

Improving Access to the Geostationary Arc and Spectrum Resource



14 May 2010

Improving Access to the Geostationary Arc and Spectrum Resource

Agenda:

- ▲ What's the problem?
- ▲ What's been done to date to fix it?
- ▲ What more can be done at WRC-12 to improve the situation for everyone?
 - Agenda item 7 – an opportunity to address broad issues across all frequency bands
 - Agenda item 1.13 – an opportunity to consider improvements specific to the 21.4-22 GHz band as a "test case"

What's the problem?

- ▲ As discussed at the last BR seminar, there are a number of issues:
 - **Unused frequency assignments in the MIFR** – notification of frequency assignments without actual operations by a real satellite
 - Varying degrees:
 - No satellite ever in the slot
 - Satellite was present but did not contain the frequency assignments in question
 - Slots unused for many years (i.e. more than 2 years) without even invoking No. 11.49 (Suspension of use)
 - **Lack of transparency** – Some key information (e.g., on submitted bring into use (BIU) dates and suspension of networks) not readily available to others
 - **Inconsistent application of RR provisions** by different administrations – different administrations understand their obligations under the RR differently

- ▲ What causes these problems?
 - **Lack of clear rules**
 - E.g., the suspension rules in No. 11.49 have been interpreted broadly by some
 - What constitutes bringing into use for “regular operation”?
 - **Application of the rules**
 - Timing of filings key (particularly Res. 49) in ability to verify information submitted
 - Unclear consequences of not following regulations to the letter
 - Enforcement needs to be voluntary, more rigorously applied and consistent with the spirit of the regulations
 - **Lack of focus** on part of international community as to how to solve these issues
 - This is changing with the increased focus on these issues in this study period

What's been done to date to fix the problem?

▲ What regulatory changes have made the biggest difference in the past?

Conference	Action	Impact
WRC-97	API expires within 2 years if no coordination request submitted (9.5D)	Assists in cleaning up pending APIs & alleviates some uncertainty for newer filings
WRC-97	Reducing the time period for bringing into use a filing from 6+3 to 5+2 years (extension with submittal of due diligence info; S11.44 & S11.44B)	Filings now associated with short-term projects; Decreases warehouses of orbit/spectrum resources; Opens up slots for newcomers
WRC-97	Must submit due diligence information (Res. 49); required in order to get extension of regulatory deadline	Improved ability to verify the satellite used to bring into use a slot and verify information submitted to the BR
Plenipot (Minneapolis, 1998)	Cost recovery applied to coordination requests received after Nov 1998 (See Council Decision 428)	Backlog reduced due to decreased number of filings, and processing speeds increased due to increased funding of resources.
WRC-2000	Must submit notification information within the regulatory deadline (11.44.1)	Encourages completion of the coordination process; Additional evidence of real satellite operations.
Plenipot (Marrakesh, 2002)	Cost recovery also applied to notification filings received after Oct 2002	Reduction in number of notifications, as there are monetary consequences
WRC-03	Extension for regulatory deadline removed (5+2 became simply 7) (11.44)	Equitable period for all, without having to judge reasons admin gave for extension
WRC-03	Due diligence information must be submitted at regulatory deadline	Removed requirement to show interim progress towards implementation; however, still room for improvement

What else has helped to fix the problem?

- ▲ **Increased transparency** – BR publishing information on its website:
 - When satellite network filings have been brought into use & whether the BIU has been confirmed
 - When satellite network filings have been suspended
- ▲ **Vigilance by administrations**
 - The increased diligence by administrations has assisted in providing the BR, on an ad hoc basis, with reliable information that may question the status of a filing or bringing into use
- ▲ **BR applying No. 13.6** to clean up unused frequency assignments in the MIFR (CR/301)
 - More effective process if BR is mandated to perform a systematic regular review, vs. ad hoc situation of waiting until administrations question

Openness and accuracy of BIU information will benefit all parties wishing to deploy new satellite networks

What else can be done?

- ▲ Generally, **the international community should support the BR's efforts**
 - Be sure the BR has the necessary support & regulatory backing to apply the regulations
 - Encourage the scrutiny currently performed by the BR
 - Emphasize administration's scrutiny of its operators' claims and actions

- ▲ We recommend that the international community consider the following ideas to clarify the intent of the regulations & provide for increased consistency of their application:
 1. Make the suspension rules more clear, so that one must suspend within a specified time of vacating an orbit location
 2. Improve transparency and accuracy of the due diligence information
 3. Clarify in RR and/or Rules of Procedure that bringing into “regular operation in accordance with the notified characteristics” requires that, at a minimum, a satellite must operate at the location and it must be capable of transmitting in the frequencies bands brought into use
 4. Adopt a suspension period for Ap 30/30A bands to align with Article 11 and Ap 30B and to clarify that open-ended suspension is not permitted

Agenda Item 7 is an opportunity to make these specific improvements at WRC-12

What else can be done?, cont.

- ▲ Drawing from ideas expressed at the last seminar, WP4A is already considering a possible solution under [Agenda Item 1.13](#)
 - [Method B](#) in the draft CPM text implements the following ideas & can be further improved in this regard
- ▲ SES supports requiring that due diligence information be submitted within 30 days of a satellite operating at any orbit location
 - Allows easier association of a real satellite with the orbital location brought into use
 - The vacated orbit location should be automatically suspended by the BR, unless due diligence information is submitted using another satellite
 - Such requirements would allow for straightforward verification of bringing into use information submitted in this frequency band

These changes would facilitate a clean-up of unused assignments in the MIFR & open up additional spectrum/orbital resources for all