



FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON
August 7, 1992

OFFICE OF
THE CHAIRMAN

Mr. Michael Binder
Deputy Minister
Department of Communications
300 Slater Street
Ottawa, Ontario
Canada K1A 0C8

Dear Mr. Binder:

This letter sets forth the mutual understandings achieved during the bilateral discussion held at the Federal Communications Commission (FCC) on April 23, 1992 between the Canadian Department of Communications (DOC) and the U.S. government agencies on cross-border roaming of satellite newsgathering (SNG) units.

These understandings are intended to facilitate expeditious authorization by the FCC and DOC for the roaming of SNG units between our two countries within the context of our respective regulatory structures.

We have coordinated this letter with the U.S. Department of State, which has confirmed our view that it does not constitute a change to the principles of the 1972 and 1982 Exchange of Letters between the U.S. Department of State and the Canadian Embassy regarding use of domestic satellite systems to provide fixed satellite communications services.

In recent years there has been increasing interest by entities engaged in the coverage of events requiring occasional or short-term temporary transborder use of SNG units, to deploy their equipment with a minimum of delay and a maximum of operational flexibility. In the interest of facilitating the timely flow of information, the FCC and DOC agree that requests for the cross-border roaming of SNG units will be reviewed in accordance with the following understandings:

- (1) For purposes of implementation between the United States and Canada, international satellite newsgathering is defined as the use of transportable earth station terminals by SNG operators engaged in coverage of an event requiring occasional or short-term temporary transborder transmission via satellite of audio or television and auxiliary signals, which are not intended for direct reception by the general public.

- (2) The FCC and DOC will process expeditiously, in

accordance with applicable statutes and regulatory procedures, applications from Canadian or U.S. entities for temporary authorizations to use their SNG units on an occasional or short-term basis.

- (3) To facilitate expedited authorization for cross-border roaming of SNG units, Canadian and U.S. SNG operators may apply prior to the need of a temporary authorization to the appropriate authority to resolve eligibility and technical issues that are not site-specific. In this regard, the FCC recognizes that a publicly-owned Canadian SNG entity may not be acting as a foreign government representative when carrying out SNG activities within the United States. In Canada, the Minister of Communications has the power to issue a temporary authorization to a U.S. or other foreign SNG entity to operate in Canada.
- (4) The DOC reserves the right to review a temporary SNG authorization after a reasonable period of time should the DOC be satisfied that the authorized Canadian satellite facility provider can meet the specified requirements of the U.S. SNG entity. The FCC comparably reserves the right after a reasonable period of time to review a temporary SNG authorization granted to a Canadian entity.
- (5) The FCC and DOC acknowledge the need to provide for optimal flexibility in use of space segment facilities to support transborder SNG transmission, while continuing to give attention to maintaining the appropriate utilization of the space segment facilities of each country.

We would appreciate written confirmation that you share the views expressed in this letter and that it reflects the understandings achieved in Washington, D.C. on April 23, 1992. We would intend that the understandings reflected in our exchange of letters take effect immediately so as to facilitate the cross-border roaming of SNG units between our two countries.

Sincerely,



Alfred C. Sikes
Chairman

cc: Assistant Secretary Greg Chapados
Ambassador Bradley Holmes



Government of Canada
Department of Communications

Gouvernement du Canada
Ministère des Communications

Deputy Minister

Sous-ministre

Ottawa, Canada
K1A 0G3

2211

AUG 10 1992

Mr. Alfred Sikas
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554
USA

Dear Mr. Sikas:

This is in response to your letter of August 7, 1992 concerning the understandings achieved on April 23, 1992 with respect to facilitating the cross-border roaming of satellite news gathering (SNG) units between the United States and Canada.

We share the views expressed in your letter.

The carriage of transborder satellite telecommunications traffic in the fixed satellite service is governed according to the 1972 and 1982 Exchange of Letters between the Canadian Embassy and the U.S. Department of State. Over the past two decades, this arrangement has been satisfactorily implemented to our common benefit. We are mindful of this arrangement and continue to maintain its principles. At the same time, we note the existence of circumstances where it would be in our mutual interest to facilitate authorization of cross-border roaming of SNG units between our two countries.

The understandings enunciated in your letter are satisfactory to the Department of Communications to permit expedited authorization for cross-border roaming of SNG units between our two countries within the context of our respective regulatory structures.

We confirm that your letter of August 7, 1992 and this reply set forth the mutual understandings between the Department of Communications and the Federal Communications Commission to facilitate, effective immediately, the cross-border roaming of SNG units between our two countries.

Sincerely yours,

Michael Binder
Deputy Minister

Canada

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Communications
Canada

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Spectrum Management

Internal Procedures Circular

Cross-Border Roaming of Satellite News Gathering Units

Canada

Aussi disponible en français - CPI-2-6-07

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003

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Comments and suggestions may be directed to the following address:

Department of Communications
Radio Regulatory Branch
300 Slater Street
Ottawa, Ontario
K1A 0C8

Attention: DOSP

5/96 08:53 FAX 9529871

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Cross-Border Roaming of Satellite News Gathering Units

IPC-2-507

Principle

Organisations engaged in the coverage of events requiring occasional or short-term transborder use of Satellite News Gathering (SNG) Units need to deploy their equipment with a minimum of delay and a maximum of operational flexibility. To facilitate the timely flow of information, the Department of Communications strives to provide access to the spectrum needed for such activities with as few administrative and technical burdens as possible.

Mandate

Section 5(1)(a)(v) of the *Radiocommunication Act* states that the Minister may authorize the operation of radiocommunication devices as the Minister considers appropriate.

Policy

Canadian telecommunications policy requires that telecommunications originating or terminating in Canada should use Canadian facilities to the maximum extent possible. According to the 1972 and 1982 Exchange of Letters between the Canadian and United States governments, Telesat Canada is the only designated Canadian carrier for the purpose of transborder satellite communications traffic. The policy for transborder VSAT (Very Small Aperture Terminal) services allows others to obtain licences for VSAT earth stations used for transborder traffic under certain conditions; the remainder of such traffic must directly involve or be arranged by Telesat.

Following consultations between Telesat Canada and the Department of Communications (DOC), and between the Federal Communications Commission (FCC) and U.S. satellite operators, the Department and the FCC reached an understanding which allows cross-border roaming of SNG units. The understanding is set forth in an FCC/DOC Exchange of Letters signed August 7 and 10, 1992, and represents an administrative arrangement to be applied in very specific circumstances to facilitate the timely flow of news information. The arrangement does not constitute a change to the 1972 and 1982 Exchange of Letters.

Eligibility

US or other foreign SNG operators cannot be licensed in Canada; however, the Minister of Communications has the power to issue authorizations for such units. Under the DOC/FCC arrangement, eligibility to apply for authorization of a US-owned SNG unit for operation in Canada and to relay news to the USA via a US satellite extends to all US SNG operators with a valid FCC licence.

Cross-Border Roaming of Satellite News Gathering Units

IPC-2-6-07

Canadian SNG operators wishing to cover events from the United States should contact one of the following FCC officers in Washington, D.C.:

George Li
Michael Pollock
(202) 832-7834

Reference

For reference, consult Radio Standards Procedure 114, *Licence Application Procedure for Planned Earth Stations in Space Radiocommunication Services*.

Implementation

In order to fulfil the intent of the DOC/FCC SNG arrangement, US SNG operators who contact the Department should be encouraged to establish a preliminary file for their SNG units, containing all particulars except for specifics such as frequency and location. Such a file would expedite authorization processing when the event to be covered is fast-breaking news.

The arrangement is considered to be "technology neutral" and thus, theoretically, covers all frequency bands; however, most of the cross-border SNG activity is expected to take place at Ku-band. The time periods involved ("occasional or short term") have been interpreted in terms of SNG coverage for specific events. Thus, authorization should be given for the expected duration of the event when this is less than a week. After that time, an extension of a few days may be granted. However, the applicant should also be directed to Telesat Canada should coverage of the event be requested beyond the time extended.

It should be noted that most SNG units carry a variety of associated radiocommunication equipment, such as two-way radios and microwave links. The need to coordinate this equipment should be identified to the applicant - it may be the most difficult portion of the overall authority, and may take a longer time. This associated equipment should be coordinated and authorized according to existing criteria and procedures.

To be considered for authorization, a US SNG operator must provide the following information, either in a pre-established file or at the time of application, bearing in mind that some bands (e.g. C-band) are always subject to coordination immediately prior to usage:

1. a copy of their application for the SNG unit to the FCC with all the technical details;
2. a copy of their FCC licence with any conditions of licence;
3. a point of contact for additional information or in case of interference;
4. enough information about any associated radiocommunication gear to enable a separate coordination and authorization, if not already coordinated and authorized.

The Department will evaluate the application in line with Canadian standards and procedures, for example, Radio Standards Procedure 114. Following successful completion of the above steps, a letter of authority may be issued for a specific event at a particular venue. The authorization should be granted for periods up to the maximum period of time suggested above. It would be advisable to note in the authorization that the US SNG operator must operate within any restrictions of their FCC licence while in Canada, particularly those related to EIRP (equivalent isotropically radiated power).

Permitted Variation

A permitted variant of the standard procedure referred in the arrangement is the case of a Canadian SNG operator under contract to a US operator providing an uplink feed to a US satellite for a US customer. Since the Canadian SNG operator's licence does not cover transmissions to a US satellite (which should normally involve Telesat Canada), the

Department will issue an authority or a short term licence to the Canadian SNG operator for the event.

Prohibited Variation

The Exchange of Letters does not permit the by-pass of Canadian telecommunications facilities. Thus, it would not be acceptable to allow a US SNG unit to operate in Canada via a US satellite for reception of the signal at a Canadian earth station, since this is considered to be domestic traffic and must be delivered via a Telesat satellite.

Statistics

To gauge the effectiveness of this cross-border arrangement in the first year or two, and to assist in future cross-border initiatives, it would be useful to have statistics on the number and nature of these SNG authorizations. Regional offices will be requested, probably semi-annually, to provide a brief report to the Frequency/Obit Management Division (DOSS) of DGRB and the Network Policy Division (DNS) of DSTP. It should contain the following information:

1. technical case files: report name of the applicant, the area of operation, and the frequency band requested;
2. specific authorizations: report name of the applicant, the event, duration in days, the area of operation, the frequency band, and any extension (number, duration of each).

Contacts

US SNG requests will be handled by the following DOC regional contacts:

Atlantic Provinces:	Dale Snowdon	(506) 851-6525
Quebec:	Michel Plamondon	(514) 288-5798
Ontario:	Dan O'Connell	(416) 973-1217
Manitoba:	Brian Johnstone	(204) 988-7145
Saskatchewan:	Barry Kram	(306) 780-6982
Alberta and North West Territories:	Barry Shebatoski	(403) 292-4206
British Columbia and Yukon Territory:	Dennis Lanthier	(604) 666-5701