

Mr. John Giusti
Acting Chief of the International Bureau
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Mr. Giusti:

The National Telecommunications and Information Administration (NTIA), on behalf of the Executive Branch Agencies, have approved the release of additional draft Executive Branch proposals for WRC-07. These proposals consider the federal agency inputs toward the development of U.S. Proposals for WRC-07.

The enclosed document contains two draft proposals which address agenda item 1.12. These proposals are forwarded for your consideration and review by your WRC-07 Advisory Committee. Jim Vorhies of my staff is the primary contact for NTIA.

Sincerely,

*(Original Signed by Karl Nebbia for Wentland on
August 28, 2006)*

Fredrick R. Wentland
Associate Administrator
Office of Spectrum Management

Enclosure

United States of America

DRAFT PROPOSAL FOR THE WORK OF THE CONFERENCE

Agenda Item 1.12: to consider possible changes in response to Resolution **86** (Rev. Marrakesh, 2002) of the Plenipotentiary Conference: “Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks” in accordance with Resolution **86 (WRC-03)**;

Background Information: This proposal addresses the need to modify No. **9.14** (Applies to space-to-Earth only). Resolution **86 (Rev. Marrakesh, 2002)** requested that WRC-03 and subsequent Conferences review the regulatory procedures associated with the advance publication, coordination, notification and recording of frequency assignments pertaining to satellite network. WRC-03 identified in Resolution **86 (WRC-03)** the scope and the criteria to be used for the implementation of Resolution **86 (Rev. Marrakesh, 2002)**. *Resolves 1* of Resolution **86 (WRC-03)** specifically states that WRC-07 should “consider any proposals which deal with deficiencies in the advance publication, coordination, notification and recording procedures of the Radio Regulations (RR) for space services which have either been identified by the Board and included in the Rules of Procedure or which have been identified by administrations or by the Bureau as appropriate.”

The current Rule of Procedure under Article **9** for No. **9.14** in paragraph 2.4a) is as follows:

- a) No. **9.14** applies to space-to-Earth frequency allocations only, i.e. coordination of a transmitting space station in respect of receiving terrestrial stations when the threshold value is exceeded. In the absence of threshold value, the provisions of No. **9.50.1** could apply (see also Appendix **5**). For the Earth-to-space frequency allocations, the Board is of the opinion that no coordination is required between the involved space and terrestrial services, which both are considered on an equal basis.

Also, No. **9.14** should be limited to the space-to-Earth frequency allocations. To clarify that this is the case the following modification is proposed:

Proposal (Modification No. **9.14** (Applies space-to-Earth only):

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9.14 i) for a transmitting space station of a satellite network for which the requirement to coordinate is included in a footnote to the Table of Frequency Allocations referring to this provision or to No. **9.11A** in respect of receiving stations of terrestrial services where the threshold value is exceeded; (WRC-07~~3~~)

Reasons: To incorporate the Rule of Procedure on No. **9.14** which specifies that No. **9.14** applies in the space-to-Earth direction only.

DRAFT PROPOSAL FOR THE WORK OF THE CONFERENCE

Agenda Item 1.12: to consider possible changes in response to Resolution **86 (Rev. Marrakesh, 2002)** of the Plenipotentiary Conference: “Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks” in accordance with Resolution **86 (WRC-03)**;

Background Information: This proposal addresses the need to modify Appendix 5, Paragraph 1. Resolution **86 (Rev. Marrakesh, 2002)** requested that WRC-03 and subsequent Conferences review the regulatory procedures associated with the advance publication, coordination, notification and recording of frequency assignments pertaining to satellite network. WRC-03 identified in Resolution **86 (WRC-03)** the scope and the criteria to be used for the implementation of Resolution **86 (Rev. Marrakesh, 2002)**. *Resolves 1* of Resolution **86 (WRC-03)** specifically states that WRC-07 should “consider any proposals which deal with deficiencies in the advance publication, coordination, notification and recording procedures of the Radio Regulations (RR) for space services which have either been identified by the Board and included in the Rules of Procedure or which have been identified by administrations or by the Bureau as appropriate.”

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....”.

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.

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** specifies that the procedure of No. **9.11A** is applicable to, “...satellite services having allocations with equal rights...”. Additionally, while no text in the RR or in the RoP on No. **9.7** specifically state so, administrations responsible for a geostationary-satellite networks should not 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

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, 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.

To clarify that Nos. **9.7** and **9.11A** to **9.19** applies only to assignments in bands allocated with equal rights; the following modification is proposed to footnote 1 of §1 of Appendix 5:

Proposal - Modification Appendix 5 (Paragraph 1)

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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 category¹ of allocation, which might affect or be affected, as appropriate, and which are:.....

¹ The coordination procedures ~~between an earth station and terrestrial stations~~ under Nos. **9.7** and **9.11A** to ~~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.
