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CEPT BRIEF ON AGENDA ITEM 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.

# ISSUE

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

resolves to invite future WRCs

1. to consider any proposals which deal with deficiencies and improvements in the advance publication, coordination, notification and recording procedures of the Radio Regulations for frequency assignments pertaining to 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 Radiocommunication Bureau, as appropriate;
2. to ensure that these procedures and the related appendices of the Radio Regulations reflect the latest technologies, as far as possible, and invites administrations to consider, in preparing for PP-10, appropriate action with regard to Resolution 86 (Rev. Marrakesh, 2002).

# OVERALL CEPT position

CEPT is studying possible improvements of the coordination and notification procedures for space services. CEPT also supports retaining the current process of continuing evolution at successive WRCs of the regime governing space services. CEPT has developed specific positions susceptible to bring improvement to the regulatory process.

## CEPT positions on issues portrayed in ECPs

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| Issue | Title | CEPT position |
| A | Informing the BR of a suspension under No. 11.49 beyond six months | CEPT supports modification to RR No. 11.49 by reducing the three-year time period by the amount of time that has elapsed between the end of the six-month period and the date that the BR is informed of the suspension.  CEPT considers that it provides a balanced application of incentives on avoiding longer delays to inform the BR. This method would also clarify the regulatory situation when the request for suspension is received six months after the date of suspension. (Method A2 Option A in the CPM Report) |
| B | Publication of information on bringing into use of satellite networks at the ITU website | CEPT supports full clarity in the Radio Regulations to the Bureau’s procedure for publishing and making available information relating to bringing into use and suspension of frequency assignments of satellite networks. (Method B1 Option A in the CPM Report). |
| C | Review of the advance publication mechanism for satellite networks subject to coordination under Section II of Article 9 of the Radio Regulations | CEPT considers that there is no reason to maintain the API as original merits of the API have disappeared or even API could constitute itself a motivating element to worsen the problem of multiple numbers of filings and paper satellites. Since repeated concerns have been raised regarding the risk of unintended consequences with the full suppression of the API (CPM Report Method C2 Option A) as it is being mentioned extensively in the RR, Method C2 Option B seems therefore more realistic to succeed and safer to implement than Method C2 Option A. Hence the CEPT position is based on Method C2 Option B. |
| D | General use of modern electronic means of communications in coordination and notification procedures | CEPT supports furthering the use of modern electronic means for correspondence between administrations and the Radiocommunication Bureau in relation with coordination and notification procedures of satellite networks.  In this regard, CEPT supports amending Resolution 907 (WRC-12) to ensure that, wherever the words “telegram”, “telex” or “fax” are inserted in provisions related to coordination and notification procedures of satellite networks (including Radio Regulations Appendices 30, 30A, 30B and relevant Resolutions), modern electronic means can be used instead. CEPT also supports expanding the scope of Resolution 908 (WRC-12) to all kind of satellite network filings and requesting the BR to analyse whether it is possible to have a single consolidated interface for both the submission of satellite network filings and any related correspondence. (Method D in the CPM Report). |
| E | Failure of a satellite during the bringing into use period | CEPT supports no change to the Radio Regulations (Method E3 in the CPM Report). |
| F | Modifications to RR Appendix 30B in relation to the suspension of use of a frequency assignment recorded in the MIFR | CEPT supports transferring the Rule of Procedure into Appendix 30B of the Radio Regulations. It provides stability and certainty (Method F in the CPM Report). |
| G | Clarification of the bringing into use information provided under Nos. 11.44/11.44B | CEPT supports transferring the Rule of Procedure into the Radio Regulations. It provides stability and certainty (Method G in the CPM Report). |
| H | Using one space station to bring assignments at different orbital locations into use within a short period of time | CEPT has no common position regarding regulatory solutions to address this issue. |
| I | Possible methods to mitigate excessive satellite network filings | CEPT supports the principle of limiting the practice of excessive satellite filings. It should be noted that any preferred method addressing the excessive advance publication information (API) filings should take into account the solution endorsed for Issue C. Regarding CR/Cs, Europe proposes No Change to the RR. (Method I1.4 and Method I2.2, Option B in the CPM Report). |
| J | Removal of the link between the date of receipt of the notification information and the date of bringing into use in No. 11.44B | CEPT supports to remove the link between the date of receipt of the notification information and the date of bringing into use in RR No. 11.44B as CEPT notes that WRC-12 did not intend to have such link (Method J1 in the CPM Report). |
| K | Addition of a regulatory provision in Article 11 for the case of launch failure | CEPT supports the current practice of referring to the RRB any case of launch failure so that the most appropriate regulatory actions can be taken on a case-by-case basis. CEPT supports No Change to the Radio Regulations (Method K3 in the CPM Report). |
| L | Modification of certain provisions of Article 4 of RR Appendices 30 and 30A for Regions 1 and 3, namely replacement of tacit with specific agreement or alignment of those provisions of RR Appendices 30 and 30A for Regions 1 and 3 with those of Appendix 30B | CEPT supports no change to the Radio Regulations (Method L3 in the CPM Report).  CEPT notes that tacit agreement was adopted in Appendices 30 and 30A together with a set of coordination triggers. Changing such a regulatory procedure cannot therefore be done without considering different technical coordination triggers. From a broader perspective, CEPT also notes that there may be other preferable methods to achieve harmonization of the provisions in Article 6 of Appendix 30B with the corresponding provisions of Article 4 of Appendices 30 and 30A than the methods included in the CPM Report for WRC-15 agenda item 7, Issue L.  CEPT also notes that an explicit agreement would make it more difficult for newcomers to enter into the List of Appendices 30 and 30A. |
| New issue not portrayed in the CPM Report | Addition of a new provision to the Radio Regulations in the notification process, No. 11.41.3 | CEPT supports adding a provision in RR Article 11 to provide notifying Administrations with the regulatory mechanism to accept the probability of harmful interference and record in the Master Register its frequency assignments with favourable findings for those cases where, after RR 11.32A examination, a frequency assignment has obtained an unfavourable finding for the only reason that the probability of receiving harmful interference from another frequency assignment exceeds the RR criterion while the probability of creating harmful interference to it is negligible. |

## Other CEPT positions on issues that are not portrayed in ECPs

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| Title | CEPT position |
| Review of the orbital position limitations in Annex 7 to RR Appendix 30 | CEPT does not support the suppression of paragraph A of Annex 7 of Appendix 30 since the relevant technical studies have not been carried out. |
| Comprehensive review of radio regulatory process under WRC-15 agenda item 7 | CEPT does not support a general overhaul of the regime governing space services and does not support the creation of an Expert Group to examine the issue and prepare detailed provisions and associated technical criteria for consideration by WRC-19. CEPT supports retaining the current process of continuing evolution at successive WRCs of the regime governing space services. |
| Inter-connected changes to the provisions Nos. 13.6, 11.44B and 11.49 | CEPT has noted that proposals to simultaneously change RR Nos. 11.44B, 11.49 and 13.6 has been submitted to WRC-15 (see Document [insert document number when available]).  CEPT notes that these provisions are of critical significance for satellite regulation, and that a delicate compromise has been reached during WRC-12 in relation to these provisions. CEPT further notes that this issue has been raised at a late stage in the preparation process, and that the issue has not been studied within ITU-R. Consequently these issues have not been addressed in the CPM Report. Therefore, CEPT is of the view that caution is required should these issues be discussed during WRC-15.  While CEPT understands that the general intent is not to depart from the spirit of the WRC-12 decisions, CEPT notes that the transfer of the 90-day period from a requirement for bringing into use under RR No. 11.44B to a condition for suspending an assignment under RR No. 11.49 may leave room to some abuses if the 6-month period contained in RR No. 11.49 is not suppressed. Noting that the detailed wording of both RR Nos. 11.44B and 11.49 required extensive discussions at WRC-12, CEPT doesn’t support the transferring of the 90-day period from RR No. 11.44B to No. 11.49.  CEPT notes that its proposal on WRC-15 agenda item 7 Issue G is similar to the proposed application of course of actions stipulated by RR No. 13.6 at the time of bringing into use under No. 11.44B.  Concerning RR No. 13.6, CEPT:   * recalls that any decision following the application of RR No. 13.6 is based on the answer (or absence thereof) provided by the administration; * considers that the administration has to answer to the questions raised by the Bureau under RR No.13.6 and should not argue about the reliability of the information having triggered the application of RR No. 13.6 as a means to avoid to fulfil its obligations under this provision; * understands that the application of RR No. 13.6 may delay the fulfilment of procedures by the Bureau under the other provisions of the Radio Regulations in respect of the frequency assignments for which RR No. 13.6 is being applied but that such delay does not have any regulatory consequence on the status on these assignments; * recognises that a systematic investigation following each bringing into use or resumption of use (for example based on the possibility that would opened if the CEPT proposal under WRC-15 agenda item 7, Issue G is adopted) could lead, after an appropriate transition period, to a reduced need of applying RR No. 13.6 to past situations or to suspended assignments. |
| Updating the reference situation for networks under RR Appendices 30 and 30A when provisional recording is used | CEPT supports that, when a network enters the List under § 4.1.18 or 4.2.21A of RR Appendix 30 or 30A, the reference situation of the incumbent network shall only be updated if the Bureau is informed that the agreement has been obtained. CEPT suggests that RRB creates a Rule of Procedure to this effect. |

# Background

In response to Resolution 86 (Rev. Marrakesh, 2002), WRC-03 adopted Resolution 86, which resolved that the scope and criteria of Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference to be considered by future WRCs were as follows:

* to consider any proposals which deal with deficiencies in the advance publication, coordination and notification procedures of the Radio Regulations 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 Radiocommunication Bureau, as appropriate;
* to consider any proposals which are intended to transform the content of the Rules of Procedure into a regulatory text;
* to ensure that these procedures, characteristics and appendices reflect the latest technologies, as far as possible;
* to consider any proposals intended to facilitate, in accordance with Article 44 of the Constitution, the rational, efficient and economical use of radio frequencies and the associated orbits including the geostationary orbit in accordance with resolves 2 of Resolution 80 (Rev.WRC‑2000) and resolves to request the 2003 and subsequent world radiocommunication conferences of Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference;
* to consider any changes to provisions of the Radio Regulations for space services that would result in the simplification of the procedures and the work of the Bureau and/or administrations;
* to consider any changes to the Radio Regulations that follow from decisions of a Plenipotentiary Conference on space matters.

WRC-07 considered proposals under the above scope and criteria and also modified Resolution 86 (WRC-03) itself so as to create a standing agenda item for future WRCs.

WRC-12 amended the title of the agenda item from the version in the WRC-12 agenda in order to allow for options other than making changes and to clarify the overall goal of the agenda item.

At the CPM15-2 meeting in March 2015, twelve issues, A-L, were included in the CPM Report to WRC-15 under Agenda item 7. These twelve Issues are considered Issue by Issue in the twelve Annexes to this Brief. The numbering of Issues follows the CPM Report. The page numbers in the table below are hyperlinked.

|  |  |  |  |
| --- | --- | --- | --- |
| ISSUE | Title | Annex | Page |
| A | Informing the BR of a suspension under RR No. 11.49 beyond six months | 1 | [13](#_ISSUE) |
| B | Publication of information on bringing into use of satellite networks at the ITU website | 2 | [18](#_ISSUE_1) |
| C | Review of the advance publication mechanism for satellite networks subject to coordination under Section II of Article 9 of the Radio Regulations | 3 | [23](#_ISSUE_3) |
| D | General use of modern electronic means of communications in coordination and notification procedures | 4 | [28](#_ISSUE_6) |
| E | Failure of a satellite during the bringing into use period | 5 | [32](#_ISSUE_5) |
| F | Modifications to RR Appendix 30B in relation to the suspension of use of a frequency assignment recorded in the MIFR | 6 | [36](#_ISSUE_13) |
| G | Clarification of the bringing into use information provided under Nos. 11.44/11.44B | 7 | [40](#_ISSUE_12) |
| H | Using one space station to bring assignments at different orbital locations into use within a short period of time | 8 | [44](#_ISSUE_11) |
| I | Possible methods to mitigate excessive satellite network filings | 9 | [49](#_ISSUE_10) |
| J | Removal of the link between the date of receipt of the notification information and the date of bringing into use in No. 11.44B | 10 | [54](#_ISSUE_15) |
| K | Addition of a regulatory provision in Article 11 for the case of launch failure | 11 | [57](#_ISSUE_14) |
| L | Modification of certain provisions of Article 4 of Appendices 30 and 30A for Regions 1 and 3, namely replacement of tacit with specific agreement or alignment of those provisions of Appendices 30 and 30A for Regions 1 and 3 with those of Appendix 30B | 12 | [60](#_ISSUE_4) |

In addition to the above set of issues being discussed under Agenda item 7, other issues have been debated in the past within the ITU-R, although they have lower priorities within ITU-R. CEPT should favour the review of any RR provision which can bring accurate solutions to specific detected inconsistencies and develop new improved provisions with emphasis on solving the most urgent (well characterized issues which improvement is urgent and impacting).

## Other issues for which an ECP has been developed

### Addition of a new provision to the Radio Regulations in the notification process, No. 11.41.3

Currently, after the examination under No. 11.32A, notifying administrations, in most of the cases, request the application of No. 11.41 for the frequency assignments with unfavourable findings, in order to be able to record in the Master Register frequency assignments before the end of regulatory deadline. It would be worthy to have the possibility to differentiate, after examination under No. 11.32A, between cases where unfavourable findings are due to the examined frequency assignment potentially causing harmful interference, from cases where unfavourable findings are due to the examined frequency assignment only potentially receiving harmful interference. For these cases, regulatory mechanisms should allow the notifying administration to accept the probability of harmful interference (when it considers it acceptable) and consequently obtain a favourable finding.

CEPT supports adding a new provision to the Radio Regulations that will permit to a notifying administration, which after 11.32A examination has obtained an unfavourable finding for a frequency assignment for the only reason that the probability of receiving harmful interference from another frequency assignment exceeds the RR criterion, while the probability of creating harmful interference to it is negligible, to indicate to the Bureau that it accepts the probability of harmful interference. Consequently, the Bureau will record the frequency assignment in the Master Register with favourable finding and with a reference to this new provision.

With the inclusion of the proposed provision, for the cases described above, after No. 11.32A examination, the notifying administration will be able to decide:

1. Whether the notifying administration considers that the probability of harmful interference received is acceptable, then the administration will indicate it to the Bureau and the frequency assignment will be recorded in the Master Register with a favourable finding and with a reference to this new provision.
2. Whether the notifying administration considers that the probability of harmful interference received is not acceptable, the notifying administration will still have the option to request the Bureau to apply 11.41 and the frequency assignment will be recorded in the Master Register with unfavourable finding with reference to 11.41 (current process).

#### CEPT POSITION

CEPT supports adding a provision in Article 11 to provide notifying Administrations with the regulatory mechanism to accept the probability of harmful interference and record in the Master Register its frequency assignments with favourable findings for those cases where, after 11.32A examination, a frequency assignment has obtained an unfavourable finding for the only reason that the probability of receiving harmful interference from another frequency assignment exceeds the RR criterion while the probability of creating harmful interference to it is negligible.

## Other considerations

Apart from the twelve issues under Agenda item 7 that are captured in the CPM Report to WRC-15, there have been other issues debated under Agenda item 7 both within CEPT and ITU-R during this study period. In case CEPT has developed CEPT positions on such issues, they are captured in this section of the CEPT Brief as there may be a need for CEPT to express its position on them at WRC-15.

### Review of the orbital position limitations in Annex 7 to RR Appendix 30

The focus of the review of RR Appendix 30 orbital position limitations is on modifications to the BSS Plans and List contained in Annex 7. These orbital position limitations to the BSS Plans and List were designed to facilitate sharing with the FSS in the shared part of the orbital arc between the Regions. In the Ku band frequencies, the BSS allocations are not global, so, for example, 11.7-12.2 GHz is BSS in Region 1 and FSS in Region 2. These orbital position limitations were maintained at WRC-2000 during the last Regions 1 and 3 planning conference, as during a planning conference many new BSS slots could be adopted at once which could significantly limit the future access of FSS to the shared portion of the orbital arc.

Several administrations have expressed concerns that the implications of reviewing RR Appendix 30 were not studied enough this study period. In particular, special consideration needs to be given to existing systems implemented under the Annex 7 regime. Such consideration could be implemented by variations on the protection criteria used (e.g. similar to Note 1 in Section 6 of Annex 1 to Appendix 30). Moreover, it has been indicated that WRC-15 would need to determine whether changing that part of the treaty addressing RR Appendix 30 could be considered under Agenda item 7 of the WRC agenda.

#### CEPT POSITION

CEPT does not support the suppression of paragraph A of Annex 7 of Appendix 30 since the relevant technical studies have not been carried out.

### Comprehensive review of radio regulatory process under WRC-15 agenda item 7

A general overhaul of the RR regarding space services has been proposed during this study period. The principal proposal is to examine the entire regulatory regime governing the use of the orbital/spectrum resources in the space services as contained in RR Articles 9, 11, 13, 14 and 15 and their associated Rules of Procedure as well as all relevant Appendices and Annexes and Resolutions of the previous WRCs with a view to give a new and fresh look of the applicable regulatory regime to space services. This proposal is based on the premise that the current process of addressing individual issues or aspects of the RR at successive WRCs is not effective, and that it is time to consider a comprehensive review of the entire regulatory regime.

It has been proposed that once the issue is studied by ITU-R Study Groups and finalized by Special Committee, it would be submitted to a WRC for its consideration and appropriate action. It has further been proposed that, should WRC-15 agree to the concept, it would need to establish an Expert Group to examine the issue, in close collaboration with the Special Committee, and prepare detailed regulatory provisions and associated technical criteria for consideration by WRC-19.

#### CEPT POSITION

CEPT does not support a general overhaul of the regime governing space services and does not support the creation of an Expert Group to examine the issue and prepare detailed provisions and associated technical criteria for consideration by WRC-19. CEPT supports retaining the current process of continuing evolution at successive WRCs of the regime governing space services.

### Inter-connected changes to the provisions Nos. 13.6, 11.44B and 11.49

A concept of inter-connected changes to the provisions Nos. 13.6, 11.44B and 11.49 have been submitted to a couple of CPG PTB meetings and to the WP 4A meeting in June 2015. The CPG PTB8 meeting thoroughly assessed these complex and delicate issues taking the relevant sections of the RRB Report on Resolution 80 into account. In these discussions, the Russian Federation has announced its intent to propose this issue to WRC-15.

WRC-12 adopted changes to Nos.13.6 and 11.49, as well as a new provision for No. 11.44B regulating the procedure for entry into force of frequency assignments for satellite networks. After WRC-12, administrations and the BR have experienced some difficulties in the implementation of the above RR provisions and so far the Rule of Procedure, which explains the BR course of action when administration declares bringing into use satellite network frequency assignments, is not adopted. In the application of No. 11.49 there is uncertainty regarding the implications for administrations when they notify the BR on the suspension of satellite network frequency assignments in a period exceeding six months. A number of administrations have also raised questions about the enforcement of No.13.6 on retroactivity, BR operating procedures, etc. The difficulties that some administrations and the BR are currently experiencing in the application of the Nos. 13.6, 11.49 and 11.44B may be due to the fact that the issues of maintaining the Master Register were considered at WRC-12 separately for the various articles of the Radio Regulations.

#### CEPT POSITION

CEPT has noted that proposals to simultaneously change Nos. 11.44B, 11.49 and 13.6 has been submitted to WRC-15 (see Document [insert document number when available]).

CEPT notes that these provisions are of critical significance for satellite regulation, and that a delicate compromise has been reached during WRC-12 in relation to these provisions. CEPT further notes that this issue has been raised at a late stage in the preparation process, and that the issue has not been studied within ITU-R. Consequently these issues have not been addressed in the CPM Report. Therefore, CEPT is of the view that caution is required should these issues be discussed during WRC-15.

While CEPT understands that the general intent is not to depart from the spirit of the WRC-12 decisions, CEPT notes that the transfer of the 90-day period from a requirement for bringing into use under No. 11.44B to a condition for suspending an assignment under RR No. 11.49 may leave room to some abuses if the 6-month period contained in No. 11.49 is not suppressed. Noting that the detailed wording of both Nos. 11.44B and 11.49 required extensive discussions at WRC-12, CEPT doesn’t support the transferring of the 90-day period from No. 11.44B to No. 11.49.

CEPT notes that its proposal on WRC-15 agenda item 7 Issue G is similar to the proposed application of course of actions stipulated by No. 13.6 at the time of bringing into use under No. 11.44B.

Concerning No. 13.6, CEPT:

* recalls that any decision following the application of No. 13.6 is based on the answer (or absence thereof) provided by the administration;
* considers that the administration has to answer to the questions raised by the Bureau under RR No.13.6 and should not argue about the reliability of the information having triggered the application of RR No. 13.6 as a means to avoid to fulfil its obligations under this provision;
* understands that the application of No. 13.6 may delay the fulfilment of procedures by the Bureau under the other provisions of the Radio Regulations in respect of the frequency assignments for which RR No. 13.6 is being applied but that such delay does not have any regulatory consequence on the status on these assignments;
* recognises that a systematic investigation following each bringing into use or resumption of use (for example based on the possibility that would opened if the CEPT proposal under WRC-15 agenda item 7, Issue G is adopted) could lead, after an appropriate transition period, to a reduced need of applying RR No. 13.6 to past situations or to suspended assignments.

### Updating the reference situation for networks under RR Appendices 30 and 30A when provisional recording is used

Article 4.1.18 of Appendices 30 and 30A prescribes that, in the case of recording in the List with outstanding coordination requirements, this recording shall be provisional, but that the entry shall be changed from a provisional to definitive recording in the List if the Bureau is informed that the new assignments in the Regions 1 and 3 List have been in use together with the assignment which was the basis for the disagreement, for at least four months without any complaint of harmful interference being made.

When entering a network provisionally into the List, the reference situation of networks which coordination is not completed is not updated. However, when changing the recording from provisional to definitive (after four months of operation without complaints of interference), the Bureau updates the reference situation of these networks.

As a result, even though not having given its agreement, the incumbent network may find itself with reduced protection due to a network to which it has not given its agreement.

#### CEPT POSITION

CEPT supports that, when a network enters the List under Article 4.1.18 or 4.2.21A of Appendix 30 or 30A, the reference situation of the incumbent network shall only be updated if the Bureau is informed that the agreement has been obtained. CEPT suggests that RRB creates a Rule of Procedure to this effect.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* CPM15-2/2 Section 2.2 – Report of the Special Committee to the CPM
* WRC-15/3 Section 5/7 – Report of the CPM to the WRC-15 Section 5/7
* WRC-15/4 – Report of the Director on the activities of the Radiocommunication sector

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

none

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (date of proposal)

ATU (date of proposal)

Arab Group (date of proposal)

CITEL (date of proposal)

RCC (April 2015)

The RCC administrations consider as necessary further improvements in the notification, coordination and recording procedures for space services.

The RCC Administrations do not support substantial changes to the Resolution 49 (Rev. WRC-12) and extension of Resolution 552 (WRC-12) applicability to other frequency bands.

The RCC Administrations consider that reviewing proposals from administrations aimed to change certain provisions of the Radio Regulations, related to notification procedures for satellite networks should be implemented in accordance with established procedure while preparing to the next WRC.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (August 2015)

SFCG supports possible changes to the Radio Regulations to improve the handling of the advance publication, coordination, notification and recording procedures for satellite networks. SFCG has identified five issues of potential interest to space science services.

* SFCG supports a clarification as to how the BR would address non-compliance with the requirement to inform the Radiocommunication Bureau within 6 months that use of frequency assignments have been suspended (as required under RR No.11.49). WRC-12 had modified this provision but left it unclear as to the consequence of not complying with the modified provision (AI 7 Issue A).
* Publication of Bringing Into Use (BIU) information by the BR. SFCG supports any method allowing quick and easy access to up to date information on satellites BIU (AI 7 Issue B).
* CPM Report proposes that either: a) suppresses the required Advance Publication Information submissions for satellite networks that are subject to coordination provisions in the Radio Regulation; or, b) eliminates the six months required between receipt of API and coordination submissions. SFCG would oppose this being applied to NGSO space science systems not subject to coordination under Section II of Article 9 (AI 7 Issue C).
* SFCG is of the view that the Radio Regulation should support a balanced perspective for maintaining flexibility of manoeuvres while avoiding any abuse on the use of one space station to bring into use frequency assignments at different orbital locations within a short period of time (AI 7 Issue H).
* SFCG supports amending Table 10 (Annex 7) in Appendix 7 of the Radio Regulations to add a row adjusting the predetermined coordination distance between mobile (aircraft) stations and space research earth stations in the 2 200-2 290 MHz band to a value of 880 km in order to ensure proper protection of the SRS Earth stations (AI 7 Issue XYZ).
* Should WRC-15 decide to address satellite filing procedures to facilitate the unique mission lifecycle of nanosatellites or picosatellites, SFCG believes any changes to satellite filing procedures to facilitate the unique mission lifecycle of nanosatellites or picosatellites should be in alignment with studies conducted in the ITU-R and that any such changes be carefully developed to ensure they apply exclusively to nanosatellites or picosatellites. Note: This issue is further discussed under Agenda Item 9.1.8 below.
* SFCG does not support regulatory changes requiring coordination under RR Section II of Article 9 for non-geostationary satellites communicating to geostationary satellites via inter-satellite links (data relay links). Note: This topic is not addressed in the CPM Report but has been raised during previous WRCs as there is an applicable RRB Rule of Procedure.)

WMO and EUMETNET (December 2014)

This standing agenda item to the WRCs deals with any possible changes to the Radio Regulations affecting the advance publication, coordination, notification and recording of satellite networks. WMO will support changes to the Radio Regulations that would improve the advance publication, coordination, notification and recording procedures for satellite networks.

## Regional organisations

ESA (date of proposal)

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. ISSUE A Informing the BR of a suspension under No. 11.49 beyond six months

# Issue A

Pursuant to RR No. 11.49, when an administration suspends the use of an assignment and the suspension lasts longer than six months, the administration must inform the Bureau of the suspension and then follow the procedures for bringing the assignment back into use within the three-year suspension period. Although WRC-12 established an obligation to report the qualifying suspension as soon as possible, the conference did not include specific regulatory procedures to address the possible situation of an administration failing to inform the Bureau of a suspension extending beyond the initial six-month period.

# CEPT POSITION

CEPT supports modification to No. 11.49 by reducing the three-year time period by the amount of time that has elapsed between the end of the six-month period and the date that the BR is informed of the suspension (Method A2 Option A in the CPM Report).

CEPT considers that it provides a balanced application of incentives on avoiding longer delays to inform the BR. This method would also clarify the regulatory situation when the request for suspension is received six months after the date of suspension.

# BACKGROUND

WRC-12 modified No. 11.49 to expand the time an administration is allowed to suspend the use of frequency assignments to a space station from a two-year time period to three years. In addition, in the modified RR No. 11.49, administrations do not need to inform the Bureau of suspensions lasting less than six months, but must inform the Bureau of suspensions lasting longer than six months as soon as possible, but in any case no later than six months from the start date of the suspension. Although WRC-12 made clear its intention that qualifying suspensions would be reported quickly, it did not specify the consequences for the assignments of an administration that failed to report a qualifying suspension by the six-month deadline.

Upon considering how the results of WRC-12 would be implemented in practice, the Bureau proposed a Rule of Procedure (RoP) that would have cancelled the suspended frequency assignments if the Bureau did not receive a notification of the suspension before or at the end of the six-month period. However, the suppression of frequency assignments for the reporting of a suspension beyond the six-month period could be viewed as inconsistent with the WRC-12 decision for administrations to have a maximum of three years from the suspension date to resume use of their frequency assignments. As a result, at its 61st meeting, the Radio Regulations Board (RRB) did not include cancellation of an assignment for a notification of suspended use beyond the six-month period in the adopted Rules of Procedure.

Considerable efforts have been put into this issue within ITU-R since WRC-15 and an ECP was approved for adoption at the CPG15-7 meeting in June 2015.

## CPM Report

The CPM report contains 2 methods addressing this issue:

* Method A1 – No Change to the RR, with the Bureau using No.13.6 to seek clarification
* Method A2 – Modify No. 11.49 to provide a regulatory mechanism serving as an incentive to inform the BR within the first 6 months. Two options are considered:

Option A: the three-year suspension period shall be reduced by the amount of time that has elapsed between the end of the six-month period and the date that the BR is informed of the suspension so a suspended frequency assignment would be cancelled following the late notification 21 months after the date of the suspension.

Option B: if the BR is informed during the six - twelve month period after suspension the reduction to the three-year time period is the same as the first option. After the twelfth month, the three-year time period shall be reduced by twice the amount of time that has elapsed between the end of the twelve-month period and the date that the BR is informed of the suspension so a suspended frequency assignment would be cancelled following the late notification 18 months after the date of the suspension.

Attempts were made by some European countries to suppress Method A2 Option B due to the apparent lack of explicit support for it at the CPM15-2 meeting. Nevertheless, as one administration preferred to keep it, it was included in the CPM Report to WRC-15.

In addition, as at the CPG PTB7 meeting, the need to develop provisions addressing the entry into force of the proposed changes was noted at CPM15-2, including the potential application to networks already suspended. Furthermore, it was noted that it may be appropriate to modify section 5.2.10 of RR Appendices 30 and 30A as well as section 8.17 of RR Appendix 30B to apply this change to suspensions of use of frequency assignments under those Appendices as well and thereby aligning the suspension provisions in the RR.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/1
* WRC-15/4 Part 3 section 4.2 – Report of the Director on the activities of the Radiocommunication sector, Part 3: Report by the Radio Regulations Board to WRC-15 Resolution 80 (rev WRC-07)

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

* CPG15(15)055 Annex VII Doc 9 (Add.1 to Add.21) – approved ECP on Issue A

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

none

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

Some APT Members support Method A1 (NOC). Some other APT Members support the Method A2, Option A, with its proposed regulatory text, as it was added to the CPM15-2 Report.

Members do not support Method A2, Option B as contained in the CPM15-2 Report.

In conclusion, APT Members support the Method A2, Option A.

ATU (July 2015)

Method A2 Option A

Arab Group (August 2015)

Day-for-day reduction in the suspension period after 6 months (Option A of Method A2)

CITEL (August 2015)

NOC to No. 11.49 since it is unnecessary to make changes or incorporate requirements additional to those now established for No. 11.49, since the existing regulatory procedures (RR 13.6) are sufficient to ensure compliance with the provisions of RR 11.49, especially those related to the suspension period.

RCC (April 2015)

The RCC Administrations consider that after informing the Radiocommunication Bureau on suspending frequency assignment after six-month period specified in the RR No 11.49, the total suspension time shall be reduced by a delay period of such a message (Method А2, Option A). Other options to satisfy this issue are also being reviewed.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (September 2014)

SFCG supports a clarification as to how the BR would address non-compliance with the requirement to inform the Radiocommunication Bureau within 6 months that use of frequency assignments have been suspended (as required under RR No.11.49). WRC-12 had modified this provision but left it unclear as to the consequence of not complying with the modified provision.

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method A2, Option A

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. ISSUE B Publication of information on bringing into use of satellite networks at the ITU website

# ISSUE B

Clarification of the actions of the Radiocommunication Bureau, and their timing, after receiving information from the administration on bringing into use and suspension of frequency assignments of satellite networks.

# CEPT POSITION

CEPT supports full clarity in the Radio Regulations to the Bureau’s procedure for publishing and making available information relating to bringing into use and suspension of frequency assignments of satellite networks. (Method B1 Option A in the CEPT Report).

# BACKGROUND

WRC-12, under Agenda Item 7, made changes to regulatory provisions concerning bringing into use and suspension of satellite networks (Nos. 11.44B, 11.49, 11.49.1). As a result, significant clarification was made in respect of the actions of administrations. However, the Bureau’s actions regarding the publication of information were not considered.

At the same time, the Radio Regulations define the procedure and associated timeframe for publication of API, coordination and notification (Part I-S) requests providing full transparency of information on satellite networks and its availability to operators and Administrations. This issue aims to also clarify the actions of the Bureau, and their timing, after receiving information from the administration on bringing into use and suspension of frequency assignments of satellite networks.

An ECP was approved for adoption at the CPG15-7 meeting in June 2015.

## CPM Report

The CPM Report contains 3 methods addressing this issue:

* Method B1 – To clarify the BR’s actions, implementing amendments to RR Nos. 11.44B, 11.49 and 11.49.1 as shown in in the CEPT Position above.

Option A: As described above

Option B: BR shall also publish the bringing into use or suspension information “as received” from the notifying administration

* Method B2 – To clarify the BR’s actions, implementing the same amendments as in Method 1 but also adding footnotes to both RR Nos. 11.44B and 11.49 stating “For the publication of this information, see also Resolution 49” to make the information available at the ITU-R website and contained in a dedicated special section that could be combined with the date of BIU contained data currently provided under Resolution 49 (Rev.WRC‑12).

Option A: As described above

Option B: BR shall also publish the bringing into use or suspension information “as received” from the notifying administration

* Method B3 – No Change to the RR

In addition on Method B2, as the earlier requested clarifications regarding the Resolution 49 (Rev.WRC-12) reference and its practicability of implementing it was not addressed, it is noted in the CPM Report that 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.

Both methods B1 and B2 also contains a note indicating that the modification proposed to Nos. 11.44B and 11.49 may also be considered for Article 5.2.10 of Appendices 30, 30A and Article 8.17 of Appendix 30B.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/2

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

* CPG15(15)055 Annex VII Doc 9 (Add.2 to Add.21) – approved ECP on Issue B

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

APT Members are of the view that it is necessary to make available the information on bringing into use and suspension of satellite networks on the ITU website and publish it in the BR IFIC

In view of the linkage between the information about BIU and Resolution 49 (Rev. WRC-12) is not appropriate and may have unintended adverse impacts, APT Members support Method B1, Option B as contained in the CPM15-2 Report, with modification, which is identical to Method B2 without relation to Resolution 49

Some APT Members support Method B3

ATU (July 2015)

No common position

Arab Group (August 2015)

Identify the BR actions required, and include in minutes of WRC-15 (Method B3)

CITEL (August 2015)

Method B1 Option A

* MOD to Nos. 11.44B/11.49, Article 5.2.10 of Ap30/Ap30A and 8.17 of Ap30B to indicate that the information shall be made available on the ITU website as soon as possible and shall be published in the BR IFIC.
* NOC to No. 11.49.1

RCC (April 2015)

The RCC Administrations consider it necessary to modify RR Nos 11.44B and 11.49 in order to clarify procedure for publication by Bureau of information related to bringing into use and suspension of frequency assignments to satellite networks (Method B1 Option A).

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method B1 Option A

Reason: ESA supports full clarity in the Radio Regulations to the Bureau’s procedure for publishing and making available information relating to bringing into use and suspension of frequency assignments of satellite networks. This issue seems already solved by the current practices of the BR and there would not be need for Method B2 and in particular it’s references to Res 49 for which many concerns have been raised within ITU-R. Method B1 is sufficient to ensure proper and timely publication of the BIU as currently implemented by the BR.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. ISSUE C Review of the advance publication mechanism for satellite networks subject to coordination under Section II of Article 9 of the Radio Regulations

# ISSUE C

Whether the Advance Publication Information phase for satellite networks subject to coordination under Section II of Article 9, and/or the associated timescales, remains appropriate

# CEPT POSITION

CEPT considers that there is no reason to maintain the API as original merits of the API have disappeared or even API could constitute itself a motivating element to worsen the problem of multiple numbers of filings and paper satellites. Since repeated concerns have been raised regarding the risk of unintended consequences with the full suppression of the API (CPM Report Method C2 Option A) as it is being mentioned extensively in the RR, Method C2 Option B seems therefore more realistic to succeed and safer to implement than Method C2 Option A. Hence the CEPT position is based on Method C2 Option B.

# BACKGROUND

The required six-month period between the receipt by the Bureau of an advance publication information (API) and a related coordination request was originally intended for administrations to consider and potentially comment upon the information contained in the API as well as for the administration responsible for the proposed satellite network to take into consideration the comments of other administrations before submitting the associated coordination request. Initially the API contained information on the planned types of carriers, associated power levels and earth stations characteristics.

As a consequence of the changes to the Radio Regulations (RR) made at WRC-95, APIs for satellite networks subject to coordination under Section II of RR Article 9 now contain a far more limited amount of information (e.g. orbital position and frequency bands). There is consequently far less data for administrations to review and comment upon.

Moreover, WRC-12 modified RR No. 9.36.2 to establish a definitive list of satellite networks to be coordinated with. As a consequence, there is now approximately 15-16 months between the receipt of API and the publication of the definitive list: 6 months between the API and coordination request (see RR No. 9.1), 3-4 months to publish the coordination request (according to the Report to the 64th meeting of the Radio Regulations Board, see Document RRB13-3/3 and also RR No. 9.38), 4 months to comment (see RR No. 9.52) and approximately 2 months to publish the definitive list following the comments (time period estimated on the basis of publication of CR/D or CR/E since 1st January 2013). This period of 15-16 months is almost entirely dedicated to administrative work leading to the establishment of the coordination requirements and represents 18-19% of the seven‑year period after the date of receipt of API to bring into use the frequency assignments to the satellite network.

An ECP was approved for adoption at the CPG15-7 meeting in June 2015.

## CPM Report

At the CPM15-2 meeting in March 2015 many different positions were expressed. Finally, the methods contained in the draft CPM text were all kept in the CPM Report to the WRC-15 but re-organised into three thematic methods where two of them contains two options each:

* Method C1 – No Change to the RR
* Method C2 – Cancellation of the current API mechanism for satellite networks subject to coordination under Section II of RR Article 9

Option A: Suppression of the API mechanism

Option B: Suppression of current API mechanism and automatic generation of API by the BR at the receipt of a coordination request

* Method C3 – Review of the current API mechanism for satellite networks subject to coordination under Section II of RR Article 9

Option A: Reduction of the period before expiry of the API for satellite networks subject to coordination under Section II of RR Article 9

Option B: Suppression the six-month minimum period between the date of receipt of an API and the date of receivability of the associated coordination request

WRC-07 and WRC-12 both considered this issue and neither conference decided to suppress the API phase. Hence, it is stated in the CPM Report that WRC-15 is invited to decide on the retention or otherwise of the API mechanism in a definitive manner.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

Report of the CPM to the WRC-15 Section 5/7/3

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports);

CPG15(15)055 Annex VII Doc 9 (Add.3 to Add.21) – approved ECP on Issue C

CEPT documents from the previous WRC study cycle under Agenda item 7:

* The ECP submitted as the WRC-12 document 05; Addendum 3 to Addendum 28 as Subpart C of the ECP
* CEPT Brief on Agenda item 7, page 33-35, regarding Issue 2E: Modification to API of a satellite network or system not subject to coordination procedure under Section II of Article 9

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

No common position

ATU (July 2015)

Method C3 Option B

Arab Group (August 2015)

Suppress the minimum period of six months between API and CR/C (Option B of Method C3)

CITEL (August 2015)

No common position

RCC (April 2015)

The RCC Administrations support modification of the advance publication mechanism subject to maintaining time-limit of seven years for submission of the notice for recording of the assignment to satellite networks and bringing them into use (Method C3 Option B). But the RCC Administrations consider also other methods for satisfying the issue, excluding method NO CHANGE to the advance publication mechanism (Method C1).

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (September 2014)

SFCG will monitor Draft CPM text being considered that would either: a) suppress the required Advance Publication Information submissions for satellite networks that are subject to coordination provisions in the Radio Regulation; or, b) eliminate the six months required between receipt of API and coordination submissions. While such modifications are intended primarily to address the sometimes abused use of advantages stemming from API filings for commercial GSO satellite networks, this could be applicable to some GSO space services systems. In general, this would not be applicable to most NGSO space science systems.

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method C2 Option B.

ESA supports suppression of the six-month period, as well as the commenting process on advance publications.

ESA considers that there is no reason to maintain the API as original merits of the API have disappeared or even API could constitute itself a motivating element to worsen the problem of multiple numbers of filings and paper satellites.

Since repeated concerns have been raised regarding the risk of unintended consequences with the full suppression of the API (draft CPM text Method C2 Option A) as it is being mentioned extensively in the RR, Method C2 Option B seems therefore more realistic to succeed and safer to implement than Method C2 Option A. Hence ESA is supporting Method C2 Option B.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. Issue D General use of modern electronic means of communications in coordination and notification procedures

# ISSUE D

The explicit use of the words “telegram”, “telex” and “fax” in Resolution 907 (WRC-12) are proposed to be replaced with “modern electronic means” and BR is requested to analyse whether it is possible to have a single consolidated interface for both the submission of satellite network filings and the related correspondence, through the expanded scope of Resolution 908 (WRC-12).

# CEPT POSITION

CEPT supports furthering the use of modern electronic means for correspondence between administrations and the Radiocommunication Bureau in relation with coordination and notification procedures of satellite networks.

In this regard, CEPT supports amending Resolution 907 (WRC-12) to ensure that, wherever the words “telegram”, “telex” or “fax” are inserted in provisions related to coordination and notification procedures of satellite networks (including Radio Regulations Appendices 30, 30A, 30B and relevant Resolutions), modern electronic means can be used instead. CEPT also supports expanding the scope of Resolution 908 (WRC-12) to all kind of satellite network filings and requesting the BR to analyse whether it is possible to have a single consolidated interface for both the submission of satellite network filings and any related correspondence. (Method D in the CPM Report).

# BACKGROUND

A number of regulatory provisions concerning coordination and notification procedures of satellite networks (including in RR Appendices 30, 30A, 30B and relevant Resolutions) uses the words “telegram”, “telex” or “fax”. The actual use of telegram or telex has been discontinued for a while since these technologies are no longer provided. In a parallel manner, the provision of international fax is currently decaying. The reliability and quality of service of fax systems are sometimes too low to ensure an efficient implementation of provisions concerning satellite coordination and notification. On the counterpart, administrations are nowadays equipped with email systems and Internet access that have reached a level of reliability and quality of service compatible with a routine use for coordination and notification activities.

An ECP was approved for adoption at the CPG7 meeting in June 2015.

CEPT also notes that this issue should be discussed in conjunction with the development of Resolution 907 as described in the Directors Report part 1 in section 2.9.

## CPM Report

The CPM Report only contains one single method addressing this issue:

* Method D – Amendments to Resolutions 907 (WRC-12) and 908 (WRC-12); Resolution 907 (WRC-12) is proposed to be amended to ensure that, wherever the words “telegram”, “telex” or “fax” are inserted in provisions related to coordination and notification procedures of satellite networks, “modern electronic means” can be used instead. Resolution 908 (WRC-12), dealing with electronic submission and publication of API information, is proposed to have an expanded scope to include all kind of satellite network filings and the BR is requested to analyse whether it is possible to have a single consolidated interface for both the submission of satellite network filings and the related correspondence.

At the CPM15-2 meeting in March 2015, the proposed changes to Resolution 907 was slightly amended emphasizing that the electronic means of communication will not prevent the continuing use of fax, if so desired by administrations. The reason is to help developing countries that may have issues to use modern electronic means due to the unreliability of their infrastructure, so according to the amendment traditional means of communication shall continue to be used unless administrations informs the BR of its willingness to discontinue such use.

Note: CEPT notes that a similar approach (i.e. introduction of modern means of correspondence) could also be implemented for terrestrial services under an appropriate agenda item.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

Report of the CPM to the WRC-15 Section 5/7/4

WRC-15/4 Part 1 Section 2.9 – Report of the Director on the activities of the Radiocommunication sector, Part 1: Activities of the Radiocommunication Sector in the period between WRC-12 and WRC-15

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

CPG15(15)055 Annex VII Doc 9 (Add.4 to Add.21) – approved ECP on Issue D

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

APT Members support the use of modern electronic as communication methods without replacing “telegram”, “telex” or “fax” since telefax is still used in many administrations as the most reliable means of communication due to the fact that, in some instances, in particular in some developing countries, Internet may not be always available. Hence, they support Method D which proposes the amendments to Resolutions 907 (WRC-12) and 908 (WRC-12). In addition, effort to improve the integrity of the contact details is supported and encouraged

ATU (July 2015)

Method D

Arab Group (August 2015)

Support the only method

CITEL (August 2015)

Single CPM Method

* MOD Resolution 907 to promote the use of modern electronic means of communications for exchanges between Administrations or with the Bureau.
* MOD Resolution 908 to expand the use of electronic means for the submission and publication of satellite networks under Articles 9, 11 as well as Appendices 30, 30A and 30B and other relevant Resolutions.

RCC (April 2015)

The RCC Administrations support using modern electronic means of communication in coordination and notification procedures.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method D.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. ISSUE E Failure of a satellite during the bringing into use period

# ISSUE E

Clarification of the status of frequency assignments to a satellite network in the event of a satellite failure during the ninety-day bringing into use period.

# CEPT POSITION

CEPT supports no change to the Radio Regulations (Method E3 in the CPM Report).

# BACKGROUND

While adopting the provisions relating to bringing into use, WRC-12 discussed the issue of a satellite failure, especially that of a newly launched satellite, during the ninety-day bringing into use period that renders the satellite technically incapable of operating in a given frequency band (see section 9 of WRC-12 [Document 554](http://www.itu.int/md/R12-WRC12-C-0554/en)), and invited the ITU-R to study, as a matter of urgency, to determine what regulatory changes, if any, should be made to the RR under WRC-15 agenda item 7 to address this issue.

An ECP was approved for adoption at the CPG7 meeting in June 2015.

## CPM Report

The CPM Report contains six methods addressing this issue:

* Method E1 – Addition of a footnote to RR No. 11.44B to indicate that in case of a failure of a satellite during the ninety-day bringing into use period, the corresponding frequency assignments shall be considered as having been brought into use under RR No. 11.44B.
* Method E2 – The same as Method E1 plus an additional similar footnote to RR 11.49.
* Method E3 – No Change to the RR
* Method E4 – In case of a failure, the corresponding frequency assignments shall be considered as having been brought into use; not through suspension but by prolonging the regulatory deadline with three years
* Method E5 – Clarifying the current cases-by-case approach in RRB decisions in a footnote to 11.44B
* Method E6 – Similar to Method E5 with the exception that the BR may take a BIU decision based on the information received by the concerned administration. Only if BR is not in a position to make such a decision, it will prepare a report for the RBB to decide on the matter.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

WRC-12 [Document 554](http://www.itu.int/md/R12-WRC12-C-0554/en), Section 9 – Minutes of the thirteenth Plenary Meeting

Report of the CPM to the WRC-15 Section 5/7/5

WRC-15/4 Part 3 section 4.10 – Report of the Director on the activities of the Radiocommunication sector, Part 3: Report by the Radio Regulations Board to WRC-15 Resolution 80 (rev WRC-07)

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

CPG15(15)055 Annex VII Doc 9 (Add.5 to Add.21) – approved ECP on Issue E

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

APT Members have a view that it is appropriate to consider the situation on case-by-case basis

APT Members support the Method E3 as contained in the CPM15-2 Report

APT Members do not support Method E1, E2 and E4 as contained in the CPM15-2 Report

ATU (July 2015)

Method E3

Arab Group (August 2015)

Consideration by the RRB on a case-by-case basis, based on BR report (Method E5)

CITEL (August 2015)

Method E3

* NOC to Article 11 since there have not been any demonstrable events of a satellite failure during the BIU period so it is premature and unnecessary to modify the current regulatory procedures.

RCC (April 2015)

The RCC Administrations support inclusion of provisions in the RR which would protect satellite network within 3 years for futher usage of these assignments in case a satellite failed within the bringing into use period. Protection of frequency assignments to a satellite network could be provided according to the individual decision of RRB, based on BR report, which includes the analysis of all failure evidences.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (September 2014)

SFCG will monitor Special Committee consideration of draft CPM text that suggests RR provisions that would maintain the bringing into use status of assignments of a satellite that failed on orbit during the BIU period specified in RR No. 11.44B.

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method E3.

Reason: Attempts to clarify the regulatory contexts for several scenarios where a failure could happen during the ninety-day period have lead to different confusing processes being proposed, which advantages are not clear, to deal with such rare events..

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. ISSUE F Modifications to RR Appendix 30B in relation to the suspension of use of a frequency assignment recorded in the MIFR

# ISSUE F

Transfer into the Radio Regulations of the Rule of Procedure regarding suspension of a frequency assignment in the List in Appendix 30B

# CEPT POSITION

CEPT supports transfer of the Rule of Procedure into Appendix 30B of the Radio Regulations. It provides stability and certainty on the Rules developed by RRB (Method F in the CPM Report).

# BACKGROUND

WRC-12 modified RR No. 11.49 and added RR No. 11.49.1 so as to extend the period allowed for suspension of the use of a frequency assignment to space station to three (3) years, and at the same time to specify the conditions for bringing a recorded frequency assignment back into use.

Similarly, § 5.2.10, § 5.2.11 and footnote 20bis were added in RR Appendix 30 and § 5.2.10, § 5.2.11 and footnote 24bis in RR Appendix 30A in relation to the suspension of use of a frequency assignment in the List, where all are in line with the practices described in RR Nos. 11.49 and 11.49.1.

Furthermore, WRC-12 approved the application of the extension of the suspension period from two years to three years in regard to RR Appendix 30B via a Decision of Plenary (see paragraph 9 of WRC‑12 [Document 553](http://www.itu.int/md/R12-WRC12-C-0553/en)), thus harmonizing the practices in RR Appendix 30B with those in RR Article 11 and RR Appendices 30 and 30A (Rev.WRC-12). The Bureau applies this WRC-12 decision through a Rule of Procedure which was approved in the 60th meeting of the Radio Regulations Board (see Annex to [Document RRB12-2/6](http://www.itu.int/md/R12-RRB.12.2-C-0006/en)). However, there are no such provisions in procedures of the FSS Plan in RR Appendix 30B, and therefore corresponding amendments to the RR still need to be prepared for approval by WRC-15.

An ECP was approved for adoption at the CPG15-7 meeting in June 2015.

## CPM Report

The CPM Report only contains one single method addressing this issue:

* Method F - Make necessary RR modifications, i.e. transfer of the Rule of Procedure into AP30B of the Radio Regulations aligning in the Radio Regulations the suspension period in Appendix 30B with that for the unplanned services and planned BSS with is currently implemented through a Rule of Procedure.

It is noted that should WRC-15 adopt additional modifications to RR No.11.49 and section 5.2.10 of RR Appendices 30 and 30A, WRC-15 is invited to also consider the alignment of provisions pertaining of suspension in RR Appendix 30B with those modifications.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/6

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

* CPG15(15)055 Annex VII Doc 9 (Add.6 to Add.21) – approved ECP on Issue F

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

APT Members support the single Method F, as outlined in the CPM15-2 Report, which an alignment between RR Appendix 30B, RR Article 11 and RR Appendices 30 and 30A in relation to the suspension of use of a frequency assignment is required

Should WRC-15 adopt additional modifications to RR No. 11.49 and section 5.2.10 of RR Appendices 30 and 30A, WRC-15 is invited to consider the alignment of provisions pertaining to suspension of a frequency assignment in RR Appendix 30B with those modifications

ATU (July 2015)

Method F

Arab Group (August 2015)

Support the only method

CITEL (August 2015)

Single CPM Method

* MOD paragraph 6.33 ii) of Article 6 to Appendix 30B to extend to three years the permitted suspension period
* MOD paragraph 8.17 of Article 8 to Appendix 30B to clarify the provisions for the bringing back into use of a suspended frequency assignment recorded in the Master Register
* ADD footnote 14bis in paragraph 8.17 to align with No. 11.49.1

RCC (April 2015)

The RCC Administrations support modification of the RR Appendix 30B with a purpose to align it with RR No 11.49 and extend the period of suspension of the frequency assignments up to three years.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method F1.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. Issue G Clarification of the bringing into use information provided under RR Nos. 11.44/11.44B

# ISSUE G

Making changes in the Radio Regulations in accordance with the Rule of Procedure for RR No. 11.44 adopted at the 64th meeting of RRB clarifying that the BR is allowed to request clarification regarding the bringing into use of frequency assignments to a satellite network before the assignments has been recorded.

# CEPT POSITION

CEPT supports transferring the Rule of Procedure into the Radio Regulations. It provides stability and certainty on the Rules developed by RRB (Method G in the CPM Report).

# BACKGROUND

There is no provision in Article 11 of the Radio Regulations that allows the BR to request clarification regarding the bringing into use of frequency assignments to a satellite network. Under RR No. 13.6, the BR can request clarification on the use of an assignment from the notifying administration, but this provision is limited to recorded assignments. So if an assignment has not yet been brought into used in accordance with RR No. 11.44 or No. 11.44B, there is no provision in the RR that would allow the BR to request clarification from the notifying administration clarifying that the potential bringing into use of frequency assignments corresponds to the deployed space station, and in the case of a space station of the geostationary satellite orbit, with the capability of transmitting or receiving in the assigned frequencies.

At the 64th meeting of the Radio Regulations Board, the Board concluded that whenever it appears from reliable information available that an assignment has not been brought into use in accordance with RR Nos. 11.44/11.44B, the provisions of RR No. 13.6 shall apply. The provisions of RR No. 13.6 that would apply are the consultation procedures and subsequent applicable course of action prescribed in RR No. 13.6, enabling the BR to question a bringing into use earlier, before recording it. A new paragraph was added under the Rule of Procedure for RR No. 11.44 to reflect this RRB conclusion.

An ECP was approved for adoption at the CPG15-7 meeting in June 2015.

## CPM Report

The CPM Report only contains one single method addressing this issue, suggesting incorporating the relevant portion of this Rule of Procedure under No. 11.44 into the RR:

* Method G - Introducing the option for the BR to seek clarification from the notifying administrations under RR Nos. 11.44 and 11.44B through a new footnote, as RR No. 13.6 is limited to recorded assignments.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/7

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

* CPG15(15)055 Annex VII Doc 9 (Add.7 to Add.21) – approved ECP on Issue G

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

APT Members support the single Method G, with its proposed regulatory text, as it was added to the CPM15-2 Report

ATU (July 2015)

Method G

Arab Group (August 2015)

Support the only method

CITEL (August 2015)

Single CPM Method

* MOD 11.44/11.44B and ADD 11.44.3/11.44B.1 to incorporate the Rule of Procedure that enable No. 13.6 processes to be applied to assignments notified but not yet recorded

RCC (April 2015)

The RCC Administrations have no objections to introducing text of Rule of Procedure on RR No. 11.44, which was approved at 64th meeting of RRB, into the text of Radio Regulations as it was proposed in CPM Report.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method G

Reason: This is already possible today through a RoP adopted at the 64th RRB meeting but G clarifies it in the RR.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. Issue H Using one space station to bring assignments at different orbital locations into use within a short period of time

# ISSUE H

Possible clarification of the regulatory conditions to use one space station to bring into use assignments at different orbital locations within a short period of time, as it was noted in the minutes of WRC-12, this was not the intent of the revised provisions adopted by WRC-12 and that ways to address this issue require further studies.

# CEPT POSITION

CEPT has no common position regarding regulatory solutions to address this issue.

# BACKGROUND

RR No. 11.44B and No. 11.49 of the Radio Regulations were revised at WRC-12 in order to clarify issues regarding the bringing into use, or resumption of use after a suspension, of frequency assignments associated with satellite networks.

While adopting these revised provisions WRC-12 recognized that the issue of using one space station to bring frequency assignments at different orbital locations into use within a short period of time was not the intent of these revised provisions. However, it was also recognized that there are legitimate reasons why an administration or operator may need to move a spacecraft from one orbital position to a new orbital position, and care should be taken not to constrain the legitimate use of satellite manoeuvres and management. The ITU-R was requested to study this issue. In its plenary meeting, WRC-12 also requested the BR, until ITU-R studies are completed, to make an enquiry to administrations as to the last previous orbital location/frequency assignments brought into use with that satellite and make such information available, where an administration brings into use frequency assignments at a given orbital location using an already in-orbit satellite.

## CPM Report

The CPM Report contains six methods addressing this issue:

* Method H1 – Publishing of information aiming to contribute to minimize non-legitimate bringing into use, which may possibly be done by adopting a new WRC Resolution

Option A: to record the procedure above or to endorse the minutes of WRC-12 in the minutes of the Plenary of WRC-15

Option B: Resolution covering its regulatory implementation and thereby clarifying this option

* Method H2 – No Change
* Method H3 – Extending the bringing into use period from 90 days to 1 year and the bringing into use period to be verified by at least three space monitoring facilities
* Method H4 – Reducing the suspension time to the cumulative number of days that the satellite network has been in use, up to a limit of three years
* Method H5 – Every time an administration wishes to BIU or BBIU a frequency assignment, it should provide the BR with additional information that would be published on the ITU website within 30 days.
* Method H6 – This Resolution is only referred to in RR No. 11.44B and solely dedicated to the issue of “satellite hopping”. Apart from requesting additional information in case the space station that is performing the BIU is an already in-orbit satellite, the Resolution also provides a definition of satellite hopping as “that the same space station shall not be used to bring into use, or resume the use after suspension of, frequency assignments to geostationary satellite networks at more than (2-3) different orbital locations within (any 1 year)”, noting that the numbers in round brackets are indicative and subject to further discussions to achieve, as much as possible, a consensual explanation of what constitutes undesirable “satellite hopping”.

The WRC Resolutions addressing this issue in Method H1 Option A, Method 5 and 6 all intend to clarify the regulatory conditions and procedures for a space station bringing frequency assignments at different orbital locations into use within a short period of time.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/8
* WRC-15/4 Part 3 section 4.5.2 – Report of the Director on the activities of the Radiocommunication sector, Part 3: Report by the Radio Regulations Board to WRC-15 Resolution 80 (rev WRC-07)

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

During the APG15-5 meeting, different views were expressed on the Methods as contained in the CPM15-2 Report. APT Members did not reach an agreement on PACP

ATU (July 2015)

Method H6

Arab Group (August 2015)

NOC + enquire from Admin about BIU and make info available - include in the minutes of the Plenary of WRC-15 (Option A of Method H1)

CITEL (August 2015)

No common postion

RCC (February 2015)

The RCC Administrations consider that provisions of Radio Regulations shall not restrict the rights of an Administration or an operator to move spacecraft from one orbital position to the new orbital position during control of spacecraft constellation. Provisions which restrict spacecraft movements for bringing it into use or bringing back into use frequency allocations to the satellite networks at different orbital positions within short periods of time will enhance efficiency of, and equitable acces to, orbital and spectrum resources.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method H2 unless suitable combinations of other Methods (like H1, H5 and H6) can be found.

Reason: ESA is of the view that RR should support a balanced perspective for maintaining flexibility of manoeuvres while avoiding any abuse on the use of one space station to artificially bring assignments at different orbital slots.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. Issue I Possible methods to mitigate excessive satellite networks filings

# ISSUE I

Taking into account the number of satellite networks that are suppressed after the 7 year regulatory lifetime, one may infer that such filings in some cases could be considered as excessive and could result in barriers and difficulties for coordination of later filed satellite networks.

# CEPT POSITION

CEPT supports the principle of limiting the practice of excessive satellite filings. It should be noted that any preferred method addressing the excessive advance publication information (API) filings should take into account the solution endorsed for Issue C. Regarding CR/Cs, Europe proposes No Change to the RR. (Method I1.4 and Method I2.2, Option B in the CPM Report).

# BACKGROUND

Considerable portions of satellite network filings in the phases of advance publication and coordination are usually suppressed by the 7 years regulatory time limit. Recognizing the uncertainties of coordinating frequency assignments in certain orbital positions in a timely manner, notifying administrations usually submit diverse network filings in order to accommodate these uncertainties and to ensure the availability of these scarce resources. On the other hand, some of these filings are kept in the coordination stage without being brought into use, rather than being suppressed. Consequently, this may result in increasing the coordination requirement and complexities for later-filed networks. As a result, these filings may appear to be an excess to the needs of the notifying administration, whereas some of these filings may have not been brought into use for other reasons.

Different examples of the impact of excessive filings have been considered during this study period. One example is the submission of multiple advance publication followed by additional advance publication every 18 month, which create uncertainties for later filings. Another example is submitting multiple coordination request filings in some cases every 1 to 3 degrees in some parts of the arc in the same frequency band which creates up to 7 years of uncertainty for the later fillings. A large number of these filings are suppressed after the expiry of the regulatory deadline time-limit of seven years. This results in numbers of networks that would not be brought into use, and adds complexity in the frequency coordination process and can result in inefficient use of radio frequency spectrum and orbital resources. Another example may be when an administration submits a coordination request for a network in an orbital slot very close to another orbital slot where the same administration is coordinating, or had notified, another satellite network in the same frequency band for the same service area. One of the primary reasons for administrations periodically submitting multiple API requests at every 2 or 3 degrees around the geostationary orbit is precisely to minimize the impact of this six month delay between BR receipt of the API and CR/C and obtain a clear date of receipt priority as quickly as possible.

## CPM Report

The methods addressing this issue in the CPM Report has been organised into two groups: a first set of methods addressing the excessive coordination request filings (Methods I1.X) and a second set of methods addressing the excessive advance publication information (API) filings (Methods I2.X).

Regarding excessive CR/Cs, the three methods proposed by the Special Committee were kept and a No Change method was added to the CPM Report:

* Method I1.1 – Initial notification (i.e. setting additional milestones) without BR examination.
* Method I1.2 – Same as I1.1 but with BR examination and cost recovery charges.
* Method I1.3 – A combination of I1.1 or I1.2 for the notifying administration to choose between;
* Method I1.4 – No Change.

Regarding excessive APIs, additional methods also considered under Issue C, considered to consequentially address the issue of excessive API filings as well, were added to the CPM Report:

* Method I2.1 – No Change.
* Method I2.2 – Suppression of the current API mechanism for satellite networks subject to coordination under Section II of RR Article 9, into two options in accordance with the regulatory implementation in Issue C Method C2 Options A and B.
* Method I2.3 – Removal of six months requirement between API and CR/C, in accordance with the regulatory implementation in Issue C Method C3 Option B.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/9

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

APT Members are generally supportive of efforts aimed at mitigating excessive filings. But they also have many concerns, including:

* that the addition of a new initial notification step proposed in Methods I1.1 to I1.3 will not result in smaller numbers of future filings because there is not any new requirement or incentive in the methods that will cause an administration to suppress satellite networks filings that are undergoing coordination and for which cost recovery charges have been paid. The information required by the new initial notification notices can easily be filled out by the administration but the addition of this new step will increase the administrative efforts for the administrations and the BR
* further studies are needed with the above methods

ATU (August 2015)

* No common position regarding coordination requests
* Method I2 Option 3 regarding APIs

Arab Group (August 2015)

* No Change for the issue of excessive CR/C filing (Method I1.4)
* On the issue of excessive API filing: removal of six months requirement between API and CR/C (Method I2.3)

CITEL (August 2015)

No common position

RCC (April 2015)

The RCC Administrations support retaining the text of Radio Regulations on the issue of reducing excessive requests for coordination (CR/C) (Method I1.4).

The RCC Administrations support measures for reducing excessive notices for Advance Publication Information (API), namely, modification of advance publication mechanism provided that seven-year time-limit is retained for submission of satellite network filings and bringing them into use. (Method I2.3). But the RCC Administrations consider also other methods for satisfying the issue, excluding method NO CHANGE to the advance publication mechanism (Method I2.1).

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options:

No Change (Method I1.4)

Reason: ESA notes that the proportion of CR/C applications and final MIFR registration should not necessarily be considered as excessive based on statistics provided by BR. Furthermore, ESA is of the view that the other methods proposed in the CPM Report will not affect the number of submitted CR/Cs.

Method I2.2

Reason: ESA notes that the modification of the API mechanism, which addresses excessive API filings, can be effective in reducing the number of satellite network filings.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

1. Issue J Removal of the link between the date of receipt of the notification information and the date of bringing into use in RR No. 11.44B

# ISSUE

Removal of the unintended link between the date of receipt of the notification information and the date of bringing into use in RR No. 11.44B, noting that WRC-12 did not explicitly decide to introduce such a link with the entering into force of RR 11.44B.

# CEPT position

CEPT supports to remove the link between the date of receipt of the notification information and the date of bringing into use in RR No. 11.44B as CEPT notes that WRC-12 did not intend to have such link (Method J1 in the CPM Report).

# Background

With the adoption of RR No. 11.44B and modifications to Item A.2.a (date of bringing into use the frequency assignment) of the table in Annex 2 to RR Appendix 4, WRC-12 introduced a time‑limit for providing the confirmation of the completion of the 90-day period. Indeed, in order to comply with RR No. 11.44B, this confirmation has to be provided within 30 days after the end of 90-day period.

There is a general agreement among administrations that WRC-12 did not explicitly decide to introduce such a link. In reality, the requirement to report the completion of the 90 day period within 30 days from its end was initially considered in the context of a 90-day period for the BIU extending beyond the end of the period allowed for bringing into use a frequency assignment. This requirement was later on extended to all BIU instances in order to improve transparency of the process without a full assessment of the implication of the wording used.

This new issue was introduced at the CPM15-2 meeting in March 2015 by Canada aiming to clarify the removal of the link between the timing of the bringing into use period and notification indirectly established.

## CPM Report

The CPM Report contains two methods addressing this issue:

* Method J1 – Eliminating from RR No. 11.44B when the notification information is not in conformity with RR No. 11.44B because of the requirement to confirm the notified date of BIU within 120 days of this date. In any other cases, RR No. 11.44B applies as is. To do so, any notification information with a date of bringing into use more than 120 days prior to the date of receipt of this notice shall be considered brought into use as long as the notifying administration confirms, with the submission of the notification information, that a space station has been deployed and maintained at the notified orbital position for a continuous period from the date of bringing into use indicated in the notice to the date of receipt of this notice.
* Method J2 – No Change.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/10
* WRC-15/4 Part 3 section 4.5.1 – Report of the Director on the activities of the Radiocommunication sector, Part 3: Report by the Radio Regulations Board to WRC-15 Resolution 80 (rev WRC-07)

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

None

# Relevant information from outside CEPT (examples of these are below)

## European Union (date of proposal)

## Regional telecommunication organisations

APT (August 2015)

No common position

ATU (July 2015)

Method J1

Arab Group (August 2015)

Support Method J1, as described in the CPM report

CITEL (August 2015)

No common position

RCC (February 2015)

The RCC Administrations support elimination of relations between the date of receipt of the notification information and the date of bringing into use in RR No 11.44B, as it proposed in CPM Report, Method J1.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method J1

Reason: WRC-12 did not decide to have such link between the timing of the bringing into use period and notification, although the link do exist, as BR has reported.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

CRAF (date of proposal

1. Issue K Addition of a regulatory provision in Article 11 for the case of launch failure

# ISSUE

Addition of a regulatory provision in RR Article 11 for the case of launch failure making a space station unable to enter the stage of bringing or bringing back into use non-planned frequency assignments.

# CEPT position

CEPT supports the current practice of referring to the RRB any case of launch failure so that the most appropriate regulatory actions can be taken on a case-by-case basis. CEPT supports No Change to the Radio Regulations (Method K3 in the CPM Report).

# Background

WRC-03 and WRC-12 introduced regulatory provisions to address launch failure under RR Appendices 30 and 30A, as well as under RR Appendix 30B, respectively. These regulatory provisions only cover a launch failure that such failure makes a space station unable to enter the stage of BIU of a planned band. The provisions adopted by WRC-03 and WRC-12 did not cover the situation of BBIU after a suspension. Furthermore, RR does not currently contain specific regulations regarding any launch failure that makes a space station unable to BIU or BBIU non-planned frequency assignments.

This issue was introduced for the first time this study cycle at the CPM15-2 meeting in March 2015 following a proposal from Indonesia. It suggests possible regulatory provisions that may cover the case of a launch failure that would make a space station unable to enter the stage of BIU or BBIU of a non-planned frequency assignment by adopting similar provisions in the unplanned bands as those that currently exist in the Appendices 30, 30A and 30B. The discussions at the CPM15-2 meeting however highlighted some differences between the two cases that will require further detailed examination before WRC-15 takes a decision, in order to avoid possible abuses.

## CPM Report

The CPM Report contains three methods addressing this issue:

* Method K1 – Introduction of a new provision in RR Article 11 granting an automatic extension of the regulatory period by three years in case of destruction of the satellite launched intended to bring or bring back a given assignment into use.
* Method K2 – Introduction of a new provision in RR Article 11 explaining that, in case of destruction of the satellite launched intended to BIU or BBIU a given assignment, the notifying administration may submit the case to the BR, within one month of the launch failure, for its consideration and careful investigation on a case-by-case basis.
* Method K3 – No Change to the RR as the current practices are sufficient to address this issue and studies to date have not addressed all potential issues.

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* Report of the CPM to the WRC-15 Section 5/7/11
* WRC-15/4 Part 3 section 4.9 – Report of the Director on the activities of the Radiocommunication sector, Part 3: Report by the Radio Regulations Board to WRC-15 Resolution 80 (rev WRC-07)

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

* None

# Relevant information from outside CEPT (examples of these are below)

## European Union (date of proposal)

## Regional telecommunication organisations

APT (August 2015)

APT Members support the Method K2 with its proposed regulatory text, as it was added to the CPM15-2 Report

ATU (July 2015)

Method K3

Arab Group (August 2015)

NOC (Method K3)

CITEL (August 2015)

No common position

RCC (February 2015)

The RCC Administrations support the extension of regulatory time-limit of bringing into use or bringing back into use of frequency assignments to satellite networks in case of a launch failure of a satellite and addition of appropriate provision to RR Article 11.

Mandatory condition for such an extension is a launch failure which happened at least four year later the date of receipt of the relevant complete information referred to in No 9.1 or which happened during the suspension period in accordance with RR No 11.49, as appropriate.

The period of extension of regulatory time-limit shall not exceed the difference in time between the three-year period and the period remaining from the date of the launch failure to the end of the regulatory time-limit. Such the extension period may be given by the RRB decision taken on a case-by-case basis, based on BR report which include analysis of all evidences of launch failure.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method K3

Reason: Studies to date have not addressed all potential issues including those relating to application of launch failure provisions to non-geostationary orbit systems, whether launch failure provisions should apply in case of BBIU, or whether the provisions should be aligned with those already existing in RR Appendices 30, 30A and 30B.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)

CRAF (date of proposal)

1. ISSUE L Modification of certain provisions of Article 4 of RR Appendices 30 and 30A for Regions 1 and 3, namely replacement of tacit with specific agreement or alignment of those provisions of RR Appendices 30 and 30A for Regions 1 and 3 with those of Appendix 30B

# ISSUE

Replacement of tacit agreement in Appendices 30 and 30A with specific agreement in order to harmonize certain provisions of Article 4 of RR Appendices 30 and 30A with those of Appendix 30B.

# CEPT POSITION

CEPT supports no change to the Radio Regulations (Method L3 in the CPM Report).

CEPT notes that tacit agreement was adopted in Appendices 30 and 30A together with a set of coordination triggers. Changing such a regulatory procedure cannot therefore be done without considering different technical coordination triggers. From a broader perspective, CEPT also notes that there may be other preferable methods to achieve harmonization of the provisions in Article 6 of Appendix 30B with the corresponding provisions of Article 4 of Appendices 30 and 30A than the methods included in the CPM Report for WRC-15 agenda item 7, Issue L.CEPT also notes that an explicit agreement would make it more difficult for newcomers to enter into the List of Appendices 30 and 30A.

# BACKGROUND

This first initiative taken this study period on this issue was when the Special Committee in December 2014 received an input contribution proposing to replace tacit agreements in Appendixes 30 and 30A with specific agreement in order to harmonize certain provisions (§ 4.1.10 or § 4.2.14) of Article 4 of RR Appendices 30 and 30A with those (§ 6.10) of RR Appendix 30B.

The contribution highlighted that both WRC‑03 and WRC-12 had received proposals to consider non-reply as disagreement, but that no actions had been taken in this regard. In application of Article 6 of Appendices 30B, all agreements required are specific and the notion of tacit agreement does not exist. In fact, the provisions of the need for specific agreement as the only possible manner on how to apply Article 6 of Appendix 30B was extensively debated and was agreed by WRC-07, on the agenda of which Appendix 30B was included.

## CPM Report

At the CPM15-2 meeting in March 2015, additional methods to align the RR provisions were discussed, but limiting the scope of the issue, and the CPM Report explicitly indicating that there are significant reductions to the Equivalent Protection Margin (EPM), down to –30 dB, three methods are presented in the CPM Report:

* Method L1 – Modify the corresponding provisions of RR Appendices 30 and 30A in such a manner that the notion of tacit agreement be replaced by explicit agreement;
* Method L2 – Harmonization of the provisions in Article 4 of both RR Appendices 30 and 30A with the corresponding provisions of Article 6 of Appendix 30B;
* Method L3 – No Change

# List of relevant documents

ITU-Documentation (Recommendations, Reports, other)

* CPM15-2/41 Addendum 1 – Preliminary Draft Report of the Director on the activities of the Radiocommunication Sector - Experience in the application of the Radio Regulatory Procedures and other related matters
* Report of the CPM to the WRC-15 Section 5/7/12

CEPT and/or ECC Documentation (Decisions, Recommendations, Reports)

EU Documentation (Directives, Decisions, Recommendations, other), if applicable

# Actions to be taken

* None

# Relevant information from outside CEPT

## European Union (date of proposal)

## Regional telecommunication organisations:

APT (August 2015)

No common position

ATU (July 2015)

Method L1

Arab Group (August 2015)

Harmonization of the provisions in Article 4 of both RR Appendices 30 and 30A with the corresponding provisions of Article 6 of Appendix 30B (Method L2)

CITEL (August 2015)

No common position

RCC (April 2015)

The RCC Administrations consider that modifications of provisions of Article 4 of RR Appendices 30 and 30A for Regions 1 and 3 (Method L3) are not required.

## International organisations

IATA (date of proposal)

ICAO (date of proposal)

IMO (date of proposal)

NATO (date of proposal)

SFCG (date of proposal)

WMO and EUMETNET (date of proposal)

## Regional organisations

ESA (May 2015)

Preferred ESA Methods/Options: Method L3

Reason: It is not yet fully assessed whether methods L1 and L2 are the best or unique references to solve the Issue and other options should be considered.

Eurocontrol (date of proposal)

## OTHER INTERNATIONAL AND REGIONAL ORGANISATIONS

EBU (date of proposal)

GSMA (date of proposal)