

PLENARY MEETING

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Working Group 5

PROPOSED MODIFICATIONS TO THE DRAFT CPM REPORT

CHAPTER 5, AGENDA ITEM 7

AGENDA ITEM 7

7 *to consider possible changes, and other options, in response to Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference, an advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks, in accordance with Resolution 86 (Rev.WRC-07) to facilitate rational, efficient, and economical use of radio frequencies and any associated orbits, including the geostationary-satellite orbit;*

Resolution 86 (Rev.WRC-07): Implementation of Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference

5/7/2 Issue B – Publication of information on bringing into use of satellite networks at the ITU website

5/7/2.1 Executive summary

During consideration of WRC-12 agenda item 7, proposed changes to the regulatory provisions, including bringing into use and suspension of satellite networks, were received and adopted. As a result, actions of administrations were significantly clarified. However, the Radiocommunication Bureau (BR)'s actions regarding the publication of information were not considered. Three possible methods for addressing the issue of the BR's publication of such information are included below.

5/7/2.2 Background

This issue reviews the provisions in the Radio Regulations (RR) regarding the publication of information on bringing into use of satellite networks, and explores ways to clarify the action of the BR in order to increase the accessibility and transparency of information.

The efforts made by the BR in this regard must be supported by the provisions regulating the legal status of all published information.

5/7/2.3 Summary of technical and operational studies, including a list of relevant ITU-R Recommendations

Administrations provide information about the satellite networks to the BR in the procedures for effecting advance publication, coordination and notification of satellite networks.

In accordance with RR No. **9.2B**, the BR publishes the information sent under RR Nos. **9.1** and **9.2** in a Special Section API/A of its International Frequency Information Circular (BR IFIC). In accordance with RR No. **9.3**, the BR publishes the information about administrations which have sent comments to advance publication of information (API) on satellite networks that are not subject to the coordination procedure under Section II.

Requests for coordination, made under RR Nos. **9.7-9.14** and **9.21**, shall be sent by the requesting administration to the BR together with the appropriate information listed in RR Appendix **4**. After the examination of the information the BR publishes the complete information (request and results of examination) in accordance with RR No. **9.38** in Special Section CR/C of its BR IFIC.

In accordance with RR No. **9.53A** a Special Section CR/D is published with indication of the list of administrations and satellite networks requesting coordination.

Due diligence information is sent to the BR by administrations before the end of the period established as a limit to bringing into use and published in special section RES49 of the BR IFIC.

Notification requests for satellite networks are published in Part I-S.

The RR define the procedure for publications of API, coordination and notification requests, establish the time for consideration by the requests, deadline for submission of information, etc., providing a full pro-transparency of information on satellite networks and its availability to operators and administrations.

At the same time, there is no clarity in the provisions of the RR with regard to publication of information directly related to bringing into use of the satellite networks and the suspension of the use of frequency assignments.

It should be clearly understood that the bringing into use of the network is not only a technical but also a regulatory procedure and it is an integral part of the process of notification of the satellite network. This information has great importance to others, first of all to affected administrations.

During consideration of WRC-12 agenda item 7, the changes of regulatory provisions, including bringing into use and suspension of satellite networks, were received and adopted. As a result, significant clarification was done clearing up actions of administrations. However, the BR's actions regarding the publication of information were not considered.

It should be noted that the BR is bringing this information to the attention of the concerned administrations on the ITU website: <http://www.itu.int/ITU-R/space/snl/index.html>.

5/7/2.4 Analysis of the results of studies

A regulatory study has been conducted to examine how to bring full clarity to the BR's publication procedure of information relating to bringing into use and suspension of satellite networks frequency assignments. The intent of this study was to find a way to provide clarification of the regulatory status of such information.

In order to provide further assistance to administrations, it is proposed to study the possibility of unification of information, which is published in different special sections at the ITU website, in a common information space in relevant section of the ITU-R website: (<http://www.itu.int/ITU-R/go/space/en>).

5/7/2.5 Methods to satisfy issue B

5/7/2.5.1 Method B1

Option A: To clarify the BR's actions, one course of action could be to implement amendments to RR Nos. **11.44B**, **11.49** and **11.49.1** shown in section 5/7/2.6.1 below. The advantage to this course of action is that the procedures of the BR would be clearly documented within the RR.

The consequence would be the requirement for changes to the RR.

Option B: This option is identical to Option A, except that the amendments shall state clearly that the Radiocommunication Bureau shall publish in the BR IFIC the bringing into use or suspension information as received from the notifying administration.

5/7/2.5.2 Method B2

Option A: To clarify the BR's actions, one course of action could be to implement the amendments to RR Nos. **11.44B**, **11.49** and **11.49.1** shown in section 5/7/2.6.2 below. The information about bringing into use would be available at the ITU-R website and contained in a dedicated special section that could be combined with the data currently provided under Resolution **49**

(**Rev.WRC-12**). The advantage to this course of action is that the procedures of the BR would be clearly documented within the RR. In addition, such an approach would not increase the workload of administrations and would ensure that the date of bringing into use appears in a dedicated special section, independently of the existence or not of the notification information associated to the satellite network. One of the consequences to this method would be the requirement for changes to the RR to define the dedicated special section. It should also be noted that Resolution **49** does not currently apply to all services and does not currently deal with bringing into use issues. As such, changes would be required to Resolution **49** if it is to be used for this purpose. In addition, creation and processing of a new dedicated special section could create additional workload for the BR and workload and possible confusion for administrations and could carry with it cost recovery implications. However, creation and processing of a new dedicated special section in electronic format using SpaceWISC may reduce the workload of the BR.

Option B: This option is identical to Option A, except that the amendments shall state clearly that the Radiocommunication Bureau shall publish in the BR IFIC the bringing into use or suspension information as received from the notifying administration.

5/7/2.5.3 Method B3

Another possible course of action would be to identify those actions of the BR that are required, in addition to the current actions, and to include specific instructions to the BR to implement these required additional actions in the minutes of a Plenary meeting of a WRC. The advantage to this course of action is that it would not require specific changes to the RR but would have the same effect as if changes to the RR were implemented. This practice has been used at past WRC's, including WRC-12, in which the results of Plenary decisions have been distributed via circular letter. Moreover, due to the heavy work load of WRC's, in particular WRC-15, every effort should be made to propose solutions that do not generate unnecessary discussions during WRC's thereby allowing the conference to deal with important subjects which require further or extensive deliberations and discussions.

5/7/2.6 Regulatory and procedural considerations for issue B

5/7/2.6.1 Method B1

5/7/2.6.1.1 Option A

ARTICLE 11

Notification and recording of frequency assignments^{1, 2, 3, 4, 5, 6, 7, 7bis} (WRC-12)

Section II – Examination of notices and recording of frequency assignments in the Master Register

MOD

11.44B A frequency assignment to a space station in the geostationary-satellite orbit shall be considered as having been brought into use when a space station in the geostationary-satellite orbit with the capability of transmitting or receiving that frequency assignment has been deployed and maintained at the notified orbital position for a continuous period of ninety days. The notifying administration shall so inform the Bureau within thirty days from the end of the ninety-day period. On receipt of the information sent under this provision, the Bureau shall make available that information as soon as possible and shall publish it in the BR IFIC. (WRC-~~12~~15)

MOD

11.49 Wherever the use of a recorded frequency assignment to a space station is suspended for a period exceeding six months, the notifying administration shall, as soon as possible, but no later than six months from the date on which the use was suspended, inform the Bureau of the date on which such use was suspended. When the recorded assignment is brought back into use, the notifying administration shall, subject to the provisions of No. **11.49.1** when applicable, so inform the Bureau, as soon as possible. The date on which the recorded assignment is brought back into use²² shall be not later than three years from the date of suspension. On receipt of the information sent under this provision, the Bureau shall make available that information as soon as possible and shall publish it in the BR IFIC. (WRC-~~12~~15)

NOC

²² **11.49.1**

Note: The addition of the text shown under the modification to RR Nos. **11.44B** and **11.49** may also be considered for § 5.2.10 of RR Appendices **30, 30A** and § 8.17 of RR Appendix **30B**.

5/7/2.6.1.2 Option B

This option is identical to Option A with the addition of the words “as received” in the final sentence of the two modified provisions, so that the final sentence would read as follows: “On receipt of the information sent under this provision, the Bureau shall make available that information as received as soon as possible and shall publish it in the BR IFIC.”

5/7/2.6.2 Method B2

5/7/2.6.2.1 Option A

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ADD

^{21bis} **11.44B.1** For the publication of this information, see also Resolution **49 (Rev.WRC-15)**. (WRC-15)

MOD

11.49 Wherever the use of a recorded frequency assignment to a space station is suspended for a period exceeding six months, the notifying administration shall, as soon as possible, but no later than six months from the date on which the use was suspended, inform the Bureau of the date on which such use was suspended. When the recorded assignment is brought back into use, the notifying administration shall, subject to the provisions of No. **11.49.1** when applicable, so inform the Bureau, as soon as possible. The date on which the recorded assignment is brought back into use²² shall be not later than three years from the date of suspension. On receipt of the information sent under this provision, the Bureau shall make available that information on the ITU website as soon as possible and shall publish it in the BR IFIC^{22bis}. (WRC-~~12~~15)

NOC

²² **11.49.1**

ADD

^{22bis} **11.49.2** For the publication of this information, see also Resolution **49 (Rev.WRC-15)**. (WRC-15)

Note: Consequential changes are required to Resolution **49 (Rev.WRC-12)** to insert a new data item “Date of bringing into use” as well as adding a new *decides* about the publication of this information. In case the information in accordance with Resolution **49 (Rev.WRC-12)** has already been provided or in case of satellite network currently not subject to Resolution **49 (Rev.WRC-12)**, only this new data item is required to be submitted to the BR.

The addition of the text shown under the modification to RR Nos. **11.44B** and **11.49** may also be considered for § 5.2.10 of RR Appendices **30, 30A** and § 8.17 of RR Appendix **30B**.

5/7/2.6.2.2 Option B

This option is identical to Option A with the addition of the words “as received” in the final sentence of the two modified provisions, so that the final sentence would read as follows: “On receipt of the information sent under this provision, the Bureau shall make available that information on the ITU website as received as soon as possible and shall publish it in the BR IFIC.”

5/7/2.6.3 Method B3

NOC

ARTICLE 11

Notification and recording of frequency assignments^{1, 2, 3, 4, 5, 6, 7, 7bis} (WRC-12)
