

Subject: Agenda item 1.12

United States of America
MODIFICATION OF APPENDIX 5
(EQUAL RIGHTS ONLY)

1 Background

APPENDIX 5 (Rev.WRC-03), “Identification of administrations with which coordination is to be effected or agreement sought under the provisions of Article 9”, paragraph 1 reads as follows :

1 For the purpose of effecting coordination under Article 9, except in the case under No. 9.21, and for identifying the administrations with which coordination is to be effected, the frequency assignments to be taken into account are those in the same frequency band as the planned assignment, pertaining to the same service or to another service to which the band is allocated with equal rights or a higher category¹ of allocation, which might affect or be affected, as appropriate, and which are:.....

The purpose of this proposal is to consider the phrase, “to which the band is allocated with equal rights or a higher category”. The Radio Regulations are very clear that in some situations coordination is limited to services with equal rights:

1. No. 9.15 states, “...in respect of terrestrial stations in frequency bands allocated with equal rights to space and terrestrial services..”
2. No. 9.17 states, “...allocated with equal rights to space and terrestrial services....”.
3. No. 9.17A states, “.....in frequency bands allocated with equal rights to space radiocommunication services in both directions of transmission...”

No. 9.11A applies “the provisions of Nos. 9.12 to 9.16” and the Rule of Procedure (RoP) on No. 9.11A specify that the procedure of No. 9.11A is applicable to, “...satellite services having allocations with equal rights...”. Additionally, while there is no text in the RR or in the RoP on No. 9.7 it doesn’t appear that administrations responsible for a geostationary-satellite networks should have to coordinate if they are not allocated on an equal basis. Based on the current principle of “allocated with equal rights or a higher category of allocation,” new GSO networks allocated on a secondary basis have to coordinate under this provision with the GSO networks allocated on a primary basis that are ahead of them, but not with the GSO networks behind them in the process.

¹ The coordination between an earth station and terrestrial stations under Nos. 9.15, 9.16, 9.17, 9.18 and 9.19, or between earth stations operating in opposite directions of transmission under 9.17A, applies only to assignments in bands allocated with equal rights.

Also, the successful coordination between stations with primary and secondary allocations may infer, or lead to confusion, of the status of the rights of the station with a secondary allocation.

While it may appear that coordination between primary and secondary services may provide for an opportunity for them to agree on ways the secondary service can operate compatibly with the primary service, it is recognized that there is no incentive for a secondary service to coordinate with a primary service, as no reciprocity is allowed and the provisions of Nos. **5.28** to **5.31** apply regardless of the result of the coordination procedure. Any such discussions could take place on a bilateral basis between the administrations, including during the Advance Publication process or when the secondary GSO network coordination special section is published for coordination with other networks allocated on a secondary basis.

Proposal - Modification Appendix 5 (Paragraph 1)

USA/ / 1 MOD

APPENDIX 5 (Rev.WRC-03)

Identification of administrations with which coordination is to be effected or agreement sought under the provisions of Article 9

1 For the purpose of effecting coordination under Article **9**, except in the case under No. **9.21**, and for identifying the administrations with which coordination is to be effected, the frequency assignments to be taken into account are those in the same frequency band as the planned assignment, pertaining to the same service or to another service to which the band is allocated with equal rights ~~or a higher category[†] of allocation~~, which might affect or be affected, as appropriate, and which are:

~~[†]The coordination between an earth station and terrestrial stations under Nos. **9.15, 9.16, 9.17, 9.18** and **9.19**, or between earth stations operating in opposite directions of transmission under **9.17A**, applies only to assignments in bands allocated with equal rights.~~

Reasons: To clarify that Nos. **9.7** and **9.11A** to **9.19** applies only between assignments in bands allocated with equal rights.

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