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November 11, 2026

VIA ELECTRONIC FILING (ECFS)

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Re: **EX PARTE PRESENTATION**
Spectrum Abundance for Weird Space Stuff, SB Docket No. 26-54

Dear Ms. Dortch:

Sirius XM Radio LLC ("Sirius XM") submits this letter regarding the *Notice of Proposed Rulemaking* ("*NPRM*") in the above referenced proceeding.[1]

Sirius XM's Interest. Sirius XM appreciates the Commission's creativity in exploring new ways to support spectrum access for the space industry in the *Weird Space Stuff NPRM* ("*WSS NPRM*").[2] The Commission has put forward a promising proposal to permit leasing in the 2320-2345 MHz band ("SDARS band") to give new Weird Space Stuff ("WSS") operators an option for dedicated spectrum access for Space Operations Services ("SOS") to facilitate telemetry, tracking, and command ("TT&C").

As the sole SDARS band licensee, Sirius XM has relied on the SDARS band to successfully deploy and develop a nationwide satellite radio service, which it has grown to serve approximately 33 million customers. To provide this service with the quality its customers require, Sirius XM operates a fleet of geostationary satellites and over 1,000 terrestrial repeaters across the United States to fill coverage gaps in urban canyons and areas blocked from satellite coverage, including those areas likely to experience interference from adjacent wireless systems. Sirius XM is also licensed to operate in the adjacent WCS 2315-2320 MHz and 2345-2350 MHz

[1] *See Spectrum Abundance for Weird Space Stuff*, Notice of Proposed Rulemaking, 41 FCC Rcd 2581 (2026).

[2] *See id*.

bands ("WCS C & D blocks") spectrum, which Sirius XM uses to provide satellite emergency communications information to public safety entities.

The Commission's proposal offers a reasonable approach to enable new space operators to access the SDARS band pursuant to a spectrum leasing framework while protecting the services Sirius XM provides in SDARS and the adjacent bands. However, Sirius XM does not believe the WCS C & D blocks should be considered for SOS at this time.

The Commission should also reject Muon Space, Inc.'s ("Muon's") continued efforts to abrogate Sirius XM's exclusively licensed rights so as to permit secondary, SOS operations in the SDARS band on a non-interference basis.[3] Whereas the Commission is already exploring the prospect of permitting secondary, non-interference based TT&C in Fixed Satellite Service ("FSS") bands[4] and other spectrum bands that may be suited for a new Space Operations Service allocation,[5] Muon's proposal to permit SOS in the SDARS band on the same basis is both redundant and fails to achieve the *WSS NPRM*'s goal of allowing for dedicated spectrum access in the SDARS band. Further, Muon's bare-bones proposal fails to provide any details as to how its proposed secondary use would protect Sirius XM's existing operations or how such spectrum access would be shared among WSS stakeholders.

To move forward with SOS in the SDARS band, the Commission should disregard Muon's proposal and remain focused on its proposal to facilitate *de facto* spectrum leasing in the SDARS band.

Spectrum Leasing in the SDARS Band is a Promising Solution to the WSS Spectrum Crunch. The Commission's proposal to develop rules for a *de facto* leasing regime in the SDARS band[6] strikes the necessary balance between "the interests of more intensive spectrum use and the need to protect SiriusXM's use of the band."[7] By allowing Sirius XM to vet proposed uses in the SDARS band to ensure Sirius XM's system and services are protected, the Commission can facilitate efficient, effective, and interference-free additional use of the band. Moreover, a *de facto* leasing regime will enable agreements that grant WSS operators a vested right in the spectrum, with negotiated terms and conditions, satisfying their need for reliable spectrum access that is currently in short supply for WSS operators due to Federal operations in existing SOS bands.[8] Under the Commission's proposals, WSS operators would gain spectrum

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[3] *See* Comments of Muon Space, Inc., SB Docket No. 26-54 (filed May 11, 2026). *See also* Reply Comments of Muon Space, Inc., SB Docket No. 26-54, at 5 (filed June 8, 2026) ("Muon Reply Comments").

[4] *WSS NPRM* at 2591-92 ¶¶ 31-33.

[5] *See Satellite Spectrum Abundance*, Report and Order and Order of Proposed Modification and Further Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, FCC 26-65 (rel. Oct. 1, 2026).

[6] *See WSS NPRM* at 2601 ¶ 59.

[7] *See id*. at 2599 ¶ 53.

[8] *Id*. at 2582 ¶ 3.

access protected by contract to conduct critical operations, something WSS stakeholders have identified as a need.[9]

To advance the public interest in enabling dedicated access to SOS spectrum, Sirius XM is prepared to work with interested WSS operators to develop workable leasing agreements that will facilitate WSS SOS while protecting Sirius XM's operations and customers.

Access to the SDARS Band on a Non-Interference Basis Does Not Advance the Commission's Policy Goals. Muon argues that WSS operations should be permitted in the SDARS band on a secondary, non-interference basis and without the need for any leasing agreement with Sirius XM.[10] This proposal is flawed for a host of reasons, including its failure to achieve the Commission's desired policy outcomes in the *WSS NPRM*.

First, Muon's proposal would not achieve the Commission's goal, which is to secure dedicated spectrum access for WSS operators in the SDARS band. Commenters like AnySignal, Astroscale, and the Computer & Communications Industry Association have argued that protected access is essential for WSS communications.[11] Consistent with the Commission's proposal in the *WSS NPRM*, these stakeholders have determined that certain WSS operations require reliable spectrum access. The Commission should remain focused on addressing this important spectrum shortfall.

Second, Muon has downplayed the complications triggered by its bare-bones proposal to permit secondary SOS operations in the SDARS and WCS bands on a non-interference basis. Muon fails to offer any details on how secondary WSS operators will ensure that Sirius XM's operations are protected beyond an undefined reference to "demonstrating non-interference."[12] Neither Muon nor any other party can itself determine what constitutes harmful interference to Sirius XM's system or to other secondary SOS operations. To the contrary, Sirius XM's perspective is fundamental to any assessment of how best to protect its service to tens of millions of paying subscribers as well as the public safety community.

These issues are best resolved by permitting WSS operators to obtain dedicated spectrum access through a lease agreement with Sirius XM. Such an arrangement would prevent potential conflicts among secondary users as well as potential aggregate interference concerns for Sirius XM's SDARS service from having a multiplicity of secondary users transmitting in the spectrum. By contrast, Muon's proposed approach would inevitably lead the Commission to

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[9] *See* Comments of AnySignal Inc. SB Docket No. 26-54, at 2 (filed May 11, 2026) ("AnySignal Comments"), Comments of Astroscale U.S. SB Docket No. 26-54, at 2 (filed May 11, 2026) ("Astroscale Comments"), Comments of Space Exploration Holdings, LLC, SB Docket No. 26-54, at 2 (filed May 11, 2026).

[10] *See, e.g.*, Letter from Paul Caritj, Counsel to Muon Space, to Marlene Dortch, Secretary, Federal Communications Commission (Oct. 16, 2026) ("Muon Letter").

[11] *See* AnySignal Comments at 2, Astroscale Comments at 3, Comments of the Computer & Communications Industry Association, SB Docket No. 26-54, at 1 (filed May 11, 2026).

[12] *See* Muon Reply Comments at 5.

develop technical rules and risk expending Commission resources on adjudicating harmful interference claims.

Further, despite Muon's assertions to the contrary, its proposal would impose considerable costs on Sirius XM. Every new WSS application would raise the cost of doing business for Sirius XM by requiring Sirius XM to vet each proposal for potential interference to Sirius XM's service or another secondary user's service, maintain and update records of users and associated service parameters and uplink locations, locate and remediate interference sources when interference does occur, and, where necessary, oppose these filings on the record. Muon's proposal would also increase the cost for Sirius XM if it ever chooses to expand its operations into areas where these secondary stations are sited, as WSS operators would be loath to abandon spectrum and infrastructure they have put into use, even on a secondary basis.

Third, the Commission properly recognizes that the fastest way to facilitate WSS entry into the SDARS band is to provide incentives for Sirius XM to support the effort. As the Commission notes, a lease arrangement "would provide incentive for SiriusXM to make as much of its spectrum rapidly available for use by others as feasible, while still maintaining protection from interference for its own operations in the band."[13] Such an arrangement would accommodate the needs of WSS operators without forcing Sirius XM's customers to bear the cost of these efforts.

Fourth, the Commission is contemplating making FSS bands available for unprotected TT&C operations.[14] In the context of the *WSS NPRM*, SOS and TT&C are effectively interchangeable,[15] and this proposal promises to make multiple gigahertz of spectrum available for WSS operators to conduct SOS-equivalent communications on a secondary, non-interference basis.[16] FSS bands also have existing hardware readily and commercially available for WSS operators to integrate once this spectrum is made available. As the Commission made clear in the *WSS NPRM*, the value of an SOS allocation in the SDARS band is that it provides a path to dedicated spectrum access for WSS operators through a lease agreement.[17]

Muon has failed to explain why secondary access to the SDARS band on a non-interference basis is necessary in light of the FSS proposal. The SDARS band is 25 megahertz and, if available on a non-interference basis, would be a drop in the spectrum bucket compared to the spectrum that could be made available in the FSS bands. This affirms the Commission's initial assessment that the prospect of dedicated spectrum access through a leasing agreement is essential for the SDARS band to become a worthwhile destination for WSS SOS.

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[13] *See WSS NPRM* at 2601 ¶ 59.

[14] *See id*. at 2591-2592 ¶¶ 31-33.

[15] *See, e.g.,* i*d*. at 2594-95, 2599¶¶ 40, 53.

[16] *See id*. at 2591-2592 ¶¶ 31-33.

[17] *See WSS NPRM* at 2583, 2595 ¶¶ 5, 42.

Finally, Muon has failed to demonstrate how it would be in the public interest to abrogate Sirius XM's exclusive license rights. The Commission has repeatedly recognized the value of exclusively licensed spectrum, most recently in the *MSS Exclusivity Order*.[18] Sirius XM's widespread deployment and large customer base is a prime example of the benefits exclusive licensed spectrum brings to the United States and the public interest. Muon has not made and cannot make the case that additional secondary access in the SDARS band for some WSS operators in remote locations furthers the public interest, since such spectrum is already available and, as noted above, the Commission's proposal for the FSS bands would make even more available. Tellingly, rather than explaining why its proposal is good policy, Muon devotes much of its filings to examining whether its proposal is technically legal.[19]

The Commission's focus should be to pursue its policy goals as articulated in the *WSS NPRM*. Muon's proposal is a distraction from achieving the sensible goal of dedicated spectrum access for WSS operators and it should not derail the Commission's efforts to seek new approaches to spectrum leasing between satellite operators. Sirius XM remains interested in working with the Commission to find practical ways to facilitate dedicated spectrum access for WSS operators. Allowing *de facto* spectrum leasing in the SDARS band would achieve that goal.

Adding an SOS Allocation Would Stagnate Recent Progress in the WCS Band. Sirius XM does not support any new allocation in the WCS band, particularly in the WCS C & D blocks for which it holds licenses in the continental United States. Unlike the SDARS band, the WCS bands have had a complex history of interference concerns due, in part, to the protection criteria for adjacent band systems. The Commission has dedicated considerable time and resources to facilitating the use of the WCS bands, as deployment in those bands had been complicated by the need to protect adjacent band services, primarily SDARS.[20] These regulatory efforts demonstrate that deployment in the WCS bands is far from simple and would be made worse by adding new allocations to the bands on a non-interference basis, particularly in the WCS C & D blocks, which are adjacent to the SDARS band.[21] Muon's proposal would risk sending the Commission down the same road again.

The history of the WCS band, which Muon ignores, provides important context to this discussion, as does the fact that Sirius XM only recently acquired licenses to deploy satellite

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[18] *See Space Exploration Holdings LLC, Petition for Rulemaking of Iridium Communications Inc. to Optimize Mobile Satellite Service in the 1.6 GHz Band*, , Order, 41 FCC Rcd 3227, 3234-25 ¶ 17 (SB 2026).

[19] *See, e.g.*, Muon Letter.

[20] The 15-year long process of revising the WCS rules that ended in 2012 demonstrated the challenges of defining the interference levels needed to protect the SDARS and WCS services as well as adjacent bands. *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*, Order on Reconsideration, 27 FCC Rcd 13651 (2012) ("*WCS Recon Order*").

[21] *See generally WCS Recon Order*.

service in the WCS C & D blocks.[22] Sirius XM has since met the first three buildout milestones and is using the spectrum to facilitate emergency communications for public safety entities, with additional valuable uses of the WCS bands under consideration. As a result of Sirius XM's innovative approach to allowing satellite operations in the WCS C & D blocks, deployment in these spectrum bands is on a sustainable path. Now is not the time to disrupt this long-awaited development of the WCS band.

In Conclusion, the Commission Should Permit Leasing in the SDARS Band to Facilitate Reliable SOS Spectrum Access for WSS Operators. Given the Commission's stated policy goals in the *WSS NPRM*, the weight of the public interest favors implementing a spectrum leasing regime in the SDARS band. A *de facto* leasing regime would facilitate expeditious, dedicated spectrum access for WSS SOS while protecting Sirius XM's nationwide commercial services in the SDARS band. In contrast, Muon fails to identify plausible pathways to dedicated WSS spectrum access. Nor does Muon articulate any specific public interest benefits to undermining Sirius XM's licensed rights.

Because of these considerations, the public interest clearly tilts in favor of *de facto* spectrum leasing in the SDARS band. Therefore, if the Commission does proceed with creating a secondary SOS allocation in the SDARS band, it should do so only under a regime that relies on the *de facto* leasing framework for WSS operators and Sirius XM to allow access to the band.

Please address any questions regarding this matter to the undersigned.

Respectfully submitted,

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/s/ Lynne M. Montgomery
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cc: Courtney Reinhard
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[22] *See New Cingular Wireless PCS, LLC, AT&T, Mobility Spectrum LLC, and New Cingular, Wireless Services, Inc., Request for Waiver,* Order, 39 FCC Rcd 12473 (WTB 2024).