



## Radiocommunication Bureau (BR)

Circular Letter  
CCRR/67

2 August 2021

### To Administrations of Member States of the ITU

Subject: **Draft rules of procedure to reflect the decisions of WRC-19**

At its 87<sup>th</sup> meeting, the Radio Regulations Board (RRB) considered the impact of WRC-19 decisions and the general practice of the Radiocommunication Bureau on the current Rules of Procedure. As a result, the Board agreed on the schedule for the approval of draft new and modified rules of procedure contained in [Document RRB21-2/1](#) and updated by the Board at its 87<sup>th</sup> meeting. Accordingly, the Bureau prepared a set of draft new or modified rules of procedure annexed to this Circular Letter:

- **Annex 1:** modification of the existing rules of procedure on Nos. **5.418C, 5.485, 11.31** due to the suppression of Resolution **33 (Rev.WRC-15)**;
- **Annex 2:** modification of the existing rules of procedure on receivability of forms of notice;
- **Annex 3:** modification of the existing rules of procedure on No. **9.11A**;
- **Annex 4:** addition of new rules of procedure for the simultaneous bringing into use of multiple geostationary satellite networks with a single satellite;
- **Annex 5:** suppression of the part of the rules of procedure on Annex 2 to Appendix 4 related to *resolves* 1.4 of Resolution **156 (WRC-15)**;
- **Annex 6:** addition of new rules of procedure on Resolution **32 (WRC-19)**;
- **Annex 7:** suppression of the rules of procedure on Resolution **49 (Rev.WRC-15)**;
- **Annex 8:** addition of new rules of procedure due to past WRC decisions involving considerations of the Board on requests from notifying administrations for extensions of regulatory deadlines;
  - 13th Plenary (WRC-12): §3.20 of Document CMR12/554
  - 7th Plenary (WRC-15): § 3.19 of Document CMR15/504
  - 8th Plenary (WRC-19): §3.16 of Document CMR19/569
- **Annex 9:** modification of the existing rules of procedure on the working methods under Part C of the Rules of Procedure.

In accordance with No. **13.17** of the Radio Regulations, these draft rules of procedure are made available to administrations for comments before being submitted to the RRB pursuant to No. **13.14**.

As indicated in No. **13.12A d)** of the Radio Regulations, any comments that you may wish to submit should reach the Bureau not later than **13 September 2021**, in order to be considered at the 88<sup>th</sup> meeting of the RRB which will commence on 11 October 2021. Comments should be sent either by telefax to +41 22 730 5785 or by email to [brmail@itu.int](mailto:brmail@itu.int).

Mario Maniewicz  
Director

#### **Annexes: 9**

Distribution:

- Administrations of Member States of ITU
- Members of the Radio Regulations Board

## Annex 1

Modification of the existing rules of procedure on Nos **5.418C**, **5.485**, **11.31**  
due to the suppression of Resolution **33 (Rev.WRC-15)**

**Rules concerning**

**ARTICLE 5 of the RR**

**MOD**

**5.418C**

1 In accordance with provision No. **5.418C**, modified by WRC-03, the use of the band 2 630-2 655 MHz by geostationary-satellite networks is subject to the application of the provisions of No. **9.13** with respect to non-GSO satellite systems in the BSS (sound) pursuant to No. **5.418**, as of 3 June 2000.

(...) [*Editor's note: No changes are proposed to the other sections of the Rules on No. 5.418C.*]

**MOD**

**5.485**

1 The wording of this provision raised the following basic question: "Is the band 11.7-12.2 GHz in Region 2 allocated to the broadcasting-satellite service?" The Board considered the following:

- a) that the provision is not titled an "*additional allocation*". Some provisions do not have such a title and the Board considered them additional allocations. However, in this case, it is not clear that the intent was to permit an additional allocation;
- b) the provision states that "*transponders on space stations in the fixed-satellite service may be used additionally ... in the broadcasting-satellite service*": the use of the word "*additionally*", together with the last sentence saying that "*this band shall be used principally for the fixed-satellite service*", leads to the understanding that the use by the broadcasting-satellite service is not of the same nature as would be the use of a given band by a service to which the band is allocated;
- c) the provision refers to transponders, which are to be considered transmitting stations. As the procedures of Article **9** apply to each assignment, each transponder shall be considered independently from the others. Consequently the provision may be interpreted in either of the following two ways:
  - a first interpretation consists in considering that some transponders will be used for the FSS and others for the BSS, and this is equivalent to a sharing of the band between two services which raises a question about the word "*principally*": how many transponders would be allowed for each of the two services?
  - a second interpretation consists in considering that a given transponder of the FSS may be used in a given period of time for broadcasting (this is not to be confused with the use of the FSS for the transport of a video signal between two fixed points). If in such a case the provision was to be considered an additional allocation, a question arises in relation to the procedure to be applied: Should it be the relevant provisions in Article **9** for the FSS or for the BSS?

2 Keeping in mind the above comments, the Board concluded that the band 11.7-12.2 GHz is not allocated in Region 2 to the broadcasting-satellite service. Those transponders of the fixed-satellite service which are used for broadcasting-satellite purposes will be treated in accordance with the relevant provisions in Article 9 for the FSS (and Appendix 30 if required to define inter-regional sharing). When such a use is indicated in the notice, the Bureau will assume that the coordination of the network was made on the basis that for the period during which a transponder is used for broadcasting, the e.i.r.p. will not exceed the e.i.r.p. notified for the fixed-satellite service. Considering that the fixed-satellite service uses relatively low e.i.r.p., the Bureau will consider the value of 53 dBW to be a limit not to be exceeded.

## Rules concerning

### ARTICLE 11 of the RR

#### MOD

#### 11.31

1 Provision No. **11.31.2** requires that the “*other provisions*” mentioned in No. **11.31** should be identified and included in the Rules of Procedure. This chapter intends to answer the above problem.

The regulatory examination under No. **11.31** includes the following<sup>5</sup>:

- conformity with the Table of Frequency Allocations, including its footnotes and any Resolution or Recommendation which is referred to in such a footnote;
- the successful application of No. **9.21**, when mention is made of that provision in a footnote (see also Rules of Procedure relating to Nos. **9.21** and **11.37**);
- all “*other*” mandatory provisions that are contained in Articles **21** to **57**, in Appendices to the Radio Regulations and/or in Resolutions that are relevant to the service in the frequency band in which a station of that service operates.

(...) [*Editor’s note: No changes are proposed to the other sections of the Rules on No. 11.31.*]

**Reasons:** *WRC-19 decided to abrogate Resolution 33 (Rev.WRC-15), which is referenced in the Rules related to the above three provisions, which are therefore proposed to be modified as shown above in order to reflect this suppression.*

*Effective date of application of this Rule: immediately after approval.*

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<sup>5</sup> With respect to the application of this provision to assignments of the BSS, see comments under Rules of Procedure concerning Nos. **23.13B** and **23.13C**.

## Annex 2

Modification of the existing rules of procedure on receivability of forms of notice

**Rules concerning****Receivability of forms of notice generally  
applicable to all notified assignments submitted to  
the Radiocommunication Bureau in application  
of the Radio Regulatory Procedures\***

(...) [*Editor's note: No changes are proposed to the four existing sections of the Rules on receivability.*]

**ADD****5 Submission of notification information of a non-geostationary satellite system before the publication of the coordination request of that system**

When Administrations submit modifications to coordination requests of non-geostationary satellite systems towards the end of the 7-year regulatory period in order to better reflect the actual operations of their systems, these modifications are often submitted as additions of a mutually exclusive configuration to the existing coordination request, since it keeps the other published configurations of the non-geostationary satellite system unaffected by the modification, notably in the event of an unfavourable finding of the Bureau. However, depending on the date of submission of such modifications, the end of the 7-year regulatory period may occur before the publication of the latest modified coordination request.

In such a case, the Administration may face uncertainties as to whether the latest modification complies with No. **11.31** and therefore can be subsequently notified successfully. In order to alleviate this uncertainty while maintaining the requirement to notify before the end of the 7-year period (see No. **11.44.1**), the Board decided that the Bureau shall adopt the following course of actions:

1. The notifying administration may submit in the notification files two (and only two) mutually exclusive configurations:
  - a. one identified as the preferred configuration and associated with the technical parameters contained in the latest modified coordination request, which is not yet published; and
  - b. one (and only one) identified as the fallback configuration and associated with one of the mutually exclusive configurations that is already published.
2. The Bureau shall make available such notification submissions as received on the Bureau's website, as for any other submissions.
3. Considering that the Bureau is ultimately going to only examine one of the configurations, the Bureau shall first examine and publish the latest modified coordination request before proceeding with the publication of the Part I-S associated to the notification submission. The Bureau shall inform the notifying administration of this course of action.
4. If the modified coordination request associated with the preferred configuration only contains favourable findings (and, in the case where this modified coordination request contains a request to maintain the same date of protection as the original coordination request, the date is maintained in application of the Rules of Procedure on No. **9.27**), then the Bureau shall process the preferred configuration contained in the notification without further request to the notifying administration. In the case where this modified coordination request contains some unfavourable findings or the date of protection is not maintained as in the original coordination

request despite a request from the notifying administration to do so, the Bureau shall consult the notifying administration to know which of the two configurations this administration wants to notify.

5. The Bureau shall then publish the Part I-S of this notification submission with only one configuration as explained in item 4 and start the examination procedure that will lead to the publication of Part II-S/III-S, as appropriate.

**Reasons:** *To explain the possible course of action for an administration submitting the notification information of a non-GSO system for which mutually exclusive configurations exist before a late modification to the coordination request of that system has been processed and published by the Bureau.*

*Effective date of application of this Rule: immediately after approval.*

## Annex 3

Modification of the existing rules of procedure on No. **9.11A**

## Rules concerning

**ARTICLE 9 of the RR\*****9.11A**

MOD

TABLE 9.11A-1

**Applicability of the provisions of Nos. 9.11A-9.14 to stations of space services**

1	2	3		4		5	6	7
Frequency band (GHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. <b>9.11A</b> , <b>9.12</b> , <b>9.12A</b> , <b>9.13</b> or <b>9.14</b> , as appropriate		Other space services or systems to which Nos. <b>9.12</b> to <b>9.14</b> provisions(s) apply equally, as appropriate		Applicable Nos. <b>9.12</b> to <b>9.14</b> provision(s), as appropriate	Terrestrial services in respect of which No. <b>9.14</b> apply equally	Notes
(...)								
11.7-12.2	<b>5.488</b>	FIXED-SATELLITE (Region 2)	(GSO) ↓	---		<b>9.14</b>	FIXED (except in United States of America and Mexico (see No. <b>5.486</b> ), in the band 11.7-12.1 GHz FIXED (Regions 1 and 3) and in Peru, (see No. <b>5.489</b> ), in the band 12.1-12.2 GHz MOBILE except aeronautical mobile (Regions 1 and 3)	
(...)								

**Reasons:** WRC-15 decided to abrogate Resolution **142 (WRC-03)**.

*Effective date of application of this Rule: immediately after approval.*

\* This Rule of Procedure refers to Articles **9**, **11**, to Articles 4 and 5 of Appendices **30** and **30A**, and to Articles 6 and 8 of Appendix **30B** of the Radio Regulations.

## Annex 4

Addition of new rules of procedure for the simultaneous bringing into use of multiple geostationary satellite networks with a single satellite

**Rules concerning****ADD****Rules concerning the simultaneous bringing into use  
of multiple geostationary satellite networks  
with a single satellite**

For operational purposes such as, for example, risk of collision, telemetry, tracking, and command operation, coordination agreement, etc., a satellite may have to shift a little from its nominal orbital position (including the  $\pm 0.1$  degree tolerance for space stations on board geostationary satellites in the fixed-satellite service or broadcasting-satellite service) to provide the required services. In that particular instance, when requesting clarification under Nos. **11.44**, **11.44B** or **13.6** of the Radio Regulations on the bringing into use or continuing use of the notified characteristics of a satellite network, the Board decided that the Bureau shall consider that a satellite located at no more than 0.5 degree of the longitude of the nominal position of the satellite network would be considered as fulfilling Nos. **11.44**, **11.44B** or **13.6** requirements, as appropriate, under the conditions that:

- the space station is associated to one or more satellite network filings at one single orbital position,
- the space station has the capability to maintain its position within the  $\pm 0.1$  degree of its nominal positions,
- no unacceptable interference be reported when the satellite's excursion is exceeding this tolerance (up to maximum 0.5 degree), and
- this operation does not cause more interference or require more protection than if the space station was operating within the  $\pm 0.1$  degree tolerance.

Moreover, the Board decided that the Bureau shall not consider that a satellite located at less than 0.5 degree of two different nominal positions of two satellite networks could be used for the bringing into use or continuing use of the notified characteristics of both satellite networks under Nos. **11.44**, **11.44B** or **13.6**.

**Reasons:** *To include in the Rules of Procedure the practice of the Bureau on the simultaneous bringing into use of multiple geostationary satellite networks with a single satellite at one single orbital position reported to WRC-15 (see § 3.2.4.1 of Document CMR15/4(Add.2)(Rev.1)).*

*Effective date of application of this Rule: immediately after approval.*



Annex 5  
Suppression of the part of the existing rules of procedure on Annex 2 to Appendix 4  
related to *resolves* 1.4 of Resolution **156 (WRC-15)**

**Rules concerning**

**APPENDIX 4 to the RR**

**An. 2**

**SUP**

**Commitment regarding the implementation or *resolves* 1.4 of Resolution 156 (WRC-15)**

*Reasons:* WRC-19 added data item A.19.b (“a commitment in accordance with resolves 1.5 of Resolution **156 (WRC-15)** that the administration responsible for the use of the frequency assignment shall implement resolves 1.4 of Resolution **156 (WRC-15)**”) in Annex 2 to Appendix 4. Therefore the part of the Rules of Procedure on Annex 2 to Appendix 4 labelled “Commitment regarding the implementation or resolves 1.4 of Resolution **156 (WRC-15)**”, which was adopted after WRC-15 in order to address the lack of such a data item in Appendix 4, can be suppressed.

*Effective date of application of this Rule: immediately after approval.*

Annex 6  
Addition of new rules of procedure on Resolution **32 (WRC-19)**

**Rules concerning**

**ADD**

**RESOLUTION 32 (WRC-19)**

§ 4 of the Annex to Resolution **32 (WRC-19)** indicate that the notification information relating to non-GSO networks or systems identified as short-duration mission shall be communicated to the Radiocommunication Bureau only after the launch of a satellite in the case of a satellite network or of the first satellite in the case of a system requiring multiple launches, and not later than two months after the date of bringing into use. This provision applies instead of No. **11.25** for frequency assignments to non-GSO networks or systems with short-duration missions.

However, No. **9.1** restricts the date of receipt of notification to be not earlier than four months after the publication of the API special section.

It may therefore occur that notification information relating to non-GSO networks or systems identified as short-duration missions be communicated to the Bureau not later than two months after the date of bringing into use but earlier than four months after the publication of the API special section.

Noting that § 4 of the Annex to Resolution **32 (WRC-19)** relates to the time when the notification information has to be communicated to the Bureau, whereas No. **9.1** concerns the establishment of the formal date of receipt, the Board decided that the Bureau shall publish such notification notices with a date of receipt established in accordance with No. **9.1**, together with a note indicating the date to which the information was communicated to the Radiocommunication Bureau, in order for Administrations to be informed of the compliance of these notices with § 4 of the Annex to Resolution **32 (WRC-19)**.

**Reasons:** *To clarify the relationship between the time when the notification information has to be communicated to the Bureau under Resolution **32 (WRC-19)** and the establishment of the formal date of receipt of notification notices under RR No. **9.1**.*

*Effective date of application of this Rule: 23 November 2019.*

Annex 7

Suppression of the rules of procedure on Resolution **49 (Rev.WRC-15)**

**Rules concerning**

**RESOLUTION 49 (Rev.WRC-15)\***

**SUP**

**Administrative due diligence applicable to some  
satellite radiocommunication services**

***Reasons:** WRC-19 decided to include a reference to No. 9.1A in the resolves of Resolution **49 (Rev.WRC-19)**, which incorporates the substance of the Rule. Consequently, the Rules of Procedure on Resolution **49 (Rev.WRC-15)** can be suppressed.*

*Effective date of application of this Rule: immediately after approval.*

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\* *Note by the Secretariat:* This Resolution was revised by WRC-19.

## Annex 8

Addition of new rules of procedure due to past WRC decisions involving considerations of the Board on requests from notifying administrations for extensions of regulatory deadlines

### Rules concerning

**ADD**

### **Rules concerning the extension of the regulatory time-limit for bringing into use satellite assignments**

WRC-12 took the following decision related to the extension of the regulatory time-limit for bringing into use satellite assignments, see paragraph 3.20 of the Minutes of the 13<sup>th</sup> Plenary meeting, Doc. CMR12/554:

“3.20 The **Chairman of Committee 5**, introducing Document 525, said that it covered four issues relating to agenda item 7 and one relating to agenda item 8.1.2. The first issue relating to agenda item 7 concerned the extension of the regulatory time-limit for bringing into use satellite assignments due to launch delays beyond the control of the administration. Committee 5 had discussed certain proposals to create a new WRC resolution to allow limited and qualified extensions in the case of co-passenger delays and to expand such extensions in the case of *force majeure*. However, recognizing that there were a number of concerns with creating a resolution, and that such cases could be brought to the Radio Regulations Board or to future conferences on a case-by-case basis, the committee had not pursued the discussion. ...”

WRC-15 took the following decision related to the extension of the regulatory time-limit for bringing into use satellite assignments, see paragraph 3.19 of the Minutes of the 7<sup>th</sup> Plenary meeting, Doc. CMR15/504:

“3.19 (...) In considering the issue of satellite launch failure, WRC-15 confirms the decision taken by WRC-12 (at its thirteenth meeting) that the Board may address requests for a time-limit extension based on either a co-passenger issue or force majeure taking into account internationally applicable rules and practices in this regard so long as any extension is “limited and qualified”.”

WRC-19 took the following decision related to the situations of co-passenger delay and the use of electric propulsion, see paragraph 3.16 of the Minutes of the 8<sup>th</sup> Plenary meeting, Doc. CMR19/569:

“3.16 (...) On section 4.3.4 Situations of co-passenger delay, WRC-19 decided that the Board shall consider the provision of the following information as required when dealing with a request for extension of regulatory deadlines due to co-passenger delay:

- a summary description of the satellite to be launched, including the frequency bands;
- the name of the manufacturer selected to build the satellite and the contract signature date;
- the status of the satellite construction, including the date it began and whether it was expected to be completed prior to the initial launch window;
- the name of the launch service provider and the contract signature date;
- the initial and revised launch window;

- sufficient detail to justify that the request for extension is due to co-passenger delay (e.g. a letter from the launch service provider indicating that the launch is delayed because of a delay affecting the co-passenger satellite);
- sufficient detail to justify the length of the requested extension period; and
- any other relevant information and documentation.

When considering requests that qualify as force majeure or co-passenger delay, WRC-19 instructs the RRB to continue to take into account the use of electric propulsion on a case-by-case basis when deciding on the length of the extension, based on the merits of each individual case.”

**Reasons:** *to include in the Rules of Procedure decisions by WRC-12, WRC-15 and WRC-19 related to the extension of the regulatory time-limit for bringing into use satellite assignments.*

*Effective date of application of this Rule: immediately after approval.*

Annex 9  
Modification of the existing rules of procedure on the working methods under  
Part C of the Rules of Procedure

**Rules concerning**

**PART C**

**Internal arrangements and working methods of the Radio Regulations Board**

**MOD**

1.6 All other submissions from Administrations shall be received by the Executive Secretary at least three weeks before the meeting. Any submissions received from Administrations following the three-week deadline will normally not be considered at the same meeting and will be placed on the agenda of the following meeting. However, if so agreed by Board Members, delayed submissions relevant to items on the approved agenda could be considered for information. Submissions that comment on a submission from another administration could only be considered if received at least 10 days before the start of the meeting. Submissions in response to delayed submission will only be considered if received before the start of the meeting. In addition to any of the other five official languages of the Union, delayed submissions shall at least be provided in English. Any submissions received after the start of the Board meeting will not be considered by the Board unless there are exceptional circumstances.

*Effective date of application of the rule: immediately after the approval of the rule.*