WCS licensee" as referred to in Sections 25.144 and 25.263. See *Petition* at 21-23. Although Sirius XM does not object to the information collection burden of these rules, the Commission should nonetheless revise its overbroad definition of a "potentially affected WCS licensee" as Sirius XM and the WCS Coalition apparently have agreed in their comments in the reconsideration proceeding.