

UPDATES to the

Rules of Procedure

(Edition of 1998)

approved by the Radio Regulations Board

Revision ⁽¹⁾ (Circular No.)	Date	Part	ARS	Pages to be removed	Pages to be inserted
1 See CR/127 Corr.1	June 1999	A1 C	ARS5 –	15-18 1-3	15-18 (rev.1) 1-3 (rev.1)
2 See CR/129	October 1999	Table of Contents A1 A1 A1 A1 A1	ARS5 Receivability ARS9 ARS13 APS30B	1-2 7-20 3-4 5-6 13-14 – 7-8 11-12	1-2 (rev.2) 7-20 (rev.2) 3-4 (rev.2) 5-6 <i>bis</i> (rev.2) 13-14 (rev.2) 1 (rev.2) 7-8 <i>ter</i> (rev.2) 11-12 (rev.2)
3 See CR/140	March 2000	A1	ARS11	11-12	11-12 (rev.3)
4 See CR/151	October 2000	A1 A1 A3	ARS5 APS30B GE75	17-18 13-14 1-3	17-18 (rev.4) 13-14 <i>bis</i> (rev.4) 1-2 (rev.4)
4 See CR/151*	October 2000	A1	ARS5	17-18	17-18 (rev.4)
5 See CR/156	December 2000	A1 A1 A1 A1	ARS4 ARS9 APS30 APS30A	1-2 1-4 1-2 1-2	1-2 (rev.5) 1-4 (rev.5) 1-2 <i>bis</i> (rev.5) 1-4 (rev.5)

(1) Refer to the relevant Circular Letter noted in column 1 regarding dates of application of new or modified Rules of Procedure included in these update pages.

* Error in the heading of rev.4.

Revision ⁽¹⁾ (Circular No.)	Date	Part	ARS	Pages to be removed	Pages to be inserted
6 See CR/160	March 2001	A1	ARS5	1-2	1-2 (rev.6)
		-	-	13-16	13-16 (rev.6)
		A1	ARS9	1-2	1-2 (rev.6)
		-	-	7-20	7-18 (rev.6)
		A1	ARS11	19-20	19-20 (rev.6)
		A1	ARS13	1	1 (rev.6)
		A1	APS5	1	1 (rev.6)
		A1	APS30	1-2 <i>bis</i>	1-2 <i>bis</i> (rev.6)
		-	-	13-20	13-20 (rev.6)
A1	APS30A	1-2 <i>bis</i>	1-2 <i>bis</i> (rev.6)		
-	-	11-14	11-16 (rev.6)		
A1	RES51	1	1 (rev.6)		
7 See CR/166	June 2001	A1	ARS5	1-2	1-2 (rev.7)
		-	-	9-10	9-10 <i>bis</i> (rev.7)
		-	-	15-16	15-16 (rev.7)
		A1	Receivability	1-4	1-6 (rev.7)
		A1	ARS9	7-8	7-8 (rev.7)
		-	-	11-14	11-14 (rev.7)
		A1	ARS11	3-4	3-4 (rev.7)
		-	-	11-16	11-16 <i>bis</i> (rev.7)
		-	-	21-22	21-22 <i>bis</i> (rev.7)
		A1	APS7	1 (new)	1 (rev.7)
		Part B	B1	1-9 SUP	1 (rev.7)
		-	B2	1-12 SUP	1 (rev.7)
C		1-3	1-3 (rev.7)		

⁽¹⁾ Refer to the relevant Circular Letter noted in column 1 regarding dates of application of new or modified Rules of Procedure included in these update pages.

Rules concerning

ARTICLE S5 of the RR

S5.33

Number **S5.152** illustrates this provision. When the transmitting and the receiving stations are both located within one of the countries listed in the footnote, the fixed service has equal rights with the amateur service. This is also the case when one station is located in one country and the other in another country, both countries being listed in No. **S5.152**. When either station is not within one of the countries listed in the footnote, the assignment is out of band.

S5.36

The Radio Regulations contain the procedure defined in No. **S9.21** together with a number of footnotes of the Table of Frequency Allocations stipulating that an additional or alternative allocation is made “subject to agreement obtained under the procedure set forth in No. **S9.21**”. The Board had to indicate to the Bureau under which category of allocation an assignment in the service to which the procedure of No. **S9.21** had been successfully applied and where the footnote did not indicate the category of allocation, should be recorded. The following conclusions were reached:

- a) When a footnote allocates a frequency band to a service on a secondary basis or on a non-interference basis, this indication is considered by the Board as a restriction imposed on the allocation.
- b) Number **S5.37** stipulates that “If restrictions are imposed on an additional allocation ... this is indicated in the footnote of the Table”.
- c) Therefore, when a footnote does not contain such restrictions, the allocation is necessarily on a primary basis.

S5.40

The interpretation given under No. **S5.36** for additional allocations when the agreement under No. **S9.21** is required applies also in this case to alternative allocations.

S5.43

This provision specifies the operation on a non-interference and non-protection basis of a service, or station in a service, in respect to another service, or to another station in the same service. However, this provision does not specify the relation between the respective categories of allocations to which the operation on a non-interference and non-protection basis for a service, in respect to another service, applies. Bearing in mind the scope of application and the complexity of allocations contained in various provisions of Article **S5**, as well as the circumstances under which the allocations were made, the Board considers that the respective status of each allocation which is subject to the condition of not causing harmful interference to, or not claiming protection from, other service or other station in the same service, is to be derived from the conditions specified in each specific provision.

Bearing in mind the various and complex allocation situations that are described in the provisions of Article **S5**, as well as the circumstances under which the allocations were made, the Board considers that the attention of a future conference should be drawn to the footnotes specifying the operation on a non-interference and non protection basis, which involve different categories of service, with the view to specifically establish the relationship between the respective categories of allocation to which the operation on a non-interference and non-protection basis refers.

S5.43A

1 As this provision is quoted in several other provisions, which entered into force on 3 June 2000, the Board considers that this provision also entered into force on 3 June 2000.

2 See also comments under the Rules of Procedure concerning No. **S5.43**.

S5.397

The Board has no means to identify the administrations concerned and instructed the Bureau to treat notices from France as follows:

- Complete notices from France will receive a favourable regulatory Finding under No. **S11.31**, assuming that, when the agreement of a country B is not indicated in the notice, that agreement is not required.
- If, following the publication of the assignment, country B objects to the notified use, the Bureau will modify its Finding and request France to seek the agreement of country B.

S5.399

1 This provision does not indicate the frequency band in which it is applicable. The Board concluded that it applies in the band 2 483.5-2 500 MHz.

2 The comments made under the Rules of Procedure concerning No. **S5.164** apply.

S5.409

1 In the band 2 500-2 690 MHz, four provisions are applicable:

- Number **S5.409** recommending that administrations do not develop new tropospheric scatter systems;
- Number **S5.410** permitting the use of tropospheric scatter systems in Region 1 subject to the application of the procedure of No. **S9.21**;
- Number **S5.411** recommending that administrations planning new tropospheric scatter links avoid directing the radiation towards the geostationary-satellite orbit;
- Number **S21.3** (together with No. **S21.6**) limiting the e.i.r.p. in Regions 2 and 3 in the band 2 655-2 690 MHz.

2 As indicated above, Nos. **S5.409** and **S5.411** are considered recommendations to administrations, and the Bureau has no action to take in their respect.

S5.410

See comments under the Rules of Procedure concerning No. **S5.409**.

S5.411

See comments under the Rules of Procedure concerning No. **S5.409**.

S5.415

1 In this footnote, the allocation “is limited to national and regional systems”. The Board concluded that a national system is a system having a service area limited to the territory of the notifying administration. As a consequence of this, the regional system to which reference is made shall be considered to be an aggregate of two or more national systems; they shall be limited to the territories (which are not necessarily restricted to bordering countries) of the administrations concerned and they shall be notified by one of these administrations on behalf of all the administrations concerned. When the allocation is made to more than one Region, a regional system may cover territories in those Regions for which the allocation exists. The Board reached this conclusion keeping in mind No. **S5.2.1**, relating to the interpretation of the word “regional” without a capital “R”.

2 In accordance with this provision, the fixed-satellite service is limited for use by national or regional systems in the band 2 500-2 690 MHz in Region 2 and in the bands 2 500-2 535 MHz and 2 655-2 690 MHz in Region 3. Only those assignments which satisfy the following conditions shall be considered to be in conformity with the Table of Frequency Allocations:

- a) The service area for a regional system is within the Region concerned, i.e. in Region 2 only in the band 2 535-2 655 MHz or in Regions 2 and 3 in the other bands between 2 500 and 2 690 MHz.
- b) In the case of a national system, the service area is limited to the territory under the jurisdiction of the notifying administration.
- c) If the satellite network is operated within the framework of an international system to which other countries pertain, the notice must indicate that the use is limited to the Region(s) concerned.

S5.416

See comments under the Rules of Procedure concerning **S5.415**.

S5.441

1 Article **S5** defines, in the band 10.7-11.7 GHz, a bi-directional allocation for the Fixed-satellite service in Region 1. Three footnotes (**S5.441**, **S5.484** and **S5.484A**) further

regulate the usage of the bands. The provisions of No. **S5.484** apply to the up-link (Earth-to-space) allocation for BSS feeder-links. Numbers **S5.441** and **S5.484A** (covering parts of the band 10.7-11.7 GHz) apply to the down-link. The following problems were noted:

1.1 the Table of Frequency Allocations defines a bi-directional allocation of the whole band 10.7-11.7 GHz for the FSS in Region 1. Number **S5.484** defines the up-link allocation for Region 1, while Nos. **S5.441**, **S5.484A** and Resolution **130 (WRC-97)** regulate the down-link use for GSO and non-GSO FSS. The sub-bands 10.7-10.95 GHz and 11.2-11.45 GHz, for the space-to-Earth direction, are, for GSO applications, covered by the provisions of Appendix No. **S30B**. The up- and down-link allocations, for GSO use, are of the same category. Non-GSO uses are under power flux-density limitations defined by Article **S22** and are subject to certain conditions as stipulated in No. **S22.2** which is referred to in Resolution **130 (WRC-97)** (*resolves* 3, 6.1.2 and 7);

2 The Board noted that the decision of WRC-2000 is a confirmation of the need to protect terrestrial services in Regions 1, 2 and 3 from GSO FSS networks in Region 2 (*considering g) of Resolution 77 (WRC-2000)* refers) also in the period between 1 January 1999 and 2 June 2000.

3 Based on the above, for the application of **S5.488**, as modified by WRC-2000, the Board instructs the Bureau to act as follows:

3.1 Coordination requests under Article **S9** or former Article **11**

3.1.1 For coordination requests for the GSO FSS networks received as of 1 January 1999 to establish, in accordance with Resolution **77 (WRC-2000)**, the list of administrations the agreement of which is required and to publish this list in the relevant Special Section of its IFIC.

3.1.2 For coordination requests received before 1 January 1999 for which Article 14 Special Section (AR14/C) was not published, to take the same action as specified in § 3.1.1 above.

3.2 Notifications under Article **S11**

For notifications of the above-mentioned GSO FSS networks received as of 1 January 1999:

- for which agreement requirements under Resolution **77 (WRC-2000)** were established and published in accordance with § 3.1.1 or 3.1.2 above, to examine whether the required agreements (explicit) are properly reflected in the Forms of Notice and to establish the finding under **S11.32** accordingly;
- for which coordination procedure under the former Article 11 was started before 1 January 1999 and Article 14 Special Section (AR14/C) was published, to verify only the existence of agreements (explicit or implicit, as the case may be) with those administrations which were identified as potentially affected in that Special Section due to the power flux-density limits excess on their territory and to establish the finding under **S11.32** accordingly.

3.3 For request of assistance received from administrations in case of difficulties to obtain the required agreement from other administrations (identified as affected) to apply the corresponding/analogous provisions of Article **S9** or former Article 11.

S5.490

This provision is similar to No. **S5.487**. The same rules apply.

S5.492

1 The Board concluded that the frequency bands covered by Appendix **S30** are not allocated to the fixed satellite Service in the Regions where the broadcasting-satellite service is subject to the Plan of Appendix **S30**. Those transponders of the broadcasting-satellite

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

1 Forms of notice

1.1 Circular-letters CR/65 (22 November 1996) and CR/86 (25 March 1998) of the Bureau contain the forms of notice to be used for communication of particulars of radiocommunication stations and satellite networks. The forms of notice are derived primarily from Appendix S4 of the Radio Regulations. The above Circular-letters include detailed instructions for completing the notices. Circular letter CR/144 (18 August 2000) established revised arrangements for mandatory electronic filing of notices pursuant to Resolution 55 (CMR-2000).

1.2 Circular Letter CR/144 also notes that there are practical difficulties which are delaying the application of the provisions of *resolves* 5 and 6 of Resolution 55 (CMR-2000) to notices under Appendices S30, S30A and S30B. Some additional time is needed to develop new forms of notice and the necessary software to capture and validate such notices electronically. Administrations were requested, as from the receipt of that Circular Letter, to start using the Annexes 2A and 2B of Appendix S4 (WRC-2000) data elements in a paper form for submissions under Appendices S30, S30A and S30B, until the time when new notice forms are made available to administrations and the relevant Data Processing software (e.g. SpaceCap, etc) are available.

1bis Receipt of notices¹

1bis 1 It is incumbent on all administrations to meet deadlines established in the Radio Regulations and, accordingly, to take account of possible mail delays, holidays or periods during which ITU may be closed².

¹ Whilst this Rule of Procedure applies to space services, the arrangements referred to in paragraph 1bis apply equally to submissions relating to terrestrial services.

² The Radiocommunication Bureau shall inform administrations by circular letter at the beginning of each year, and as appropriate, about holidays or periods in which ITU may be closed in order to assist them in meeting their obligations.

1bis 2 Having regard to the various means available for transmission and delivery of notices and other related correspondence, the Board has decided that:

- a) Mail received through the postal service³ shall be recorded as received on the first working day on which it is delivered to the ITU/BR's offices in Geneva. Where the mail is subject to a regulatory time limit that occurs on a date on which ITU is closed, the mail should be accepted if it has been recorded as received on the first working day following the period of closure
- b) E-mail or telefax documents shall be recorded as received on the actual date of receipt, irrespective of whether or not that is a working day at the ITU/BR's offices in Geneva.
- c) In the case of E-mails, an administration is required to send, within 7 days of the date of the E-mail, a confirmation by either telefax or mail which shall be regarded as being received on the same date as the original E-mail.
- d) All mail must be sent to the following address:

Radiocommunication Bureau
International Telecommunication Union
Place des Nations
CH-1211 Geneva 20
Switzerland

- e) All telefaxes must be sent to:

+41 22 730 57 85 (several lines)

- f) All E-mail must be sent to:

brmail@itu.int

- g) Information received in the ITU/BR by E-mail shall be acknowledged by E-mail

2 Treatment of forms of notice by date order

According to provisions **S11.28**⁴ and **S11.29**, complete notices are examined by date order of their receipt and the Bureau cannot act upon a notice having a technical bearing on an earlier notice until the earlier notice has been dealt with. While similar provisions do not exist in all the regulatory procedures defined in the Radio Regulations, nevertheless, several other provisions tacitly require the same general concept. The Board decided that the principle of

³ Includes courier, messenger or other services.

⁴ The Board notes that there is an inconsistency between the English (and Spanish) and French texts of provision **S11.28**. While the English (and Spanish) texts stipulate that "it shall be examined in the date order of their receipt", the French text stipulates that "...il les examinera dans l'ordre ou il les recoit". There is no mention of "date" in the French text. The current practice of processing in the date order of their receipt will continue until the matter is considered by the next WRC.

treatment by date order of receipt of any submission is to be applied in each of the procedures described in Articles **S9**, **S11**, Appendices **S30**, **S30A**, **S30B** and Resolutions containing specific procedures.

3 Establishment of a date of receipt

3.1 In order to establish a formal date of receipt for the purpose of treatment, in date order, of the submissions (notices for advance publication, request for coordination, modification to the Region 2 Plan or proposed new or modified assignments in the Regions 1 and 3 Lists under Appendices **S30** or **S30A**, or request for application of Articles 6 or 7 of Appendix **S30B**, and notifications for recording in the Master International Frequency Register), the Bureau shall examine *inter alia* the completeness and correctness of the information submitted by administrations. It shall also take account of the requirements of No. **S9.1** when establishing the date of receipt of coordination information and notification information with respect to the date of receipt (when the coordination procedure of Section II of Article **S9** is applicable) and the date of publication (when coordination is required by Section II of Article **S9**) of advance information, respectively.

3.1**bis** *Resolves 5* of Resolution **55 (WRC-2000)** prescribes that, as from 3 June 2000, all notice forms (**APS4/II** and **III**), radio astronomy notices (**APS4/IV**) and API (**APS4/V** and **VI**) and due diligence information (Resolution **49 (WRC-97/WRC-2000 as applicable)**) for networks and earth stations submitted to the Radiocommunication Bureau pursuant to Articles **S9** and **S11** shall be submitted in electronic format which is compatible with the BR electronic notice form capture software (SpaceCap).

3.1**ter** The RRB noted the above mentioned requirement in the context of the associated *considerings* and *recognizings* of **Resolution 55**. It noted also the availability to administrations of capture and validation software from the Radiocommunication Bureau. Accordingly, the Board agreed that, in view of the processing delays of the notice forms in the BR, efficient measures are needed to enable the Bureau to address the backlog in processing. Accordingly, where a notice received by the Bureau does not contain all of the mandatory information as defined in the Table (Annex 2B) of **APS4** of the Radio Regulations and the published list of validation rules, the Bureau shall regard the notice as incomplete. The Bureau shall immediately inform the administration and seek the information not provided. Further processing of the notice by the Bureau will remain in abeyance and a date of receipt (see § 3.1 above) will not be established until the missing information is received. The date of receipt will be the date of receipt of the missing information (see also § 3.2 *b*) to 3.7 below).

3.1 *quater* The current version (V 1.4 or above) of the validation software available to administrations (as advised by Circular Letter) shall be used by the Bureau when assessing the completeness of **APS4** Forms of notice, coordination requests and notification for satellite networks or satellite systems, including earth stations, submitted under Articles **S9** and **S11**. Administrations are encouraged to run the validation software themselves in order to overcome any difficulties in the notices before they are submitted to the Bureau.

3.1 *quinto* The requirement in 3.1 *ter* does not apply to notices in respect of Advance Publication Information (No. **S9.1**), radio astronomy notices (**APS4/IV**), notices under Appendices **S30**, **S30A** and **S30B** and due diligence information (Resolution **49 (Rev.WRC-2000)**) pending the introduction of electronic filing and/or the availability of validation software for these procedures. In the case of notices under **APS30**, **S30A** and **S30B**, the Bureau shall establish the date of receipt as that recorded in accordance with paragraph *1bis* above. Should the Bureau find that the information received in these cases is incomplete or incorrect it shall apply the same procedures as noted in § 3.2 to 3.7 below:

3.2 *a)* In the case of notices pursuant to Appendices **S30**, **S30A** and **S30B**, should the Bureau find that the information is incomplete or incorrect, it shall request the administration responsible for the station or network to provide the missing information or clarification within 30 days.

3.2 *b)* In the case of requests for coordination and notification if, after processing the **APS4** notice as set out in 3.1 *ter*, the Bureau finds that further clarification is required concerning the correctness of the mandatory data submitted, it shall request the administration responsible for the station or network to provide the clarification within 30 days.

3.3 If the information or clarification is provided within that period of 30 days (counted from the date of the dispatch of Bureau's message), the initial date of receipt established by the Bureau will be considered as the formal date of receipt for the purpose of any subsequent processing of the notice. (See however, § 3.4 below).

3.4 Nevertheless, for replies received within the above period of 30 days, a new date of receipt is established in those cases (or for the concerned part of the station or network) where the information submitted subsequently is outside the scope and beyond the objective of the Bureau's enquiry pursuant to § 3.2 and § 3.3 above. unless the new or modified data has no impact on the regulatory and technical examination. The new date of receipt will be the date of receipt of the new or modified information. See also Rules of Procedure relating to provisions No. **S9.27**.

3.5 If the information or clarification is not provided within the above period of 30 days, the submission shall be considered incomplete and no formal date of receipt will be established by the Bureau. A new date of receipt will be established when the complete information is received, irrespective of whether the newly provided information adds new affected administrations or not.

3.6 In case of the request for deletion of an assignment, a group of assignments, an emission, beams or other characteristics of a satellite network or satellite system, two situations may arise:

3.6.1 The satellite network or satellite system in question has not yet been examined and published by the Bureau. In that case, the initial date of receipt will be maintained.

3.6.2 The satellite network or satellite system in question has already been examined and published by the Bureau. In that case, the request for deletion shall be published in a corrigendum to previously published relevant special section. However, the technical bearing of the deletion will be examined by the Bureau in the date order of receipt of the request.

3.7 After one year, unless otherwise specified in the relevant procedures, any pending submissions containing incomplete information shall be returned to the notifying administration.

4 Other non-receivable submissions

There are, in addition to the above case of incomplete notice, other circumstances when a notice is not receivable. These cases are described in the following non exhaustive paragraphs.

4.1 An advance publication notice sent to the Bureau earlier than five years before the planned date of bringing into use of the satellite network is not receivable and shall be returned to the administration responsible for the network. (No. **S9.1** refers.)

4.2 A notification received by the Bureau earlier than the date limits prescribed in provisions **S11.24** to **S11.26** (date limits relate to the date of bringing into use of a station or satellite network) is not receivable and shall be returned to the administration responsible for the network.

4.2*bis* One Advance Publication of Information (API) for a satellite network can be used as the basis for only one request for coordination for the satellite network. In accordance with the Rule of Procedure concerning the definition of a satellite network contained in No. **S1.112**, this coordination request would thus have only one set of orbital characteristics, e.g. those specified in Section A4 of Appendix **S4**. In the case where a further coordination request making reference to the same API is received for processing by the Bureau it is only receivable if the set of orbital characteristics included in that submission are unchanged relative to those in the earlier coordination request submission or are intended to replace that earlier set of orbital characteristics. In all other cases a new API is required as the submission then pertains to a new satellite network.

NOTE – The Rule referred to in § 4.2*bis* above applies in respect of any case where a request for coordination is received after 1 January 2000.

4.3 The Radio Regulations prescribe, in some cases, the application of multiple procedures which have to be applied, for the same stations or satellite network, in a sequential order, one after another. A typical example of such a case of multiple procedures is a geostationary satellite network to which the application of the advance publication, the coordination (in some cases more than one coordination category) and the notification procedures, in this order, are mandatory. In such cases, a notice for a particular procedure is

receivable only if the previously applicable procedures have been effected. A notice for a request for coordination is not receivable if the advance publication information was not submitted to the Bureau. A notification under Article **S11** is not receivable if the advance publication information and coordination request, where applicable, were not received for the satellite network, and shall be returned to the notifying administration. The same shall also apply for the notification of an earth station whose associated space station is not supported by an advance publication.

4.4 A notification received under No. **S11.2** or **S11.9** relating to a satellite network/system for which either the regulatory time limit (5 + 2 years, if extension is granted) has expired or the due diligence information as prescribed by Resolution **49 (WRC-97)** has not been provided, are not receivable and shall be returned to the notifying administration.

5 In each case where the Bureau returns a form of notice according to the above paragraphs, the necessary justification for such an action shall be provided to the notifying administration.

4.2 One of the new frequency bands allocated by WRC-95 to MSS feeder links (FSS allocation limited to this use in the space-to-Earth direction) is the band 6700-7075 MHz. The band had already been allocated to the FSS (Earth-to-space) and a portion of the band (6725-7025 MHz) is used through the application of the Appendix **S30B** (allotment) plan. From the establishment of maximum PFD limits to be observed by non-GSO MSS feeder links at the GSO and within a sector of $\pm 5^\circ$ included in the provisions of § 2.2 of Annex 1 to Appendix **S5** and of No. **S22.5A** (for the protection of emissions in the Earth-to-space direction received by GSO space stations), the Board understands that, when applying No. **S9.11A** to MSS feeder links, Appendix **S30B** entries (Part A allotments, Part B or List assignments) in the band 6725-7025 MHz or other GSO receiving space stations (operating in the Earth-to-space direction) in the bands 6700-6725 MHz and 7025-7075 MHz, shall not be taken into account under No. **S9.27**.

S9.15 to S9.19

1 The expression in Nos. **S9.15**, **S9.17** and **S9.17A** of “band allocated with equal rights” is understood to mean equality of rights between services to which the band is allocated. According to footnote No. 1 to § 1 of Appendix **S5** the “equality of right” condition is extended to all coordination forms under Nos. **S9.15** to **S9.19**.

2 Taking into account Article **S59**, Resolution **59**, Resolution **541**, the Board concluded that provisions **S9.17-S9.19** and Appendix **S7** as modified by WRC-2000 shall enter into force as of 1 January 2002 except with respect to submissions under Appendices **S30** and **S30A** to which **S9.17A**, **S9.19** and Appendix **S7** shall apply as of 3 June 2000². Table S5-1 of Appendix **S5** as modified by WRC-2000 with respect to application of **S9.15** to **S9.19** shall enter into force as of 1 January 2002.

3 See also Rules of Procedure concerning Appendix **S7**.

S9.18

The coordination procedure of No. **S9.18** is to be applied only in frequency bands allocated to a space service in the direction space-to-Earth, i.e. when transmitting terrestrial stations are inside the coordination area of a receiving earth station for which coordination under No. **S9.17** has already been initiated and in the case where both services have the same category of allocation.

The coordination between receiving terrestrial stations and transmitting earth stations is done only when the transmitting earth station is coordinated in application of No. **S9.17**. Once that coordination is initiated an administration wishing to operate terrestrial stations within the

² In Resolution **541 (WRC-2000)**, it is stipulated that the Regions 1 and 3 Plans, the list and their associated procedures, together with Annexes thereto shall enter into force as of 3 June 2000. The procedures noted in Resolution **541 (WRC-2000)** require the application of Appendix **S7 (WRC-2000)**.

coordination area of the transmitting earth station can evaluate the level of interference that its station may receive and decide by itself whether to proceed or not with the implementation of its terrestrial stations.

S9.19

This provision relates to the requirements of coordination of transmitting terrestrial stations and transmitting earth stations in the fixed satellite service (Earth-to-space) with respect to typical BSS earth stations. To date, there is no ITU-R Recommendation defining the power flux-density level produced by the terrestrial stations and transmitting earth stations in the FSS at the edge of the service area of non-planned BSS to be used for triggering the coordination. Until such time that a calculation method and technical criteria are included in the relevant ITU-R Recommendations, in applying this provision, for the identification of affected administration, the Bureau, in addition to the frequency overlap examination, also uses, on a provisional basis, the power flux density limits in the nearest frequency band(s), where available.

S9.21

1 Notification under Article S11 before the completion of the procedure of No. S9.21

The Bureau accepts notifications under Article S11 with a reference to No. S4.4 in a band where the coordination procedure of No. S9.21 is to be applied at any moment before starting the procedure or during the application of the procedure of No. S9.21 (See footnote No. S11.31.1). For cases of notification under Article S11, where the coordination of No. S9.21 was already initiated but not yet fully completed, see comments under the Rules of Procedure relating to footnote No. S11.31.1 and No. S11.37.

2 Application of the procedure of No. S9.21 to frequency assignments for reception by an earth or space station

Because the coordination procedures of Nos. S9.7 to S9.19, as well as the notification and recording of frequency assignments to space networks and earth stations, are applicable separately to receiving and transmitting assignments, the Board considered that the coordination procedure of No. S9.21 also applies separately to these types of stations. However, the Board considered that in the case of receiving frequencies, the reference to “the agreement of an administration with respect to the frequency assignment which may be affected” (§ 2 of Appendix S5) has no meaning unless the recording of such frequencies, after successful application of No. S9.21, imposes restrictions on the current use and the future development of the services of another administration (for example if the assignments to such services run the risk of receiving an unfavourable Finding due to a recorded assignment with respect to No. S9.21).

2.2 The guiding principles for dealing with modifications are:

- general obligation to effect coordination before notification (No. **S9.6**), and
- the fact that coordination is not required when the nature of the change is such as not to increase the interference to or from, as the case may be, the assignments of other administration, as specified in Appendix **S5**.

2.3 Based on these principles, and provided that the appropriate coordination trigger limit is exceeded, the modified part of the network will need to effect coordination with respect to space networks that are to be taken into account for coordination:

- a)* with dates of receipt (DR) before the original date of submission (D1) of the subject network; and
- b)* with date of receipt (DR) after the original date of submission (D1) of the modified network but before the date of the modification (D2), where the nature of the change is such as to increase the interference to or from, as the case may be, the assignments of those networks which were received in the period between D1 and D2. In case of GSO networks referred to in No. **S9.7** including those to which coordination arc approach (frequency bands 1), 2) and 3) of No. **S9.7** of Table S5-1 of Appendix **S5**) have been applied, the increase of interference will be measured in terms of $\Delta T/T$.

2.3.1 Where the coordination requirements of the modification involve any network under *b)* above, the modified assignments will have as their date of receipt (DR) the date of submission of the modification (i.e. DR = D2). Otherwise, they will retain their original date of receipt (DR) (i.e. DR = D1).

2.3.2 In case of successive modifications of the same part of the network, if the next modification (compared with the previous modification) does not increase the interference to or from a particular network not included in the coordination requirements under *b)* above, that particular network will not be included in the coordination requirements of that next modification.

2.3.3 If it is not possible to verify that there is no increase of interference (e.g. in absence of appropriate criteria or calculation methods), the date of receipt (DR) date of the modified assignments will be D2.

2.4 After having examined the modified network as described in § 2.3 above, the Bureau shall publish the modification, including its coordination requirements, in the appropriate Special Section for comments by administrations within the usual 4-month period. Initial characteristics are thus replaced by the published modified characteristics, and only the latter will be taken into account in subsequent applications of No. **S9.36**.

3 Modification to characteristics of an earth station

3.1 The use of another associated space station may be one of the modifications of characteristics to an earth station. In the case of examination under **S9.15**, **S9.17** and **S9.17A**, a new coordination contour is drawn and compared with the previous one. Coordination is

then required with any administration on the territory of which a coordination distance is increased. In the case of examination under **S9.19**, the pfd of the transmitting earth station with modified characteristics is calculated at the edge of the BSS service area. Coordination is then required with any administration on the territory of which the pfd at the edge of the BSS service area is increased as the result of modification of characteristics of the transmitting earth station in fixed satellite service and is above the permissible level. However, if the initial associated space station has been cancelled or if the coordinated frequency assignments of the earth station do not cover the newly notified assignments, this notification of the assignments of the earth station will be considered as a new notice (first notification).

3.2 Generally, the Bureau uses the same approach, i.e. an increase of the coordination distance or an increase of the pfd at the edge of the BSS service area, according to the case, in order to decide if there is an increase of interference.

**S9.28,
S9.29
and S9.31**

1 These provisions of the Radio Regulations establish the complete responsibility of the requesting administration for effecting the coordination of the frequency assignments to stations in the terrestrial services and to Earth stations (specific or typical) of satellite networks with respect to other Earth stations and stations of terrestrial services (see Nos. **S9.15** to **S9.19**), without any involvement of the Radiocommunication Bureau, except the cases referred to in Nos. **S9.33** and/or **S9.52**. Therefore, the Board considers these provisions as being addressed to administrations, and the Bureau has no action to take in this respect.

2 See also Rules of Procedure under No. **S11.32** (§ 4).

S9.36

1 Under this provision, the Bureau “shall identify any administrations with which coordination may need to be effected”. In applying Appendix **S5** with respect to No. **S9.21**, the Bureau uses the following calculation methods and criteria³:

- space network vs. space network: Appendix **S8**;
- earth station vs. terrestrial stations and *vice versa*: Appendix **S7**;

³ For cases not covered under this paragraph, the Bureau, in collaboration with the appropriate Radiocommunication Study Groups, continue to develop applicable calculation methods and criteria in the form of Rules of Procedure to be submitted to the RRB for approval.

- transmitting terrestrial stations vs. receiving space stations: criteria of Article **S21**;
- transmitting space stations vs. terrestrial services: pfd limits defined in Article **S21**;
- between stations of terrestrial services in some specific frequency bands: Rules of Procedure B4, B5 and B6 as appropriate.

2 For coordination requests under Nos. **S9.11** to **S9.14** and **S9.21**, it is to be noted that irrespective of the identification by the Bureau under No. **S9.36** (see footnote **S9.36.1**), any administration, even one which was not identified, may disagree with the published assignment under No. **S9.52** and any administration, including one identified by the Bureau, that has not commented on the proposed use within the regulatory time limit is considered to be unaffected by that use in accordance with No. **S9.52C**.

S9.42

If the Bureau's calculations do not indicate that the requesting administration should be brought into coordination procedure, the matter is left for consideration by the administration initiating the coordination.

S9.48

The Board concluded that this provision applies only to those radiocommunication stations which were taken into consideration when the coordination request was either sent to the other administration as stipulated in No. **S9.29** or submitted to the Bureau in the case of application of Nos. **S9.30** and **S9.32**. Other existing assignments of the administration to which this provision is not applied remain entitled to protection. Assignments of the same administrations which are considered at a later date are also entitled to protection.

S9.49

The comments made in the Rules of Procedure concerning No. **S9.48** apply. This administration is deemed to have undertaken not to cause interference to those stations for which the agreement was requested.

S9.50

Comments relating to the exclusion of the territory of a country from the service area of a space station

1 When an Administration B requests the Bureau to exclude its territory from the service area of a space station of an Administration A, this raises the following questions:

- should that comment have any effect on the identification of the administrations concerned in the coordination process or on the assessment of the level of harmful interference?
- what action shall the Bureau take in respect of it?

2 The question of a request concerning the exclusion of the territory of a country from the service area of a space station can be studied at two different levels:

- the compatibility between services and stations and the related status that may be derived from the application of the procedures contained in the Radio Regulations, on one hand, and
- the principles embodied in the Preamble to the Convention and the Radio Regulations as well as in Resolution 1 (Rev.WRC-97) in respect of the sovereign right of each country to use the frequency spectrum and the geostationary satellite orbit, on the other hand.

3 Compatibility matters are well defined in the Radio Regulations; they involve:

- power flux-density limitations which are deemed to avoid any problem of incompatibility without any recourse to coordination with terrestrial services;
- coordination between administrations using or intending to use stations of the same service or of different services sharing the same frequency band;
- examination by the Bureau of the probability of harmful interference in cases where, for one reason or another, agreement on coordination could not be reached between the administrations concerned.

4 The identification by the Bureau of administrations involved in a coordination process and the assessment of the probability of harmful interference are based on the technical characteristics notified by administrations. The extent to which a comment intended to reduce the service area of a space station may affect the application of Articles S9 and S11 should be considered on the basis of a distinction to be made between the “coverage area” and the “service area”. The coverage area results from limitations imposed by the design of the space station, and a certain degree of overlapping of territories of other countries not intending to participate in the system may be unavoidable. The Board understands that, in designing any space station, the administration concerned applies No. S15.5, which stipulates that “radiation in and reception from unnecessary directions shall be minimized by taking the maximum practical advantage of the properties of directional antennas whenever the nature of the service permits”. If an Administration B, not participating in a given satellite network,

reception of the transmissions from aircraft stations) is not necessary. Therefore, the Board instructed the Bureau not to accept any frequency assignment notice related to a receiving aeronautical station in the bands governed by Appendices **S26** and **S27**.

S11.17

This provision and provisions of Nos. **S11.18** to **S11.21A** identify assignments to terrestrial stations to be notified individually. All other assignments^{1,2,3} can be notified either as a typical station or as individual stations, as the administration concerned considers appropriate. The frequency assignments which shall be notified individually, under the procedure of Article **S11**, are the following:

- 1 Assignments to stations covered by the Allotment Plans of Appendices **S25**, **S26** and **S27** (No. **S11.18**) and by any Frequency Assignment Plan.
- 2 Assignments to stations of the broadcasting service in any band (No. **S11.19**).
- 3 Assignments to stations of all terrestrial services which are within the coordination area of an earth station (No. **S11.20**) if the notified bandwidth of the terrestrial station is situated wholly or partially within a frequency band which is allocated with equal rights to terrestrial and space services where coordination is required under Appendix **S5**, Table S5-1.

According to No. **S11.20**, no notification of a typical terrestrial station is receivable if the terrestrial station is within the coordination area of an earth station. In view of the current difficulties of the Bureau to ascertain, at the time of the receipt of the notice, whether a terrestrial station is situated within the coordination area of an existing earth station or one for which the coordination has been effected or initiated, the Board instructed the Bureau to encourage administrations to submit individual notices to terrestrial stations in every case where the notified bandwidth of the terrestrial station is situated wholly or partially in any of the bands shared between terrestrial and space services with equal rights if the allocation to the space service comprises the space-to-Earth direction. The Bureau may also accept a

¹ Frequencies for common use listed in Section V of the Preface to the IFL shall not be notified.

² Frequency assignments to stations in the amateur service shall not be notified (No. **S11.14**).

³ Frequency assignments to broadcasting stations in the high frequency bands allocated to broadcasting service between 5 900 kHz and 26 100 kHz which are subject to the procedure of Article **S12** shall not be notified under Article **S11** (see No. **S11.14**).

notification to a typical station in these bands, if the notifying administration so wishes, under the understanding that the subject notice form may be returned to the notifying administration at a later stage, if the Bureau's examinations confirm that the notified geographical area of operation of the typical terrestrial station overlaps the coordination area of an Earth station. Such a notice, when published in Part A of the BR Weekly Circular, shall bear a special symbol making reference to this Rule of Procedure.

4 Assignments to any terrestrial stations in bands shared with space services with equal rights which exceed the limits of the terrestrial station parameters specified in Tables 8a, 8b, 8c and 8d of Appendix **S7** and in No. **S21.3**⁴ (No. **S11.21**).

The Board concluded that the first part of this provision is intended to afford appropriate protection to receiving earth stations when the terrestrial stations are using a high e.i.r.p. Given the variety of conditions specified in the referred Tables of Appendix **S7**, the Board decided that administrations shall submit individual notice whenever the e.i.r.p. exceeds the following limits:

50 dBW (for analogue modulation) and 37 dBW (for digital modulation), in any of the frequency bands below 3 GHz that are mentioned in Tables 8a and 8b;

55 dBW (for analogue modulation)⁵ and 42 dBW (for digital modulation), in any of the frequency bands between 3 GHz and 15 GHz that are mentioned in Tables 8b and 8c;

55 dBW (for analogue modulation)⁵ and 40 dBW (for digital modulation), in any of the frequency bands above 15 GHz that are mentioned in Tables 8c and 8d.

5 Assignments to terrestrial stations in the frequency bands listed in Table **S21-2** (No. **S11.21A**).

The Board concluded that this provision is intended to protect the geostationary-satellite orbit. It should be applied to all terrestrial services in the bands referred to above, irrespective of their category of allocation.

⁴ WRC-2000 suppressed the former Appendix **S7** and replaced it by a new one. The new Appendix has a completely different structure from the former one. Amongst other things, the former Table II (Parameters required for the determination of coordination distances for a receiving earth station) has been replaced by a set of four new Tables (Tables 8a, 8b, 8c and 8d) which all specify the parameters of transmitting terrestrial stations for determining the coordination distances for a receiving earth station. The Board considers that the continuing reference to "Table II of Appendix **S7**" in provision No. **S11.21** is a simple omission from WRC-2000, and that the correct reference should be "Tables 8a, 8b, 8c and 8d of Appendix **S7**".

⁵ The e.i.r.p. given in Tables 8c and 8d of Appendix **S7** is derived from a total e.i.r.p. of 55 dBW.

S11.32

1 Examination of a frequency assignment to a space station

The literal application of this provision would lead to the examination of the notified assignment with any station identified in application of No. **S9.27** while this examination or a major part of it was already done during the application of the coordination procedure. The Board adopted a practical approach which consists of the following:

- a)* Calculations with respect to networks of an administration indicated in the notice as having given its agreement to the coordination Nos. **S9.7** or **S9.7B** are not carried out, assuming that any difference that may exist between the notified characteristics and those published in the relevant Special Section under Nos. **S9.7** or **S9.7B** is coordinated with and accepted by this administration.
- b)* If all administrations identified in the relevant Special Sections mentioned above are not included in Boxes A5/A6 without any reference to § 6 of Appendix **S5** or No. **S11.32A**, the notice shall be sent back to the administration with an unfavourable finding with respect to No. **S11.32**. For practical reasons, when an unfavourable finding with respect to No. **S11.32** is given at this stage, the examination under No. **S11.31** shall not be performed.

(See Circular Letter No. 104 of 10 August 1998 and Rules of Procedure under No. **S9.52C**).

- c)* In order to identify other administrations that may be affected, the notified characteristics are compared with those published in the Special Section mentioned above and, if they are identical or covered by those published in these Special Sections, the result of calculations/examination already made for these Special Sections is used.
- d)* If the notified characteristics are different from those published, calculations are made on the basis of Appendix **S5** and, if additional administrations (other than those listed in corresponding Special Sections in column A5/A6) which either receive more interference or cause more interference due to the modified characteristics than that previously received or caused are identified, an unfavourable finding shall be given and the notice form shall be returned to the notifying administration. The notifying administration would be requested to publish a modification to the Special Section in question and initiate coordination with administrations identified in that modified Special Section. If there is no additional administration which would receive more interference or cause more interference due to the modified characteristics than that previously received or caused is identified, a favourable finding shall be given. See also Rules of Procedure relating to No. **S9.27**.

2 Examination of a frequency assignment to an earth station with respect to the application of Nos. S9.7, S9.12, S9.12A and S9.13

- a) This examination would normally involve the application of Table S5-1 of Appendix S5 with respect to the space network to the space network coordination to each frequency assignment of each earth station, the comparison of the results so obtained with the values corresponding to the already published or notified earth stations, and the identification of the administrations affected.
- b) It was noted that in practice, when coordinating their satellite networks, administrations usually take account of the earth stations whether their characteristics were published or not. WARC Orb-88 considered the complexity of the procedures of former Articles 11 (now S9) and 13 (now S11), mainly with respect to their application to earth stations and decided to adopt a network coordination approach. In view of the above, the Board decided that the following simplified procedure should be applied.

2.1 Examination of an assignment to an earth station received for the first time

The examination of frequency assignments to earth stations with respect to the application of Nos. S9.7, S9.12, S9.12A and S9.13 shall be carried out by verifying the status of the corresponding assignments to the associated space station (i.e. the satellite network).

2.1.1 Case where the space station's assignments are recorded in the MIFR

- a) In the case of a space station recorded with a Favourable No. S11.32 Finding (successfully coordinated or not requiring coordination), the assignment to the associated earth station shall be assumed to have been coordinated and shall be given a Favourable No. S11.32 Finding with the following indication in Column A5/A6 of Part II-S of the BRIFIC:
 - Z/S9.7, S9.12, S9.12A and S9.13 as the case may be/--- (see Preface) followed by the names of administrations appearing in Column A5/A6 under the symbol S9.7, S9.12, S9.12A and S9.13 as the case may be/--- of the associated space station (if no administration is listed because of application of § 6 of Appendix S5, only Z/S9.7, S9.12, S9.12A and S9.13 as the case may be will be indicated); and
 - numbers S9.7, S9.12, S9.12A and S9.13 as the case may be/--- followed by the names of administrations indicated in the form of Notice of the earth station, if appropriate.
- b) If, after the publication of such an assignment to an earth station in Part II of the BRIFIC, any administration objects to the Bureau's action described in § a) above the Bureau shall examine the already recorded assignment to the earth station with respect to Nos. S9.7, S9.12, S9.12A and S9.13 by applying criteria and method prescribed in Appendix S5. As a result of this examination, the Bureau will either review or retain the Finding initially reached on the assignment in question and, in either case, will communicate its conclusions to the administration which had objected to the recording.

- c)* The approach of § *a)* and *b)* above was extended to the case of a space station recorded with a Favourable No. **S11.32A** Finding (examination of the probability of harmful interference). The assignment of the associated earth station shall be given a Favourable No. **S11.32** Finding with respect to the application of Nos. **S9.7**, **S9.12**, **S9.12A** and **S9.13** with the appropriate indications, in Column A5/A6, as described in § *a)* above.
- d)* In the case of an associated space station recorded with an Unfavourable Finding under No. **S11.36** (operating in accordance with No. **S4.4**), the earth station will be given a regulatory (No. **S11.31**) Finding and, if applicable, a coordination conformity Finding, independent from the unfavourable regulatory Finding of the space station. The coordination conformity Finding shall nevertheless only concern its conformity with the coordination procedure under Nos. **S9.15**, **S9.17**, **S9.17A**, and **S9.19**. When recorded, a symbol describing the situation will also be added to the assignment to mean that the earth station has this status only with respect to coordination with terrestrial services; and with respect to earth stations operating in the opposite direction of transmission; and has no recognized status in the space network coordination context (Nos. **S9.7**, **S9.12**, **S9.12A** and **S9.13**.)

2.1.2 Case where the space station's assignments are not recorded in the MIFR

This category may include the following cases:

- a)* a space station for which the procedure of Section II of Article **S9** is applicable and not yet communicated to the Bureau under Nos. **S9.30** and **S9.32**;
- b)* a space station in the process of coordination (the coordination procedure not yet completed and the space station not yet notified under No. **S11.15**);
- c)* a space station successfully completed the procedure of Article **S9** but not yet notified to the Bureau under No. **S11.15**;
- d)* a space station notified (No. **S11.15**) but returned to the administration with an unfavourable finding Nos. **S11.31** or **S11.32** and **S11.32A**; and
- e)* a space station already notified (No. **S11.15**) but not yet recorded (being processed by the Bureau).

2.1.2.1 Starting from the principle that the leading element of a space network is the space station and that it would be misleading to record in the Master Register earth stations for which a space station (network) is not recorded, the Board decided that an earth station cannot be recorded in the Master Register before its associated space station. Consequently the earth stations of categories § 2.1.2 *a)* to *d)* above will be given an Unfavourable No. **S11.32** Finding.

2.1.2.2 The earth station notices of category § 2.1.2 *e*) above shall be processed by the Bureau together with the associated space station and the No. **S11.32** Finding with respect to the application of Nos. **S9.7**, **S9.12**, **S9.12A** and **S9.13** will be given in accordance with the Finding of the space station either in application of § 2.1.1 *a*) (Favourable Finding) or 2.1.2.1 (Unfavourable Finding).

2.1.3 Earth stations outside the service area of the associated space station

Earth stations outside the service area of the associated space station shall be given an unfavourable No. **S11.32** Finding with respect to the application of Nos. **S9.7**, **S9.12**, **S9.12A** and **S9.13** as appropriate, assuming that the coordination of the associated space station could not have taken account of earth stations outside the service area.

2.2 Examination of a modification of a recorded assignment to an earth station

The modification of an assignment to an earth station may concern:

- the modification of the orbital position of the associated space station; or
- the replacement of the associated space station with another one; or
- the modification of any other characteristic(s).

2.2.1 Modification of the orbital position of the associated space station

The modification of the orbital position of the associated space station may affect other satellite networks and may have led the administration responsible for the space station to re-apply the coordination procedure. The Bureau assumes that the concerned earth stations were taken into account in the coordination of the modification of the associated space station and consequently will apply the rules indicated in § 2.1 above.

2.2.2 Replacement of the associated space station

The Board considers that the replacement of the associated space station results in the earth station participating in a different network. Consequently, the notification of the modification will be considered as a first notification, the notice will be modified, and the administration will be informed accordingly. The examination under No. **S11.32** with respect to application of Nos. **S9.7**, **S9.12**, **S9.12A** and **S9.13**, as appropriate will be carried out as indicated in § 2.1 above.

2.2.3 Modification of other characteristics

The Board assumes that the modified characteristics of concerned earth stations were also taken into account in the coordination of the associated space station and consequently will apply the Rules indicated in § 2.1 above.

2.3 Cancellation of the space station's assignment

If the space station's assignment is cancelled by the notifying administration, the Bureau shall review the earth station(s) associated with that space station and in accordance with No. **S13.13** suggest to the notifying administration to either cancel or suitably modify the basic characteristics of the entry.

3 Examination of a frequency assignment to an earth station with respect to the application of Nos. S9.15, S9.17, S9.17A and S9.19

See comments under the Rules of Procedure concerning No. **S9.27** (§ 3.1 and 3.2).

4 Examination of frequency assignment notices to stations in terrestrial services in the bands shared with equal rights with space service

4.1 In its examinations of a frequency assignment notice for a station of a terrestrial service, in the bands shared with equal rights with space services, from the point of view of its conformity with the procedures relating to coordination with respect to earth stations of other administrations, the Bureau takes into account those earth stations which are recorded in the Master Register. To this effect, the Bureau uses the coordination contour associated to the respective earth station and calculated in accordance with the calculation method and parameters being in force at the time of notification of the earth station.

If, within a period of three years following the date of notification¹¹ of the terrestrial station, the Bureau receives a comment from another administration, indicating that the concerned assignment was included in a coordination procedure initiated by this later administration pursuant to No. **S9.29** in respect to its earth station(s) coordination under No. **S9.15** or **S9.17**, and was not agreed to, or was agreed with different technical characteristics, the Bureau will review the situation in accordance with the relevant provisions of Article **S14** and will proceed accordingly.

5 Examination of frequency assignment notices to earth stations operating in opposite direction of transmission

5.1 In its examinations of a frequency assignment notice to an earth operating in opposite direction of transmission, from the point of view of its conformity with the procedures relating to coordination with respect to earth stations of other administrations, the Bureau takes into account those earth stations which are recorded in the Master Register.

¹¹ In cases where the Bureau is not in a position to publish notification data under No. **S11.28** within three years following the date of notification, a comment received three months after the date of publication shall be taken into account by the Bureau.

If, within a period of three years following the date of notification¹¹ of the earth station operating in the opposite direction of transmission, the Bureau receives a comment from another administration, indicating that the concerned assignment was included in a coordination procedure initiated by this later administration pursuant to No. **S9.29** in respect to its earth station(s) coordination under No. **S9.17A**, and was not agreed to, or was agreed with different technical characteristics, the Bureau will review the situation in accordance with the relevant provisions of Article **S14** and will proceed accordingly.

6 Examination of frequency assignments to an inter-satellite link of a geostationary space station communicating with a non-geostationary space station

6.1 The Board has noted the requirement to consider a calculation method for the Radiocommunication Bureau to examine an inter-satellite link of a geostationary space station communicating with a non-geostationary space station in frequency bands allocated to the inter-satellite service with respect to No. **S11.32**.

6.2 Taking into account the discussion during WRC-2000 and the current lack of criteria, calculation method and associated tools to proceed with such examination, until such time as the relevant ITU-R Study Groups provide/establish necessary criteria and a required calculation method which could be adopted by the Board, the Bureau when examining the above-mentioned cases in frequency bands allocated to the inter-satellite service¹² with respect to their conformity to No. **S11.32**, shall proceed as follows:

6.2.1 To give a favourable regulatory finding with respect to **S11.32** (symbol “A” in Column 13A2).

6.2.2 To insert a symbol “K” in Column 13B2 with the following text:

“K”: this frequency assignment to an inter-satellite link of a geostationary space station communicating with a non-geostationary space station is not taken into account by the Bureau in its examination under **S11.32**.

6.3 See also the Rules of Procedure concerning **S5.392**.

¹¹ In cases where the Bureau is not in a position to publish notification data under No. **S11.28** within three years following the date of notification, a comment received three months after the date of publication shall be taken into account by the Bureau.

¹² Frequency bands allocated to the inter-satellite service to which par. 6 applies:
22.55-23.55 GHz 24.45-24.75 GHz 25.25-27.5 GHz 32-33 GHz 59.3-71 GHz
122.25-123 GHz 130-134 GHz 167-174.8 GHz 191.8-200 GHz.

S11.32A

The calculation method to assess the probability of harmful interference and the criteria for the formulation of the Findings of the Bureau for the coordination under No. **S9.7** are contained in the Rules of Procedure B3.

S11.34

1 Bands governed by Appendix S25

1.1 With regard to these examinations of conformity with the allotment Plan of Appendix **S25**, the Board took into consideration the following elements:

1.1.1 The “original” Plan, produced at the MWARC-74, contains only an indication of the allotment areas on the given channel. The conformity of the relevant assignments with the allotments was checked using that information and the other general mandatory provisions of the Radio Regulations concerning the channelling arrangement, the class of emission and the transmitter power.

1.1.2 The updates of the Plan, through the application of the procedure of the former Article 16 and Section I of Appendix **S25**, contain more data, notably information of the transmitter power, characteristics of the antenna, hours of operation and service area as a result of the coordination with the administrations concerned. Consequently, the characteristics of the notified assignments have to correspond to the characteristics resulting from the coordination.

1.1.3 For the purpose of the implementation of Resolution **325 (Mob-87)**, the IFRB asked for (and obtained) more precise data concerning the intended use of the new channels, which were made available by WARC Mob-87. However, many administrations indicated that the subject information had to be considered as a working assumption, since the definitive characteristics would depend on the established allotment arrangement (number of allotments per channel, characteristics of the other allotments and the actual use of the allotments by other administrations). Consequently, the characteristics of the allotments entered in the new channels of the Appendix 25 Plan, as indicated in IFRB Circular-letter No. 860 of 22 March 1991, are considered as working assumptions only and not as compulsory conditions.

1.1.4 However, the inclusion of the new allotments in the former channels of the Appendix 25 Plan, pursuant to Resolution **325 (Mob-87)**, has been performed on the insistence of the administration concerned and the search for the least affected channel has been effected on the basis of very firm characteristics of the relevant requirement (power,

S11.44

1 The information concerning the date of bringing into use is normally to be provided in the following occasions:

- in **APS4** form of notice when submitted under No. **S11.15**; and
- in any subsequent communication to the Bureau under Nos. **S11.44B** to **S11.44I**; and
- in the confirmation of the date of bringing into use under No. **S11.47**.

It should be noted that the information concerning the date of bringing into use shall be provided for each assignment or group of assignments.

2 Number **S11.44** provides that administrations may request an extension of the date of bringing into use. This extension cannot be more than two years. In addition, the extension is given only under specific conditions as enumerated in Nos. **S11.44C** to **S11.44I**. As mentioned in No. **S11.44B**, the extension cannot be granted if the complete “due diligence” information required by Resolution **49 (WRC-97/WRC-2000, as applicable)** is not provided.

3 Number **S11.44** also states that the Bureau shall cancel those frequency assignments which are not brought into use within the required period (5 years plus the extension granted by the Bureau). Before the Bureau cancels any frequency assignment, it needs to inform the administration at least three months before the expiry of the above period.

4 The Board noted from Resolution **49 (WRC-97/WRC-2000, as applicable)** that the submission of the complete “due diligence” information by administrations is closely associated with the expiry date (five years) of the regulatory period. In fact, § 10 of Annex 1 to the Resolution instructs the Bureau to inquire about the complete “due diligence” information if this was not received at least 6 months before the 5 year deadline.

5 The Board concluded from the above that the Bureau shall inquire on the date of bringing into use of the assignments and the complete “due diligence” information before the 5 year period expires, if the above information is not communicated by the administration. The Board noted that the two inquiries concern similar information and they are to be effected at similar points in time. Consequently the Board decided that one inquiry shall be effected by the Bureau for both purposes. Six months before the expiry of the 5 year period counted from the date of receipt of the advance information submitted under No. **S9.1**, if the administration has not confirmed the date of bringing into use of the assignments of a satellite network and/or has not provided the complete “due diligence” information pursuant to Resolution **49(WRC-97/WRC-2000, as applicable)**, the Bureau shall request the administration to fulfill its obligations.

6 If no answer is received, a reminder shall be sent 3 months before the expiry of the 5 year period.

7 At the end of the five year period the following situations may be envisaged:

7.1 If the administration confirms that the assignments of the space station have been brought into use and it provides the complete “due diligence” information in accordance with Resolution **49 (WRC-97/WRC-2000, as applicable)**, the Bureau maintains the MIFR recording of the subject assignments (provisional recording is changed to definitive one) or, if the assignments of the network have not been recorded in the MIFR, the Bureau continues to take into account the coordination and/or advance publication files of the subject network in the applicable regulatory procedures.

7.2 If the complete “due diligence” information is provided in accordance with Resolution **49 (WRC-97/WRC-2000, as applicable)** but the assignments have not been brought into use and the administration requests an extension not more than two years referring to one or more circumstances mentioned in Nos. **S11.44C to S11.44I**, the Bureau examines this request for extension and, according to its conclusion, either grants an extension or, if it is not in a position to grant the extension, it explains the reasons thereof to the administration. If the extension is granted, then the Bureau maintains the MIFR recording of the subject assignments (provisional recording) or, if the assignments of the network have not been recorded in the MIFR, the Bureau continues to take into account the coordination and/or advance publication files of the subject network in the applicable regulatory procedures till the end of the extended period. If the extension is not granted, the Bureau cancels the MIFR recording of the assignments in question and or, if the assignments of the network have not been recorded in the MIFR, it will no longer take into account the coordination and/or advance publication files of the network in the applicable regulatory procedures (files are cancelled).

7.3 In any other cases (i.e. no complete “due diligence” information provided or no extension requested or no answer from the administration received) the Bureau shall cancel the MIFR recording of the subject assignments or, if the assignments of the network have not been recorded in the MIFR, it will no longer take into account the coordination and/or advance publication files of the network in the applicable regulatory procedures (files are cancelled).

8 If the assignments are brought into use and due diligence information has been provided for them, the Bureau continues to take into account the coordination and/or advance publication files of the network in the applicable regulatory procedures till the end of the 7 year regulatory period with or without extension under **S11.44B-S11.44I**, even if these assignments are not notified.

9 Three months before the end of the 7-year regulatory period of assignments, if the assignments are not notified under No. **S11.15** i.e. no first notification (see **APS4** form) on these assignments is received by the Bureau, it shall inform the notifying administration that the assignment will no longer be taken into account by the Bureau and administrations unless they are notified within the 7-year regulatory deadline.

10 At the end of the 7-year regulatory period, the Bureau shall take into account in its examination, only the assignments brought into use, for which due diligence information is provided and for which first notification has been received and for which a first notification has received that confirms the successful completion of all the required coordinations. The notice will then be treated under the applicable procedures of Article **S11** (in particular under **S11.32, S11.32A, S11.41**).

11 A reference to the regulatory five years plus extension or seven years in this Rule should be considered as nine years from the date of publication of the API for satellite networks for which the relevant advance publication information has been received prior to 22 November 1997.

12 See also the Rules of Procedures concerning No. **S11.47**

S11.44.1

See the Rules of Procedures concerning No. **S11.44**

S11.47

According to this provision, the Bureau shall send a reminder and inform the administrations concerned before it cancels the subject entry from the Master Register and/or its files. Considering that administrations can submit and resubmit the notice with a new date of bringing into use within this 5 year period, the Board adopted the following practical procedure for this process with respect to assignments to stations in the space services:

1 When, on expiry of the 15-day period after the date of bringing into use (date) recorded in the MIFR, the Bureau has not received confirmation of the bringing into use of an assignment, a reminder shall be sent to the notifying administration in accordance with

Rule concerning

APPENDIX S7 to the RR

1 Cases have arisen in practice where the coordination contour around an earth station exceeds several hundreds of kilometers and overlaps only a very small part of the territory of an administration (less than a few tens of kilometers). Considering that several conservative assumptions are used in calculating the coordination distance, the Board decided that when the overlapping is less than 5% of the coordination distance, no coordination is required.

2 The examination with respect to the application of Nos. **S9.15**, **S9.17** and **S9.17A** involves the application of the calculation method of Appendix **S7**, using the system parameter values specified in its Tables 7 to 9. In view of the fact that these tables contain multiple sets of parameters in several places (e.g. for analogue and digital modulation), which result in different coordination contours, and in order to ensure completeness in the relevant checks of the conformity with the coordination requirements, the Board decided to instruct the Bureau to use the set of parameters which produces the largest coordination area in a given frequency band whenever multiple sets of parameters are indicated in these Tables. In addition, as the system parameter tables have incomplete information in some of the columns, the Board instructed the Bureau to apply the following approach in this regard:

- To use the parameters in Table 7 for determining the coordination area for a transmitting earth station in a service not mentioned in that table, but allocated with equal rights, based on the fact that all parameters related to the earth station needed for the calculation can be found in the notice form;
 - To use the parameters in Table 8 for determining the coordination area for a receiving earth station in respect to a terrestrial service not mentioned in that table, but allocated with equal rights, under the assumption that the concerned terrestrial service has the same potential of interference as the other terrestrial services listed in the table (see also § 4 of Rules of Procedure under No. **S11.17**).
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PART B

SECTION B1

SUP

PART B

SECTION B2

SUP

PART C

Rules concerning working methods of the Radio Regulations Board

Introduction

These working methods are intended to complement basic provisions which have been included in Article 14 of the Constitution and Article 10 of the Convention and in accordance with the provisions of No. 147 of the Convention (Geneva, 1992).

1 Board meetings

1.1 A meeting of the Board will be held approximately every three months and the specific date for the next meeting will be decided at the end of each Board meeting. Any subsequent change of date will only be made with the agreement of all the members.

1.2 The duration of the meeting will be decided by the Chairman and the Executive Secretary, taking into consideration the agenda of the meeting.

1.3 A convening notice which includes the specific agenda and the duration of the meeting should be prepared by the Executive Secretary of the Board after approval by the Chairman at least three weeks before the meeting and sent to members of the Board.

1.4 The agenda should include the following, as required:

- a)* approval or confirmation of the minutes of the previous Board meeting (See § 1.8);
- b)* approval of the new or revised Rules of Procedure (CS95);
- c)* consideration of Review of Findings which cannot be resolved by the use of the Rules of Procedure (CV171);
- d)* consideration of Reports on Harmful Interference (CV140, CV173);
- e)* consideration of any other matters which cannot be resolved by the Bureau (CS96);
- f)* matters which should be referred to the Radiocommunication Conference (CS95, Resolution 1, APP, Geneva, 1992);
- g)* any item requested by any administration;
- h)* any item requested by any member of the Board;
- i)* any item requested by the Director of the Radiocommunication Bureau;
- j)* miscellaneous (CS97, etc.);

1.5 All documentation should be prepared by the Executive Secretary and distributed to the members normally two weeks before the meeting.

1.6 Meeting attendance will be as follows:

- Members
- Executive Secretary/Director of the Radiocommunication Bureau
- Secretary
- Minute writer(s)

The Director of the Radiocommunication Bureau may be accompanied by any necessary staff of the Bureau on a case-by-case basis.

1.7 The Board shall endeavour to reach its decisions unanimously. If it fails in that endeavour, a decision shall be valid only if at least two-thirds of the members of the Board vote in favour thereof. Each member of the Board shall have one vote; voting by proxy is not allowed (see CV146).

1.8 The minutes should clearly indicate whether the decision was unanimous or by majority. Minutes should be approved after consultation between members of the Board and shall normally be circulated at least one month before the start of the following meeting by the Executive Secretary.

1.9 A summary of decisions should be prepared by the Executive Secretary in a tabular form (subject, decision, follow-up) and approved by the Chairman of the Board.

2 Rules of Procedure

2.1 Establishment or revision of Rules of Procedure

2.2 Draft new Rules or draft revision of the existing Rules should be prepared by the Director of the Radiocommunication Bureau and the draft should be submitted to the Board for approval.

2.3 In submitting the draft Rules, the Director should also submit relevant material which explains the practical necessity of the new or revised Rules, as well as its possible impact on administrations, and other background information.

2.2 Possible review of Rules after publication

2.2.1 The Rules are effective when approved by the Board. However, if comments are received from any administration after publication, the Board will review the Rules taking into account those comments collected by the Director from administrations and submitted to the Board and revise the Rules, if appropriate (CV169).

2.2.2 If there is continuing disagreement, the matter shall be submitted to a forthcoming World Radiocommunication Conference (CS95).

3 Review of Findings

3.1 Any review of a Finding which is requested by an administration and which cannot be resolved by the use of the Rules of Procedure shall be submitted to the Board with the information indicated below (CV171):

- a) Brief explanation on the case including the history of the case.
- b) All relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to that administration.
- c) Brief statement by the Director to clarify the view of the Radiocommunication Bureau.

3.2 The Board will decide on the appropriate action.

4 Recommendations on interference

4.1 When an administration has requested an investigation for the resolution of a case of harmful interference in accordance with CV173, and the case has not been resolved within three months after efforts by the Director following the established procedures in the Radiocommunication Bureau, a report shall be submitted to the Board, which includes the following:

- a) Brief explanation of the case which will include the degree of reported interference, history of the reported interference and the status of notification of the concerned assignments.
- b) All relevant documents which were received from the concerned administrations and those relevant documents which were sent by the Director of the Radiocommunication Bureau to that administration.
- c) Brief statement by the Director to clarify the view of the Radiocommunication Bureau.

4.2 The Board will decide on the appropriate action.

5 Any other matters that cannot be resolved by the Bureau through the application of the Rules of Procedure

The Director may raise any such matter. Such cases will be handled by the Board on a case-by-case basis (CS96).
