



Radiocommunication Bureau (BR)

Circular Letter
CR/379

16 February 2015

To Administrations of Member States of the ITU

Subject: Minutes of the 67th meeting of the Radio Regulations Board

Pursuant to the provisions of Nos. 13.18 of the Radio Regulations and in accordance with §1.10 of Part C of the Rules of Procedure, please find attached the approved minutes of the 67th meeting of the Radio Regulations Board (17-21 November 2014).

These minutes were approved by the Members of the Radio Regulations Board by electronic means and are available on the RRB pages of the ITU web site.

A handwritten signature in blue ink, appearing to be 'FRANCIS RANCY'.

François Rancy
Director

Annex : Minutes of the 67th meeting of the Radio Regulations Board

Distribution:

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

Radio Regulations Board
Geneva, 17-21 November 2014



Document RRB14-3/9-E
16 December 2014
Original: English

MINUTES*
OF THE
67th MEETING OF THE RADIO REGULATIONS BOARD

17-21 November 2014

Present: Members, RRB
Mr S.K. KIBE, Chairman
Mr M. ŽILINSKAS, Vice-Chairman
Mr M. BESSI, Mr A.R. EBADI, Mr P.K. GARG, Mr Y. ITO,
Mr S. KOFFI, Mr A. MAGENTA, Mr B. NURMATOV,
Mr V. STRELETS, Mr R.L. TERÁN, Ms. J. ZOLLER

Executive Secretary, RRB
Mr F. RANCY, Director, BR

Précis-Writers
Mr T. ELDRIDGE and Ms A. HADEN

Also present: Mr M. MANIEWICZ, Deputy-Director, BR and Chief, IAP
Mr Y. HENRI, Chief, SSD
Mr A. MENDEZ, Chief, TSD
Mr A. MATAS, Head, SSD/SPR
Mr M. SAKAMOTO, Head, SSD/SSC
Mr. B. BEN, TSD/TPR
Mr N. VASSILIEV, TSD/FMD
Mr M. GRIFFIN, SSD/SNP
Mr T. PHAM, SSD/SNP (Acting Head, SSD/SNP)
Mr P. AUBINEAU, SGD
Mr V. TIMOFEEV, Special Adviser to the Secretary-General
Mr D. BOTHA, SGD
Ms K. GOZAL, Administrative Secretary

* The minutes of the meeting reflect the detailed and comprehensive consideration by the members of the Radio Regulations Board of the items that were under consideration on the agenda of the 67th meeting of the Board. The official decisions of the 67th meeting of the Radio Regulations Board can be found in Document RRB14-3/8.

Subjects discussed	Documents
1 Opening of the meeting	-
2 Documents before the present Board meeting	-
3 Report by the Director of BR	RRB14-3/1 + Add.1+2
4 Consideration of draft new rules of procedure reflecting decisions of WRC-12 and draft updates to the existing rules of procedure, along with comments from administrations	CCRR/52; RRB14-3/2
5 Request for a decision by the Radio Regulations Board to cancel certain frequency assignments of the ARABSAT BSS 6F satellite network at 44.5° E in accordance with No. 13.6 and the provisions of Appendices 30 and 30A	RRB14-3/3
6 Request for a decision by the Radio Regulations Board for cancellation of some frequency assignments to the PALAPA-C1 and PALAPA-C1-K satellite networks under No. 13.6 of the Radio Regulations	RRB14-3/5
7 Consideration of the status of the LSTAR4B satellite network at 126° E	RRB14-3/6, RRB14-3/7, RRB14-3/DELAYED/1, RRB14-3/DELAYED/2
8 Report by the Working Group on the Rules of Procedure	RRB12-1/4(Rev.11)
9 Consideration of issues related to Resolution 80 (Rev.WRC-07)	RRB14-3/INFO/1
10 Chairmanship and vice-chairmanship of the Board for 2015	-
11 Confirmation of the dates of the next meeting and meeting schedule for 2015	-
12 Briefing by RRB representatives to PP-14	RRB14-3/INFO/2, RRB14-3/INFO/3
13 Representation of the Board at the forthcoming meeting of the Special Committee on Regulatory/Procedural Matters	-
14 Approval of the summary of decisions	RRB14-3/8
15 Closure of the meeting	-

1 Opening of the meeting

1.1 The **Chairman** opened the meeting at 0900 hours on Monday, 17 November 2014 and welcomed participants to Geneva. He congratulated those members of the Board who had been re-elected by PP-14 to serve another term of office, and commended the outgoing Board members for all they had contributed to the work of the Board over the past eight years.

1.2 The **Director** echoed the Chairman's words, adding that the recent plenipotentiary conference had fully recognized the ever increasing importance of the work carried out by the Board. He wished the Board a very successful 67th meeting.

1.3 **Mr Žilinskas** said that the Director was also to be congratulated upon his re-election for another four-year term of office.

1.4 Several Board members took the floor to congratulate the Director and those Board members who had been re-elected for a second term of office, and to commend the outgoing Board members for their years of service to the Board and ITU. They noted that the fact that all the Board members standing for re-election had been re-elected could be deemed to reflect the ITU membership's satisfaction with the work carried out by the Board as a whole.

1.5 **Chief SSD** said that there had been excellent cooperation between the two Board members officially representing the Board at PP-14, all other Board members present at the conference, and those representatives of the Bureau there. He thanked all concerned.

2 Documents before the present Board meeting

2.1 **Chief SSD** said that Document RRB14-3/4, containing a request from the Bureau for a decision by the Board to cancel frequency assignments in the bands 10 950-11 200 and 13 750-14 000 MHz to the USASAT-13I-2 and USASAT-55G satellite networks, and in the band 10 950-11 200 MHz band to the USASAT-25D satellite network under No. 13.6 of the Radio Regulations, had been withdrawn because the United States Administration had informed the Bureau of its acceptance of the Bureau's conclusions regarding the cancellation of the frequency assignments in question.

2.2 The Board **agreed** that two late submissions to the present meeting, Documents RRB14-3/DELAYED/1 and RRB14-3/DELAYED/2, from the Lao People's Democratic Republic and China, respectively, which concerned an item on the agenda of the Board's present meeting, would be taken up for information purposes under that item.

3 Report by the Director of BR (Document RRB14-3/1 and Addenda 1 and 2)

3.1 The **Director** introduced his report in Document RRB14-3/1 and Addenda 1 and 2, drawing attention to the actions taken by the Bureau arising from decisions by the Board at its 66th meeting, as indicated in Annex 1 to the report. With regard to the harmful interference to the sound and television broadcasting services caused by Italy to its neighbours, Chief TSD and he had travelled to Rome to meet the Italian authorities and Italian broadcasting operators on 22 and 23 September 2014. As shown by the report of that meeting (in Addendum 1 to Document RRB14-3/1), there was more good news than bad. A new frequency plan had been approved on 23 September 2014, which the Italian authorities said had been discussed with neighbouring countries. The Bureau, however, had not seen the plan prior to the meeting. It was gratifying to note that 76 assignments involved in the most critical cases of harmful interference had been removed. A first agreement had been signed by Italy and Slovenia on FM broadcasting in June and the Italian legislation seemed to be moving in the right direction, but in mid-November the Bureau had heard that the decree to organize the

reverse auction to terminate the use of frequency assignments that were causing interference was being delayed, and that the closing date of the reverse auction had been postponed from 31 December 2014 to 30 April 2015. Overall, the pressure on the Italian Government was producing results. There was progress along the right track, but the pressure needed to be kept up.

3.2 **Mr Strelets** congratulated the Director and Chief TSD on their work, noting that it was the first time in four years that there had been no submissions to the Board meeting concerning harmful interference from Italy to neighbouring countries. Referring to § 8 of Addendum 1 to Document RRB14-3/1, he observed that the interest of Italian broadcasters in having the GE06 Plan amended appeared to be encouraging. He asked whether ITU had the right to become involved in the relationship between the Italian broadcasters and the Italian authorities.

3.3 The **Director** said that the meeting with the Italian broadcasters was probably the most difficult part of the mission that the Board had asked him to undertake. The problems between the Italian broadcasters and the Italian authorities outlined in § 8 were certainly internal matters and it was made clear that the ITU was concerned with resolving difficulties at international level, noting that these difficulties resulted from internal matters that need to be, and are, addressed by Italian stakeholders. The Italian broadcasters are seeking continued access to spectrum resources below 700 MHz once the 700 MHz band will have been allocated to the mobile service.

3.4 **Mr Strelets** welcomed the confirmation by the Director that the Bureau did not interfere in internal matters between broadcasters and authorities.

3.5 **Mr Bessi** thanked the Director and Chief TSD for their efforts and congratulated the Administration of Italy on the progress made. Referring to § 3 of Addendum 1 to Document RRB14-3/1 and the law mentioned in regard to discontinuing the use of frequency assignments that did not correspond to the new frequency plan, he asked how that law was linked to the ministerial decree implementing the plan.

3.6 The **Director** said that the decree was expected to come into force at the beginning of January 2015, and the reverse auction was expected to take place four months later.

3.7 **Mr Žilinskas** asked what progress had been made in regard to sound broadcasting.

3.8 The **Director** said that the 800 MHz band had been discussed at the European level since 2007 and its use had been agreed, with some justifiable exceptions. Currently, the 700 MHz band was being discussed in regard to its use as from 2020. With regard to sound broadcasting, a new law was being discussed in Italy that would put an end to the current free-for-all situation.

3.9 The Board **agreed** to conclude on Addendum 1 to Document RRB14-3/1 as follows:

“The Board discussed in detail Addendum 1 to Document RRB14-3/1 containing the Report of the Director, Radiocommunication Bureau, on the issue of harmful interference to the sound and TV broadcast services caused by Italy to its neighbours. The Board noted the efforts of the Bureau to resolve the issue, through detailed discussions and a visit to the Italian administration, in line with the decisions of the Board at its previous meetings.

The Board noted that substantial progress had been made by the Italian administration and a significant part of the harmful interference was expected to be resolved by the process of a “reverse auction” as required by legislation. However, the Board regrets that the associated decree is still not published and the date for switching off the remaining 76 interfering assignments is now delayed until 30 April 2015 (from the earlier expected date of December 2014).

The Board greatly appreciated the efforts of the Bureau towards resolving this difficult issue and urged the Director to continue these efforts for achieving a complete solution at the

earliest possible date. The Board instructed the Bureau to report to the 68th meeting on progress with respect to this issue.”

3.10 The **Director** drew attention to Addendum 2 to Document RRB14-3/1, concerning the coordination of satellite networks around 116° E. The Bureau had brought together representatives of the Administrations of the Republic of Korea and Papua New Guinea, as well as satellite operators KTSAT and ABS at ITU headquarters in Geneva on 10-11 September 2014 and in Busan, Republic of Korea, on 16-19 and 25 October 2014. The same delegations plus a delegation from China including the satellite operator CHINASATCOM had met in Busan on 20-24 October 2014. The result had been the signature of an agreement between the Korea and Papua New Guinea operators, confirmed by a formal agreement between the corresponding Administrations. The Administration of Papua New Guinea had withdrawn its challenge under No. 13.6 to the status of the Republic of Korea’s satellite network. Discussions were continuing during the present week between the Republic of Korea and China, and if these discussions were inconclusive, the matter would be further discussed under the auspices of the Bureau.

3.11 **Mr Ebadi** congratulated the Bureau on the result and asked why China had been brought into the picture. **Mr Ito** also wished to raise the same question, as well as to express appreciation of the great efforts made by the Director and the Bureau.

3.12 The **Director** recalled that at its 66th meeting the Board had instructed the Bureau to “assist the administrations concerned”. Depending on the bands being considered, each of the three Administrations mentioned has priority over one or two of the others. To resolve the difficulty between Papua New Guinea and the Republic of Korea, it had been necessary to bring into the equation a band where China had priority. There had been a trilateral meeting to resolve that complicated matter, and subsequently Papua New Guinea and the Republic of Korea had again met bilaterally to reach agreement.

3.13 **Mr Garg** appreciated the tremendous efforts made by the Director and the Bureau. He asked whether the discussions currently under way between the Republic of Korea and China risked jeopardizing the agreement reached between Papua New Guinea and the Republic of Korea. Avoiding such a risk was the reason for specifying that the Bureau should extend its assistance to include all administrations concerned.

3.14 The **Director** said that the tripartite meeting in Busan had shown how an agreement between the Republic of Korea and China could avoid jeopardizing the agreement reached between Papua New Guinea and the Republic of Korea. The current discussions seemed to be moving along the right track.

3.15 **Mr Strelets** thanked the Director and Chief SSD for resolving the matter successfully. Under No. 13.6, Papua New Guinea had requested the Bureau to investigate whether another administration was actually using its frequency assignments. Referring to the last paragraphs of the Board’s instructions to the Bureau at the 66th meeting (§ 5.17 of Document RRB14-2/20 – Minutes of the 66th meeting), he said that it appeared that the investigations had not been completed and thus the Bureau had not submitted a report on the results of its investigations to the 67th meeting of the Board. The Board had nevertheless received a report on the meetings that had taken place. With regard to § 4 of Addendum 2 to Document RRB14-3/1, he observed that it was up to the Bureau rather than the administration to stop an investigation under No. 13.6. The Bureau should check whether or not the Republic of Korea was using the frequency assignments concerned in accordance with the notified characteristics.

3.16 The **Director** said that the Bureau had been satisfied with the exchange of information during the discussions and would close its investigations under No. 13.6. Papua New Guinea had challenged the right to use one satellite for two networks, and a key element was the date of transfer of ownership. The two administrations had agreed that the date of transfer should be the last day of

the negotiations, which had been made more difficult by prime-time public exposure of the conflict in the Republic of Korea.

3.17 **Mr Strelets** thanked the Director and Chief SSD for their work in fostering a spirit of cooperation and mutual understanding, making it possible to cater to the interests of all parties concerned.

3.18 The **Chairman** expressed the thanks of the entire Board for the outcome achieved.

3.19 **Mr Bessi** said that the Board should also congratulate the Administrations of Papua New Guinea and the Republic of Korea for their spirit of cooperation to find a solution. Recalling that, at its 66th meeting, the Board had decided to defer its final decision until the 67th meeting, he proposed that the Board should take note of the results achieved by the two administrations to date and await a report on further results from the ongoing discussions.

3.20 The **Director** confirmed that progress had been made but the work was not yet finished.

3.21 **Mr Žilinskas** congratulated the Director and the Bureau on the enormous amount of work done successfully at the Board's request.

3.22 The Board **agreed** to conclude on Addendum 2 to Document RRB14-3/1 as follows:

“Following the decision of the Board at the 66th meeting, the Board examined in detail Addendum 2 to Document RRB14-3/1 regarding the coordination of satellite networks around 116° E; in particular, details of the informal meeting on the side-lines of the Asia Pacific Telecommunity Conference Preparatory Group in Brisbane, coordination meetings between the Republic of Korea and Papua New Guinea in Geneva in September 2014 and in Busan, Republic of Korea, in October 2014 were noted. The Board also noted that another meeting between the Republic of Korea and China is in progress from 17 to 21 November 2014.

The Board appreciated the efforts of the Bureau in resolving this complex and involved issue and urged the Director to continue these efforts for achieving an early solution. The Board instructed the Bureau to report to the 68th meeting on progress with respect to this issue.”

3.23 **Chief SSD**, introducing the sections of the Director's report related to space systems, drew attention to § 2 and Annex 3 to Document RRB14-3/1, dealing with the processing of filings for space systems. Implementation of cost recovery for satellite network filings (late payments) was covered in § 3 and Annex 4, which contained a list of satellite network filings for which payment had been received after the due date but prior to the BR IFIC meeting that would have cancelled them, and which the Bureau continued to take into account. Annex 4 also listed the satellite network filing cancelled as a result of non-payment of invoice. Implementation of No. 13.6 and other provisions of the Radio Regulations, dealt with in § 5 of the report, gave rise to no particular comment. The change of notifying administration from Saudi Arabia to Qatar for the ARABSAT-AXB26E_KU satellite network filings was noted in § 6, having been confirmed by both administrations concerned and the legal representative of ARABSAT intergovernmental organization in conformity with the Rules concerning the treatment of change of Notifying administration.

3.24 **Ms Zoller** observed that the change in notifying administration had been made possible by the Board's previous decision (§ 5.19 of Document RRB13-3/8 – Minutes of the 64th meeting) allowing the C bands and Ku bands to be split. She asked whether any difficulties had arisen in that process.

3.25 **Chief SSD** said that there had been no problems with splitting the bands, and the Bureau would inform the Board about any similar procedures in the future.

3.26 Responding to points raised by **Mr Strelets**, the **Director** confirmed that the rights and obligations regarding the ARABSAT-AXB26E_KU satellite network filings would be taken on by Qatar. Furthermore, he said that the table in § 5 of Document RRB14-3/1 relating to suppression of coordination requests would be expanded to cover six years, as indicated in the text of § 5.

3.27 Referring to Annex 4 to Document RRB14-3/1 and the satellite network filing cancelled as a result of non-payment of invoice, **Mr Ebadi** asked whether API was subject to cost recovery.

3.28 **Chief SSD** confirmed that Council Decision 482 indeed included small amounts to be paid for publication of advance publication of a non-geostationary-satellite network not subject to coordination under Sub-Section IA of Article 9.

3.29 **Chief TSD**, introducing the sections of the Director's report related to terrestrial systems, drew attention to § 2 and Annex 2 to Document RRB14-3/1, noting that all processing by the Bureau was within the regulatory deadlines. Instances of harmful interference were presented in the tables in § 4 of the report. Responding to a question by **Mr Garg** regarding § 4.2 of Annex 2, he said that the earliest date of receipt of the terrestrial notices examined in the bands shared with the space services (which depended on the completion of the examinations related to the associated space service notifications in process) was 22 September 2014.

3.30 **Mr Garg** expressed satisfaction with that speed of processing and commended the Terrestrial Services Department for keeping the processing of terrestrial notices within the regulatory deadlines.

3.31 **Mr Žilinskas** congratulated TSD for successfully processing 23 850 notices in the FXM services between 1 July and 30 September 2014. He asked whether any submissions had been received from Cuba.

3.32 **Chief TSD** said that the Bureau had received no submissions from Cuba concerning the Ku band. The **Director** added that no such submissions had been received since 2013.

3.33 The Director's report (Document RRB14-3/1 and Addenda 1 and 2) was **noted**.

4 Consideration of draft new rules of procedure reflecting decisions of WRC-12 and draft updates to the existing rules of procedure, along with comments from administrations (Circular Letter CCRR/52; Document RRB14-3/2)

4.1 The **Chairman** recalled that at its 66th meeting the Board had discussed draft rules of procedure on Nos. 11.50 and 11.44B and had requested the Bureau to circulate revised texts of the two rules to administrations for comment. The revised texts of the two rules were now before the Board in Circular Letter CCRR/52, along with comments received on them from nine administrations as presented in Document RRB14-3/2.

4.2 **Mr Bessi** recalled the Board's earlier decision that, since rules of procedure concerned all administrations, all Board members were free to participate in their discussion even if their administration had submitted comments on the draft rules before the Board.

4.3 The **Chairman** confirmed that position. He invited the Board to take up the draft rules on No. 11.50 as contained in Circular Letter CCRR/52, along with the comments received from administrations.

Draft rules on No. 11.50

4.4 **Chief SSD** said that, following the Board's discussion of the draft rules on No. 11.50, the revised text circulated to administrations had drawn comments from seven administrations, as

reproduced in Document RRB14-3/2. The Administrations of Armenia, Canada and the Russian Federation saw no objection to the draft rules on No. 11.50 sent out in Circular Letter CCRR/52. The Administration of Brazil raised various questions without proposing precise modifications. The Administration of Indonesia proposed changes of an administrative nature, regarding the periods in which administrations were to respond to correspondence from the Bureau. Issues of substance, as well as editorial improvements, were raised by the Administrations of the United States and France.

4.5 The **Chairman** invited the Board to consider the draft rule on No. 11.50 section by section. He noted there were no comments on the introductory paragraph.

4.6 Regarding § 1, **Chief SSD** drew attention to the proposal by the United States to include the clause “to the extent consistent with No. 7.4A of the Radio Regulations”. The same amendment had been put forward by the United States at the Board’s previous meeting. Noting that No. 7.4A dealt with the application of Nos. 9.35 and 9.36 when a WRC decision became applicable between the coordination and notification stages, he said that the Bureau saw no problem in accepting the proposed amendment.

4.7 **Mr Ebadi** recalled that at its 66th meeting the Board had decided not to accept that proposed amendment, given the ambiguity of the phrase “to the extent consistent”. He preferred to retain § 1 as presented in Circular Letter CCRR/52.

4.8 **Mr Strelets** said that the Bureau was presumably already applying No. 7.4A to the extent that it was applicable and that should simply be noted.

4.9 **Mr Garg** agreed with Mr Ebadi. To his understanding, No. 7.4A related above all to new assignments, whereas No. 11.50 dealt with the review of earlier assignments based on conference decisions revising allocations.

4.10 **Chief TSD** said that to his understanding No. 7.4A related essentially to new assignments.

4.11 **Mr Bessi** saw no contradiction between No. 7.4A and No. 11.50. Rather, the wording of the United States’ proposed amendment appeared to be posing problems of interpretation; after all, the whole of Article 7 was to be applied, where applicable. He would prefer to retain § 1 unchanged, perhaps noting an explanation on the applicability of No. 7.4A vis-à-vis No. 11.50 in the minutes of the meeting.

4.12 The **Director**, supported by **Mr Ebadi**, suggested that it might be more understandable to indicate simply: “shall be revised consistent with Article 7 of the Radio Regulations...”.

4.13 Following further comments by **Mr Žilinskas**, **Mr Ebadi** and **Mr Garg** as to the precise applicability of the different sections of Article 7 to the rule under consideration and its associated provision, **Chief SSD** said that all the decisions taken by the Bureau had to be consistent with all the provisions of the Radio Regulations, including Article 7 and its constituent parts. On that understanding, the Board might agree to retain unchanged the text of § 1 as contained in Circular Letter CCRR/52.

4.14 It was so **agreed**.

4.15 Regarding § 2, **Chief SSD** drew attention to the modifications proposed by Indonesia, which consisted in establishing a three-month deadline for the notifying administration to respond to the initial correspondence sent by the Bureau. If the Board accepted the proposal, it would be preferable to state periods or deadlines in terms of precise numbers of days rather than months, since months varied in length.

4.16 **Mr Strelets** noted that the reasons given by Indonesia for its proposed amendment were that a change of allocation would result in numerous changes to a recorded assignment; he questioned whether that would necessarily be the case. The section under consideration dealt with

the procedure to be followed by the Bureau – the steps to be taken by the administration concerned were clear enough – and Indonesia’s proposal would result in a lot of work for the Bureau simply to reach agreement on how to proceed. Moreover, no other administration had proposed any change to that part of the rule. He would prefer to leave § 2 unchanged.

4.17 **Ms Zoller** agreed with Mr Strelets. Indonesia’s intention might be to align the procedure under consideration with that of No. 13.6. However, whereas under No. 13.6 an administration was invited to provide additional information on bringing into use and continuation of use, no action was required on the part of an administration under the procedure in the draft rule. If the WRC chose to change an allocation, surely there was nothing an administration could do about it. She considered that the process should not be drawn out if the outcome was to be the same anyway.

4.18 **Mr Garg**, while recognizing the validity of the points made by the two previous speakers, said that the modification proposed by Indonesia should be considered within the context of the administrative problems often faced by the administrations of developing countries when it came to compliance with regulatory periods and deadlines. He proposed therefore that a 60-day period be retained for the administration to respond to the Bureau’s initial correspondence as referred to in § 2.

4.19 **Mr Bessi** said that the steps taken by the Bureau could include the suppression of assignments, and there should be some way of ensuring that the administration concerned agreed with that course of action before enacting it – especially given the possibility of maintaining assignments under No. 4.4 of the Radio Regulations. Indonesia sought to provide a means of ensuring that the administration agreed with the course of action envisaged. Three months was, however, unnecessarily long; 30 days would be sufficient.

4.20 **Mr Ito** urged the Board not to discuss every detail of the process at such length. When the WRC decided to change an allocation, it would surely discuss the related dates and periods in depth, taking particular account of the potential effects on administrations.

4.21 **Mr Ebadi** said he had every sympathy with developing countries like Indonesia and the problems they faced, and was therefore sympathetic towards the proposed modification. However, the important thing for developing countries was not so much the length of periods given for replies, as the fact that there should be two rather than one reminder.

4.22 **Mr Koffi** favoured a 60-day period for the administration to respond to the Board’s initial correspondence.

4.23 **Chief SSD** commented that a 60-day period to reply was unprecedented in the context of application of the Radio Regulations.

4.24 **Mr Bessi** suggested that to be consistent with other provisions of the Radio Regulations and associated rules of procedure, the Board should agree to an initial 30-day period for the administration to reply, at the end of which a reminder would be sent giving a further 30 days for response, and that § 2 therefore be retained unchanged.

4.25 It was so **agreed**.

4.26 Regarding § 3, **Chief SSD** said that the United States proposed a modification to the effect that suppression from the Master Register would not be automatic: the assignments would be retained for operation under No. 4.4 and No. 8.5, unless the notifying administration specifically requested their suppression. That proposal had been discussed at the Board’s 66th meeting based on a proposal by the United States, and had been rejected, it being understood that the application of No. 4.4 required an explicit request from an administration involving its commitment to operate without causing harmful interference to, or requiring protection from, stations operating in

conformity with the Radio Regulations. Several administrations favoured leaving the text of § 3 as it appeared in Circular Letter CRR/52.

4.27 **Mr Bessi** considered that the arguments put forward at the Board's 66th meeting remained valid, and § 3 should be retained unchanged – although a sentence could be added to the effect that administrations would be informed of the Bureau's intention to suppress the assignments concerned, giving them the opportunity to request the application of No. 4.4 and thus covering the United States' proposal.

4.28 **Mr Strelets** considered that there was some merit in the United States' proposal: No. 4.4 gave no legal protection, but it meant that other administrations would be aware of the existence of equipment in orbit that could affect them.

4.29 **Mr Bessi** said that it was the responsibility of the Bureau and Board to ensure that the MIFR was kept as up-to-date and "clean" as possible. If an administration had equipment in orbit, it was up to that administration itself to request the application of No. 4.4. If the Bureau was to apply No. 4.4 at its own behest, equipment might continue to be taken into account despite no longer being used. Administrations should be required to request the application of No. 4.4 explicitly.

4.30 **Mr Žilinskas** said that the additional sentence proposed by Mr Bessi would meet all the concerns expressed.

4.31 **Mr Ebadi** said that the important point was that administrations should be informed that assignments were to be suppressed, since they would then have the opportunity to request the application of No. 4.4

4.32 **Chief SSD** said that § 2 of the draft rule applied to all of the following paragraphs under § 3-6, and required the Bureau to inform administrations of the suppression of assignments and the possibility of applying No. 4.4. Thus, Mr Bessi's proposed additional sentence was already covered.

4.33 The **Chairman** suggested, in the light of that explanation and the entire discussion, that § 3 be retained unchanged.

4.34 It was so **agreed**.

4.35 **Chief SSD** drew attention to the modification proposed by France to § 4 of the draft rule. He recalled that the text which the Board had discussed at some length at its 66th meeting had been in line with the modification now proposed by France, but the Board had agreed that the text should be modified to produce the version now before the Board. **Mr Ebadi** endorsed those comments.

4.36 The **Chairman** concluded that the Board should not retain the modifications proposed by France.

4.37 It was so **agreed**.

4.38 **Chief SSD** said that the first modification proposed by the United States to § 4 appeared to be covered by § 2 of the draft rule, and that country's second proposal appeared simply to seek to clarify the whole paragraph.

4.39 **Mr Bessi** said that the United States' second proposed modification would simply repeat the substance of the first sentence of § 4.

4.40 It was **agreed** that the proposals submitted by the United States for § 4 would not be retained.

4.41 **Chief SSD** drew attention to the comments from Brazil, calling for greater clarity in § 4. In the absence of any specific proposed text, he suggested that, in the light of Board members' comments at the present and past meetings, and its decision not to change the text of § 4 to incorporate the United States' proposals, the Board might consider that it had taken due account of Brazil's comments.

4.42 The **Chairman** agreed, and suggested that the text of § 4 be kept unchanged.

4.43 It was so **agreed**.

4.44 Regarding § 5 and § 6, it was **agreed** to accept the changes proposed by the United States, as improvements to the text.

4.45 Regarding the comments received from Brazil calling for greater clarity in § 6, **Chief SSD** noted that Brazil did not propose any specific new text. The Board might nevertheless deem that, with the incorporation of the improvements proposed by the United States, due account had been taken of Brazil's concerns.

4.46 It was so **agreed**.

4.47 The **Chairman** suggested that the Board accept the changes proposed by France regarding § 7 as improvements to the text, and agree to retain § 8 unchanged.

4.48 It was so **agreed**.

4.49 Subject to some further, minor editorial refinements, the draft rule of procedure on No. 11.50, as amended, was **approved**, effective as of 21 November 2014.

4.50 **Mr Strelets** welcomed the fact that, after four years of work by the Bureau, WRC and the Board on that complex subject, the Board had at last approved a rule of procedure which he thought would meet the concerns of all parties.

Draft rules on No. 11.44B

4.51 **Chief SSD** said that the comments from administrations on the proposed rules on No. 11.44B fell into three broad categories: those of an editorial nature that improved the readability of the text (Canada, United States); substantive choices between the text of ADD 6 and ADD 6 alternative; and views that called into question the very need for rules of procedure on No. 11.44B. He noted that ADD 6 was strictly in line with the Radio Regulations, whereas ADD 6 alternative – which several administrations preferred was going somewhat beyond the Radio Regulations, whilst responding to the concerns expressed by administrations in their comments to the draft proposed rule of procedure. Two administrations (Luxembourg and the United Arab Emirates) commented on the introduction of a link between the date of receipt of notification and confirmation of bringing into use.

4.52 **Mr Bessi** asked for the Bureau's opinion on the Russian Administration's understanding of No. 11.44B of the Radio Regulations, which linked bringing into use with the notified orbital position, rather than with the frequency assignments. If that understanding was correct, then the provision No. 11.44B of the Radio Regulations was sufficient and there was no need for a rule of procedure.

4.53 **Chief SSD** recalled that the matter had been discussed at the Board's 66th meeting, and the comments by the Russian Federation took that discussion into account. The Russian Federation concluded indeed that if its understanding was correct, then there was no need for a rule of procedure. Otherwise, it would support ADD 6 alternative, with some amendments to clarify the text.

4.54 **Mr Strelets** pointed to the lack of support for ADD 6, which administrations considered did not reflect the decision of the conference, because the conference had not intended to link date of notification with confirmation of bringing into use. Three administrations said that there was no need for a rule of procedure. Other administrations supported ADD 6 alternative, which according to the Bureau was not in line with the Radio Regulations. He asked whether there was a need to add to the existing rules of procedure on 11.44B. The Board had approved rules of procedure on 11.44B after the conference and should consider whether there was really any point in trying to improve them.

4.55 **Mr Ito** raised a different concern, which was reflected in the text that he had contributed to the Board's report under Resolution 80. What would happen if an administration failed to inform the Bureau within 30 days following the end of the 90-day period that it had brought an assignment into use, and then said that it would notify the system and immediately suspend it? The Board had already been faced with that question. The provision required continuous operation for a period of 90 days, up to the point of notification. The provision did not say what would happen if notification took place after deployment had ceased. He could go along with ADD 6 alternative, but the conference should be informed of the problem of what to do if notification did not take place as specified. He noted that a similar problem existed in regard to No. 11.49.

4.56 **Mr Ebadi** recalled that the Board had previously discussed the matter at length and failed to reach consensus. The Bureau had suggested ADD 6 alternative as a temporary measure but Mr Ito had pointed out that even that text did not resolve the problem. The matter should be brought to the attention of WRC-15 through the Board's report under Resolution 80, and the conference should decide what to do. Meanwhile, the Board should ask the Bureau if it could handle cases without any additional rules of procedure.

4.57 **Mr Žilinskas** reiterated the concern expressed by Mr Ito. Three administrations considered that there was no need for a rule of procedure, while others supported ADD 6 alternative, which was not in line with the Radio Regulations. A broad discussion of the matter was needed.

4.58 **Mr Bessi** said that neither of the approaches suggested by administrations (doing without additional rules of procedure or adopting ADD 6 alternative) would resolve the problem. He agreed that the matter should be brought to the attention of the WRC through the Board's report under Resolution 80.

4.59 **Chief SSD** said that, in dealing with cases under No. 11.44B, the Bureau applied the process reflected in the draft rule of procedure designated ADD 6 and to date had not faced any difficulty, knowing that in due course the conference would decide how the matter should be handled. In his view, the first point to be clarified by the Board was whether additional rules of procedure on No. 11.44B were needed at all.

4.60 **Mr Strelets** said that the Board would be continuing its work on the matter as part of its activity under Resolution 80 and would examine the problem in depth and at length, with a view to proposing a solution to WRC-15. It would then be up to the conference to decide what to do.

4.61 **Mr Ito** asked how the Bureau applied No. 11.44B in a case where a network was deployed for a 90-day period but the administration concerned did not notify the Bureau within 30 days following the end of that period. In his understanding, the Bureau required the network to be operating up to the date of notification. Hence, if a network had been deployed for 90 days at some period prior to 120 days before the receipt of the notification information, then the Bureau would not consider the assignment to be in conformity with No. 11.44B.

4.62 **Chief SSD** confirmed that the Bureau applied No. 11.44B as outlined in ADD 6 in Circular Letter CCRR/52 and that Mr Ito's understanding was correct. The Bureau took the date of bringing into use of the network into account, 120 days before the receipt of the notification, only if there

was continuity of service up until the date of receipt of notification, and the Bureau checked to verify that a satellite had been actually deployed during that period.

4.63 **Mr Bessi** said that the Board should not adopt new rules of procedure on No. 11.44B but should pursue its work on the matter under Resolution 80. He nevertheless suggested that, for reasons of transparency, the Board should note the practice of the Bureau in applying No. 11.44B.

4.64 **Chief SSD** said that the Bureau's activity in that respect should not be qualified as a "practice". Rather, the Bureau applied the provision as described in Circular Letter CR/343.

4.65 **Ms Zoller** recalled that the Board had asked the Bureau to prepare additional rules of procedure on No. 11.44B. If the Bureau had no difficulty in applying No. 11.44B, then in accordance with Nos. 13.0.1 and 13.0.2 of the Radio Regulations the Board could discard the draft rules. However, it was evident from the comments received from administrations that, among the administrations that wanted additional rules of procedure on No. 11.44B, there was a clear preference for ADD 6 alternative, whereas the Bureau applied ADD 6. Also, administrations did not want to link bringing into use with notification. She considered that the matter should be discussed under Resolution 80.

4.66 **Mr Garg** agreed with Ms Zoller. Administrations should be informed of the way in which the Bureau was applying No. 11.44B, and for that reason the Board had asked the Bureau to draft additional rules of procedure. It now seemed preferable for the Board to discuss the matter under Resolution 80 and leave it to WRC-15 to decide how to proceed. Meanwhile, perhaps the Board should approve ADD 6, which reflected the Bureau's application of the provision.

4.67 **Mr Strelets** emphasized that administrations had not accepted the Bureau's method of applying No. 11.44B as described in Circular Letter CR/343, which had been circulated for information. Neither did administrations accept ADD 6 in the draft rules of procedure currently before the Board in Circular Letter CRR/52. Three administrations commented that there should be no additional rules of procedure, while those that agreed to additional rules were in favour of ADD 6 alternative. He proposed that there should be no new rule of procedure on No. 11.44B and that WRC-15 should be requested to decide on the matter. Meanwhile, the Board should instruct the Bureau to apply ADD 6 alternative. WRC-12 had not intended to link confirmation of bringing into use with the date of notification of frequency assignments.

4.68 **Mr Ebadi** said that, according to No. 13.12A of the Radio Regulations, a practice of the Bureau should be reflected in a rule of procedure. The approach described in Circular Letter CR/343, however, could not be described as a practice of the Bureau because there were numerous objections to it. Perhaps an interim approach could be indicated in the minutes, on the understanding that the matter would be reviewed by WRC-15. So far, the Board had not been faced with any specific case, but as Mr Bessi had pointed out, it should be clear to administrations how the Bureau would apply the provision.

4.69 **Mr Ito** observed that the Bureau was applying ADD 6 as a practical approach to avoid uncertainty. The Board should describe the real situation and ask WRC-15 to consider the matter.

4.70 **Mr Bessi** recalled that administrations had contested the method applied by the Bureau as described in Circular Letter CR/343, arguing that it did not respect the decision taken by WRC-12, which had not created a link between date of confirmation of bringing into service and date of notification. The Board had to apply the Radio Regulations, and had categorized Circular Letter CR/343 as being for information only. The Board had then tried to prepare acceptable rules of procedure. Administrations liked ADD 6 alternative, but it was not considered to be in conformity with the Radio Regulations and the Board could not instruct the Bureau to apply it. The Board could simply note that the Bureau was taking the approach described in Circular Letter CR/343 and

submit its views to the next WRC, hoping that WRC-15 would take a clearer decision than that adopted by WRC-12.

4.71 **Mr Ebadi** understood that the Bureau would continue to apply Circular Letter CR/343 until WRC-15. He asked what would happen to filings dealt with by the Bureau according to Circular Letter CR/343 if WRC-15 decided on a different approach.

4.72 **Chief SSD** said that it would be up to the conference to decide how such filings were to be treated. However, it would be no problem for the Bureau to revise all dates of bringing into use for filings received in the period between WRC-12 and WRC-15 should WRC-15 so decide.

4.73 **Mr Strelets** said that the approach in ADD 6 was the same as that in Circular Letter CR/343. He reiterated that administrations had opposed ADD 6, so the Board should not instruct the Bureau to apply that approach in the run-up to WRC-15.

4.74 The **Director** said that the present discussion highlighted one of the challenges faced by the Board. Members of the Board had to consider comments from administrations, but at the same time they had to represent the interests of all the Member States that had elected them. Thus the Board could not be swayed by the particular interests of a few administrations. Some administrations that had complained about Circular Letter CR/343 were now saying that there was no need for additional rules of procedure. Clearly there was a problem with No. 11.44B and in his opinion the proper approach would be to raise the matter to WRC-15 in the Board's report under Resolution 80.

4.75 **Mr Žilinskas** agreed with the Director. The Administration of France had commented that the version of ADD 6 contained in Circular Letter CCRR/52 was too complex and was likely to reduce the reliability of the information contained in the Master Register; and there was support for ADD 6 alternative from some administrations.

4.76 **Mr Bessi** said that the wording of the Radio Regulations did not give the Board the flexibility to instruct the Bureau to apply No. 11.44B in a way that was acceptable to all administrations. He agreed with Mr Ebadi that the Board should instruct the Bureau to apply the approach set out in Circular Letter CR/343 on the understanding that any cases dealt with would be reviewed in the light of the decisions taken by WRC-15 and that such decisions would be applied retroactively. It went without saying that the rules of procedure adopted by the Board should take account of the interests of all administrations.

4.77 **Mr Garg** agreed that the matter should be brought to the attention of WRC-15 in the Board's report under Resolution 80. He saw no difficulty with the Bureau applying the approach set out in Circular Letter CR/343, as reflected in ADD 6 in Circular Letter CCRR/52, even if some administrations disagreed. The Board's decision had to be based on the wisdom of Board members, taking the interests of all administrations into account.

4.78 The **Chairman** said that the Board had gone through a full circle in its debate, concluding now that there was no need for additional rules of procedure. The Bureau could continue to apply the approach in Circular Letter CR/343 and WRC-15 could be asked to decide on the matter.

4.79 **Mr Ebadi** emphasized that all administrations should be able to benefit from the decisions of WRC-15 on the matter, so those decisions should be applied retroactively to any cases dealt with by the Bureau in accordance with Circular Letter CR/343. He appreciated the comments made by the Director and stressed that the Board existed to help administrations.

4.80 **Mr Strelets** said that it would be inappropriate for the Board to refer to Circular Letter CR/343 in its decision, because that would run counter both to its previous decision and to the views expressed by administrations. It was difficult to talk about majority and minority views, but only some 20 administrations had satellite networks and they were the ones affected by the provision No. 11.44B. Of those administrations, some of the biggest in terms of involvement with

satellite networks had responded to Circular Letter CCRR/52 and the Board should take account of their comments. He reiterated that a practice of the Bureau had to be reflected in a rule of procedure.

4.81 **Mr Ebadi** said that the Board was evidently unable to reach agreement on adopting ADD 6 or ADD 6 alternative as a rule of procedure. Meanwhile, the Bureau was obliged to continue applying No. 11.44B. If the approach taken by the Bureau was wrong, then WRC-15 could correct it retroactively.

4.82 The **Director** confirmed that the Bureau applied No. 11.44B in accordance with ADD 6 and had not encountered any difficulties in applying the provision. **Chief SSD** added that the Bureau had not sought additional rules of procedure on No. 11.44B.

4.83 **Mr Strelets** recalled that the approach described in Circular Letter CR/343 had not been accepted by administrations and stressed that the Board could not now accept ADD 6 in a rule of procedure.

4.84 **Mr Ebadi** observed that there was no agreement among Board members and suggested that the Board decide not to pursue its efforts to amend the rules of procedure on No. 11.44B but to refer the matter to WRC-15 in its report under Resolution 80. **Mr Bessi** endorsed that approach.

4.85 **Ms Zoller** agreed, observing that, in their comments, administrations had not objected to an additional rule of procedure as such but had expressed preferences with regard to the content of any such rule.

4.86 **Mr Strelets** suggested that the Board's conclusion should reflect that, in accordance with No. 13.0.2, the Board had decided not to approve an addition to the rule of procedure on No. 11.44B but to refer the matter to WRC-15 in its report under Resolution 80, given the different views set forth in the comments received from administrations and the absence of consensus among members of the Board. **Mr Žilinskas** welcomed that suggested conclusion.

4.87 **Mr Ebadi** said that Circular Letter CCRR/52 should be mentioned in the Board's conclusion on the matter.

4.88 **Mr Ito** emphasized that it was important for administrations to know what aspect of the draft rule was under dispute. **Ms Zoller** agreed with Mr Ito, adding that the reason for not adopting new rules of procedure on No. 11.44B was not the divergence of views but because the Bureau had no difficulty in applying the provision. **Mr Garg** agreed with Mr Ito and Ms Zoller.

4.89 **Mr Magenta** and **Mr Koffi** did not want to refer to a lack of consensus among members of the Board, which in any event was not the reason for not adopting new rules of procedure on No. 11.44B.

4.90 **Mr Bessi** observed that in applying No. 11.44B in future, the Bureau might need more guidance than was provided in the Radio Regulations.

4.91 **Mr Ito**, supported by **Mr Garg**, was in favour of referring to ADD 6 in the Board's decision in order to be sure administrations knew how the Bureau was applying No. 11.44B.

4.92 **Mr Strelets** considered that a reference to ADD 6 was tantamount to the Board expressing support for that approach, and was disrespectful to the administrations that had indicated a preference for ADD 6 alternative or no addition at all to the existing rule. It was unacceptable for the Board to say that administrations preferred ADD 6 alternative but that the Bureau was to act according to ADD 6.

4.93 **Mr Bessi** was concerned that, without a reference to ADD 6, the Bureau would have no basis for applying No. 11.44B until WRC-15, because Circular Letter CR/343 had been deemed to be for information only and was not necessarily applicable. The Board could ask WRC-15 to apply

its decision retroactively to any cases arising between WRC-12 and WRC-15. **Mr Ito** agreed with **Mr Bessi**.

4.94 **Mr Ebadi** said that, in his understanding, the Bureau had not yet had to deal with any case involving the problem under discussion. If such a case arose, the Bureau could bring it to the Board for discussion.

4.95 The **Director** said that it would be clear from the minutes of the present meeting that the Bureau was applying ADD 6. There was therefore a basis for the Bureau to apply that approach until WRC-15, so it would pose no problem if the Board's decision did not specifically mention ADD 6.

4.96 **Mr Strelets** drew attention to the minutes of the 64th meeting of the Board and in particular to § 4.56 in which the Chairman (Mr Garg) had asked the Bureau if any serious problems would be faced if no rule of procedure was adopted, and § 4.57 in which the Director had recalled that various administrations had difficulty with certain proposed practices of the Bureau as reflected in Circular Letter CR/343.

4.97 The Board **agreed** to conclude as follows:

“In considering the draft addition to the RoP on No. 11.44B circulated to administrations in Circular Letter CCRR/52, the Board noted that the comments from administrations contained in Document RRB14-3/2 were divergent on the draft RoP and included continuing concerns about the introduction of linkages between the date of receipt of notification and the confirmation of bringing into use under No. 11.44B that were not explicitly decided by WRC-12. The Bureau indicated that so far there were no difficulties in applying No. 11.44B. Therefore, in accordance with No. 13.0.1 of the Radio Regulations, the Board decided not to approve the draft additions to the RoP on No. 11.44B and to refer this matter to WRC-15 in its report under Resolution 80 (Rev.WRC-07).”

5 Request for a decision by the Radio Regulations Board to cancel certain frequency assignments of the ARABSAT BSS 6F satellite network at 44.5° E in accordance with No. 13.6 and the provisions of Appendices 30 and 30A (Document RRB14-3/3)

5.1 **Mr Griffin (SSD/SNP)**, introducing Document RRB14-3/3, said that the assignments of the ARABSAT BSS 6F satellite network had been entered in the Regions 1 and 3 Lists of additional uses and notified under Article 5 of Appendices 30 and 30A. In accordance with No. 11.44B, the notifying administration had informed the Bureau that a space station with the capability of transmitting or receiving the notified frequency assignments had been deployed and maintained at the notified orbital position for a continuous period of at least 90 days since 10 April 2013. The Bureau had accepted that information under No. 11.44B, and had entered the assignments in the Master Register and published them under Part II-S in BR IFIC 2752 of 3 September 2013. On 31 December 2013, the Administration of Saudi Arabia had informed the Bureau of suspension of the operation of all the frequency assignments as of 27 July 2013. The Bureau had published that information under Part II-S of BR IFIC 2762. On 19 December 2013 and 25 January 2014, the Bureau had received correspondence from the Administration of Germany stating that the last satellite operating at 44.5° E had been Nimiq-1, which had the capability to operate only the frequency bands 12.2-12.7 and 17.3-17.8 GHz. In line with BR Circular Letter CR/301 and the decisions taken by WRC-12 regarding No. 11.44B, the Bureau had requested Saudi Arabia to clarify whether the assignments of ARABSAT BSS 6F at 44.5° E had been brought into use in accordance with their notified characteristics and to clarify the satellite's real capability of transmitting and receiving the notified frequency assignments in conformity with No. 11.44B. On 8 May 2014, Saudi Arabia had reconfirmed the network's bringing into use, but without providing

the requested clarifications. The Bureau had consequently sent a first reminder on 19 May and a second reminder on 23 June 2014 in application of No. 13.6 of the Radio Regulations.

5.2 On 10 July 2014, Saudi Arabia had informed the Bureau that satellite 4AR had the real capability of transmitting and receiving the notified frequency assignments in conformity with No. 11.44B, and had submitted some spectrum plots; however, it had not been possible to verify the authenticity of those plots. On 21 July 2014, the Bureau had received detailed evidence from the Administration of Germany demonstrating that Nimiq-1 had been used, but did not have the capability to transmit or receive in all the frequency bands of the ARABSAT BSS 6F satellite network. The Bureau had forwarded that evidence to the Administration of Saudi Arabia, requesting it to comment. On 5 September 2014, in the absence of any reply from Saudi Arabia, and in accordance with No. 13.6 regarding failure to respond to the Bureau's inquiry, the Bureau had informed the Administration of Saudi Arabia that it would request the Board to cancel the ARABSAT BSS 6F (44.5° E) frequency assignments in the bands 11.7-12.2, 14.5-14.8 and 17.8-18.1 GHz from the Master Register and the Regions 1 and 3 Lists of additional uses. The Bureau had received no reply to that correspondence. The Bureau therefore now requested the Board to take the decision to cancel the frequency assignments of ARABSAT BSS 6F at 44.5° E in the bands 11.7-12.2, 14.5-14.8 and 17.8-18.1 GHz from the Master Register and the Regions 1 and 3 Lists of additional uses in accordance with the provisions of No. 13.6 and the provisions of Appendices 30 and 30A. The remaining frequency assignments to ARABSAT BSS 6F in the bands 12.2-12.5 and 17.3-17.8 GHz would remain suspended.

5.3 **Ms Zoller** said that some of the information contained in Document RRB14-3/3 appeared to be confidential, for example on page 12 of the English version. She questioned whether it should have been published in a Board document posted on the Board's website.

5.4 **Chief SSD** said that the information in question had indeed been posted inadvertently and would be expunged from the document. In future, when the Bureau received such information from an administration, it would check with the administration whether or not the information could be published in a Board document.

5.5 The **Chairman** concluded that the confidential information in Document RRB14-3/3 would not be taken into account by the Board in its deliberations.

5.6 It was so **agreed**.

5.7 **Mr Ebadi** drew attention to the letter from the Administration of Germany dated 26 August 2014, reproduced in Document RRB14-3/3, in which reference was made to a parallel procedure that was ongoing for satellite network ARABSAT 7F-44.5E. He asked the Bureau to clarify the status of that case.

5.8 **Chief SSD** said that the Bureau was in contact with the Administration of Saudi Arabia regarding that network, for which suspension had been requested despite the fact that its bringing into use might be questionable. However, the applicable eight-year period for bringing into use had not yet expired. The Bureau would be following the case closely.

5.9 **Mr Strelets** noted that a year previously the Bureau had accepted that Saudi Arabia had satisfactorily complied with the provisions of No. 11.44B. Could the Bureau now, retroactively it seemed, question whether those provisions had in fact been complied with?

5.10 **Chief SSD** said that he failed to see any retroactivity in the action being taken to clarify the status of network ARABSAT BSS 6F. Under No. 13.6, any administration could at any time contest or request clarification of a decision taken by the Bureau. The Administration of Germany had questioned whether certain bands were in fact being used by ARABSAT BSS 6F, and the Bureau had therefore sought clarification from the Administration of Saudi Arabia.

5.11 **Mr Garg** asked whether, in the information initially submitted regarding the bringing into use of ARABSAT BSS 6F, Saudi Arabia had made reference to a specific satellite.

5.12 **Chief SSD** said that Saudi Arabia had indicated that the frequency assignments to ARABSAT BSS 6F had been brought into use by satellite Nimiq-1. However, only when it had received the information provided by the Administration of Germany had the Bureau realized that Nimiq-1 did not have the capability to transmit or receive in the frequency bands for which suppression was now requested by the Bureau.

5.13 **Mr Ebadi** requested clarification regarding the status of any agreement reached in accordance with No. 23.13, in respect to BSS assignments and their suspension.

5.14 **Chief SSD** said that once bringing into use had been accepted by the Bureau under No. 11.44B, the administration concerned was free to request suspension at any time under Appendices 30 and 30A. The right to suspension was not contingent in any way upon agreements reached with other administrations.

5.15 **Mr Bessi** wondered why the Administration of Germany had involved itself in whether or not the frequency assignments of ARABSAT BSS 6F had been brought into use in accordance with the Radio Regulations. He also noted that, whereas the Bureau had based its decision to request cancellation of certain frequency assignments on the information provided by Germany regarding the Nimiq-1 satellite, Saudi Arabia referred in its letter of 10 July 2014 to satellite 4AR as having the capability to transmit and receive the notified frequencies in conformity with No. 11.44B at 44.5° E. Saudi Arabia had provided spectrum plots for that satellite, but they appeared not to cover all the frequency bands in question. He therefore asked whether the Bureau had sought further information on satellite 4AR before deciding to request the Board to cancel certain frequency assignments.

5.16 **Chief SSD** replied that Germany had a network at 44° E, and might indeed be encountering coordination problems involving ARABSAT BSS 6F at 44.5° E. Regarding satellite 4AR, the Bureau had found no trace of its existence at the position in question, and the information and spectrum plots provided by Saudi Arabia did not correspond to the frequency plans for ARABSAT BSS 6F in all the bands concerned. Moreover, if the satellite really existed at the position in question, the administration could have provided other information as evidence, for example relating to frequency plans. The Bureau had therefore concluded that the information provided constituted insufficient evidence that a satellite capable of transmitting and receiving on the frequencies in question was deployed at the orbital position concerned, and that if no further, more conclusive information was provided by Saudi Arabia, the Board would be requested to cancel the assignments in question. No further information had been received from Saudi Arabia since 10 July 2014.

5.17 **Mr Ito** said, first, that the cancellation of network ARABSAT BSS 6F based on No. 13.6 appeared to be fully justified. Second, he noted that there appeared to be an increasing number of cases in which, for whatever reasons, administrations submitted cases against other administrations under No. 13.6; the Board should report that phenomenon to WRC-15 in its report under Resolution 80. Third, he saw no aspects of retroactivity in the case under consideration: it appeared to be an ongoing case, which did not involve different generations of satellites. Lastly, he noted that network ARABSAT BSS 6F had been suspended before it had actually been registered, involving thereby a kind of inversion of the regulatory process. It was in that regard that he had raised certain questions during the Board's deliberations on the rule of procedure on No. 11.44B earlier in the present meeting. To his understanding the Bureau had applied the provisions of the Radio Regulations correctly, but he would nevertheless like to receive further explanations from the Bureau.

5.18 **Chief SSD** replied that processing obviously took time – even though it was done relatively fast when viewed within the context of the time-limits set down in the Radio Regulations – which meant that it was not always possible to reflect the operational status of all satellite networks in real time. However, the processing time had no impact on the regulatory reality or on the regulatory compliance of the decisions taken by the Bureau in regard to bringing into use, suspension, etc. Regarding the question of retroactivity, he reiterated that under No. 13.6 any administration could at any time contest a decision of the Bureau or the information provided by another administration, and in its correspondence dated 28 July 2014 the Bureau had indeed requested clarification from the Administration of Saudi Arabia under No. 13.6.

5.19 **Mr Strelets** questioned whether No. 13.6 could be applied in regard to assignments for which suspension had already been requested and accepted under No. 11.49. No. 13.6 might allow for some degree of retroactivity, but there was no link between the two provisions. Moreover, it seemed that the Bureau had received information from the Administration of Germany to the effect that the frequency assignments to ARABSAT BSS 6F were not being used in conformity with the Radio Regulations, but had nevertheless accepted the suspension of their use, and had then embarked on the application of a new procedure. He questioned whether the Bureau had been entirely correct in its application of the various procedures.

5.20 **Mr Bessi** observed that following the letter from Saudi Arabia dated 10 July 2014, the Bureau had made no further inquiries into the use of satellite 4AR. There might therefore still be some doubt as to whether satellite 4AR could have brought into use the assignments of ARABSAT BSS 6F. Perhaps the Bureau should ask for more information.

5.21 **Mr Ebadi** drew attention to the wording of No. 13.6, which began “whenever it appears from reliable information that a recorded assignment has not been brought into use”, and said that therefore the provisions of No. 13.6 could be applied at any time. The Bureau had applied the Radio Regulations correctly, and had been right to bring the matter before the Board in the absence of response from the administration concerned. In reply to Mr Bessi’s questions regarding satellite 4AR, he noted from Addendum 2 to Document RRB10-3/1 (55th meeting of the Board) that that satellite appeared to be operational at 26° E.

5.22 **Chief SSD** considered that it was incorrect to suggest that application of No. 13.6 was in any way dependent upon whether or not suspension had been requested or effected under No. 11.49. No such link existed in the Radio Regulations. With administrations free to submit requests for clarification under No. 13.6 at any time, the Administration of Germany had submitted such a request relating, not to Saudi Arabia’s request for suspension, but to the Bureau’s decision accepting that ARABSAT BSS 6F had been brought into use under No. 11.44B. In application of No. 13.6 the Bureau had engaged in an exchange of correspondence with the Administration of Saudi Arabia, in the course of which the Bureau had expressed doubts as to the reliability of the information provided as evidence that satellite 4AR could be accepted as a real satellite for the purposes of operating all the assignments to ARABSAT BSS 6F. The Bureau had requested further information, but had received none; so on 5 September 2014 the Bureau had informed Saudi Arabia of its intention to request the Board to cancel certain frequency assignments of the network. Saudi Arabia had had ample time to respond to that warning, but had not done so.

5.23 **Mr Strelets** said that in reaching its decision on the present case, the Board must ensure that it was consistent with previous decisions it had taken on similar cases involving coordination problems. For example, in the case involving Papua New Guinea and the Republic of Korea, the Board had urged the administrations concerned to resolve the matter through bilateral negotiations.

5.24 The **Director** saw various differences between the present case and that involving Papua New Guinea and the Republic of Korea, in which the only possible solution had been to call for bilateral negotiations. In the case now under consideration, the satellite in question had originally been ordered for use in Region 2, and simply did not have the capability to use the Region 3

frequencies in question. When doubts had been raised regarding the frequencies used, the Bureau had asked a series of questions, but had not been satisfied with the replies received. Having announced its intention to seek the Board's suppression of the assignments concerned around two months ago, it had received no further comment from the Administration of Saudi Arabia. To his mind the case was extremely straightforward.

5.25 **Mr Žilinskas** endorsed the Director's comments.

5.26 **Mr Garg** said that the cancellation of frequency assignments was an extremely important decision to take, and although he was confident that the Bureau had applied the Radio Regulations correctly, all aspects must be checked before the Board agreed to cancellation. He asked whether any reference had been made to satellite 4AR in the information initially submitted to the Bureau to corroborate the bringing into use of network ARABSAT BSS 6F.

5.27 **Chief SSD** said that until the Administration of Germany had begun to raise questions the only satellite referred to by Saudi Arabia in regard to the bringing into use of ARABSAT BSS 6F had been Nimiq-1. The first mention of satellite 4AR had been in Saudi Arabia's correspondence of 10 July 2014.

5.28 The **Chairman** noted that a consensus was clearly emerging towards acceding to the Bureau's request to cancel certain assignments to ARABSAT BSS 6F, and he suggested that the Bureau conclude as follows:

“The Board carefully considered the submission in Document RRB14-3/3 regarding the cancellation of certain frequency assignments of the ARABSAT BSS 6F satellite network at 44.5° E in accordance with No. 13.6 and the provisions of Appendices 30 and 30A.

The Board, on the basis of the results of the investigations by the Bureau under No. 13.6 of the Radio Regulations, and also taking into account the absence of additional information from the Administration of Saudi Arabia, took a decision to cancel the frequency assignments of ARABSAT BSS 6F in the bands 11.7-12.2 GHz, 14.5-14.8 GHz and 17.8-18.1 GHz from the Master Register and the Regions 1 and 3 Lists of additional uses under No. 13.6 and the provisions of Appendices 30 and 30A.

The Board also concluded that the remaining frequency assignments of the ARABSAT BSS 6F satellite network in the bands 12.2-12.5 GHz and 17.3-17.8 GHz would continue to be retained as suspended.

The Board instructed the Bureau to suppress the corresponding assignments from the Master Register and from the Regions 1 and 3 Lists of additional uses and to bring this decision to the attention of the Administration of Saudi Arabia.”

5.29 It was so **agreed**.

6 Request for a decision by the Radio Regulations Board for cancellation of some frequency assignments to the PALAPA-C1 and PALAPA-C1-K satellite networks under No. 13.6 of the Radio Regulations (Document RRB14-3/5)

6.1 **Mr Matas (SSD/SPR)** introduced Document RRB14-3/5, giving the background to the Bureau's request to the Board to cancel the frequency assignments in the bands 10 954-11 026, 11 114-11 186, 11 454-11 526, 11 614-11 686, 13 772-13 808 and 13 932-13 968 MHz to the PALAPA-C1 satellite network, and the frequency assignments in the bands 11 452-11 628, 13 758-13 934 and 14 002-14 250 MHz to the PALAPA-C1-K satellite network, in accordance with the provisions of No. 13.6 of the Radio Regulations.

6.2 The **Chairman** said that the Board should ensure that the Bureau had applied the Radio Regulations correctly and that the documents provided by the Administration of Indonesia had been considered fairly.

6.3 **Mr Strelets** observed that the Bureau always acted in accordance with the Radio Regulations and the Rules of Procedure. No administration had suggested otherwise. The Board should review the matter to see whether there was any reason to disagree with the Bureau's request and maintain the frequency assignments in the Master Register. If not, then the Board should cancel the assignments, as requested by the Bureau.

6.4 The **Chairman** noted that the Bureau had acted correctly.

6.5 **Mr Ebadi**, noting that the PALAPA-D satellite was currently operational, said that the Board should study the matter carefully, looking closely at the parts of the band where Indonesia's frequency assignments were to be cancelled and taking account of the geographical area to be served. The Board should recognize the particular problems faced by developing countries such as Indonesia, and do all it could to help Indonesia.

6.6 **Ms Zoller** noted that the PALAPA-D satellite did not have Ku-band capability. The Board should focus on the Bureau's request to cancel Indonesia's Ku-band frequency assignments. The Administration of Indonesia itself stated that those frequencies were not yet operational and asked for them to be suspended until 2019, in other words for more than four years. That was far beyond the regulatory period allowed for suspension, which would in any event apply only if the PALAPA-D satellite had Ku-band capability.

6.7 **Chief SSD** said that the Bureau had no doubt on the fact that the PALAPA-D satellite had been launched. The question that had to be answered was whether that satellite had the capacity to bring into use the frequency assignments concerned. Following an exchange of information between the Administration of Indonesia and the Bureau, the last letter from the Administration of Indonesia recognized that the frequencies were not yet operational but were planned for use in 2019. That recognition tacitly acknowledge the fact that the concerned frequency assignments to the PALAPA-C1 and PALAPA-C1-K satellite networks had never been brought into use and therefore the validity of their cancellation.

6.8 **Mr Strelets** said that cancellation of those assignments was problematic because Indonesia was a developing country, the Administration of Indonesia stated that it would use the frequencies to cover Indonesian territory only, all coordination had been completed and there had been no objections to the networks. He agreed with Mr Ebadi; the Board should take account of the special needs of developing countries and the difficulties that those countries faced. Bearing in mind the decisions taken by PP-14 in favour of developing countries, it would be regrettable for the Board to find itself unable to accede to the request by the Administration of Indonesia.

6.9 **Mr Garg** noted that the Bureau had accepted the request by the Administration of Indonesia for extension for the frequency assignments centred on 3 440 MHz, 3 840 MHz and 14 376 MHz of the PALAPA-C1 satellite network operating via the PALAPA-D satellite. Unfortunately, there was no regulatory process that would allow the Board to accept the request by the Administration of Indonesia to retain the Ku Band frequency assignments that the Bureau was asking the Board to cancel.

6.10 **Ms Zoller** said that the most important factor from a regulatory standpoint was the respect of deadlines. Recalling the decisions of WRC-12, she stressed that the Board was not in a position to provide relief from the deadlines set in the Radio Regulations. The Board sympathized with the Administration of Indonesia and was concerned about its predicament, but there was no provision that allowed it to waive a deadline.

6.11 **Mr Žilinskas** agreed with Ms Zoller. The Board had no right to extend a regulatory deadline. The only way of helping Indonesia was to raise the matter at WRC-15 and leave it to the conference to decide whether the assignments could be retained.

6.12 **Mr Strelets** recalled that No. 196 of the Constitution referred to the “special needs of the developing countries and the geographical situation of particular countries” in the context of the use of the radio-frequency spectrum and of the geostationary-satellite and other satellite orbits. Indonesia was a developing country with a specific geographical situation. He agreed that the Board had to act strictly in accordance with the Radio Regulations, and pointed out that No. 0.3 of the Preamble to the Radio Regulations contained much the same provisions as No. 196 of the Constitution. The Administration of Indonesia was not trying to reserve frequency resources; it really wanted to use them.

6.13 **Mr Ito** recalled the Board’s decisions at its 66th meeting in regard to requests by the Bureau for cancellation of frequency assignments. He said that the Board should be consistent with those decisions unless there were provisions in the Radio Regulations that allowed it to decide differently.

6.14 **Mr Garg** stressed that all members of the Board had sympathy for the Administration of Indonesia and were aware of No. 196 of the Constitution. He nevertheless had to agree with Ms Zoller that the regulatory deadlines had to be respected. The WRC had given the Board some latitude in the event of *force majeure* but that did not apply in the present case. The Board had to decide to cancel the frequency assignments and instruct the Bureau to delete them from the Master Register.

6.15 The **Director** pointed out that the Administration of Indonesia itself stated in a letter dated 16 September 2014 that the frequencies were not currently operational. The 7-year or in this instance the 9-year regulatory period for bringing into use had expired long ago and the Board could not be expected to grant a waiver of some 20 years to enable the assignments to be used in 2019. The Administration of Indonesia could bring the matter to the attention of WRC-15 if it so wished.

6.16 **Mr Magenta** recalled that such an approach had previously been taken by the Administration of the Islamic Republic of Iran. The Board had no regulatory basis for accepting the request by the Administration of Indonesia, but could suggest that it bring the matter to WRC-15 for decision.

6.17 **Ms Zoller** said that the regulatory deadline had been 8 February 1993. In her view, all administrations understood that it was their prerogative to bring matters to the conference.

6.18 **Mr Strelets** proposed that the Board conclude as follows:

“The Board also carefully examined the request from the Administration of Indonesia, as set forth in the letter to the Director of BR of 16 September 2014, not to cancel the aforementioned frequency assignments to PALAPA-C1 and PALAPA-C1-K based on the fact that coordination of the frequency assignments had been completed and real plans existed for their use as from 2019 for national territory coverage.

The Board recognizes the importance of satellite projects for developing countries and countries with special geographical situations and expresses to the Administration of Indonesia its full understanding of the situation it faces.

Nevertheless, the Board notes that the current provisions of the RR, and No. 13.6 in particular, do not allow frequency assignments to be kept in the MIFR if they have not been brought into use, if they are not currently being used, or if they are being used not in accordance with the notified characteristics”.

6.19 **Mr Ebadi, Ms Zoller and Mr Garg** considered that those views should be reflected in the minutes of the meeting. **Mr Ito** agreed, saying that the Board's decision should be strictly factual, leaving the Board's sympathy to be indicated in the minutes.

6.20 The Board **agreed** to conclude as follows:

"The Board carefully considered the submission in Document RRB14-3/5 regarding the cancellation of frequency assignments in the bands 10 954-11 026 MHz, 11 114-11 186 MHz, 11 454-11 526 MHz, 11 614-11 686 MHz, 13 772-13 808 MHz and 13 932-13 968 MHz of PALAPA-C1 and in the bands 11 452-11 628 MHz, 13 758-13 934 MHz and 14 002-14 250 MHz of PALAPA-C1-K of the Administration of Indonesia at 113° E, in accordance with the provisions of No. 13.6 and the information supplied by the Administration of Indonesia that it would only be using these frequency bands from 2019.

In conclusion, the Board decided to cancel the above-listed frequency assignments of the PALAPA-C1 and PALAPA-C1-K satellite networks from the Master Register under No. 13.6.

The Board instructed the Bureau to suppress the corresponding assignments from the Master Register and to bring this decision to the attention of the Administration of Indonesia."

7 Consideration of the status of the LSTAR4B satellite network at 126° E (Documents RRB14-3/6, RRB14-3/7, RRB14-3/DELAYED/1 and RRB14-3/DELAYED/2)

7.1 **Mr Griffin (SSD/SNP)**, introducing Documents RRB14-3/6 and RRB14-3/DELAYED/1 (for information) from the Administration of the Lao People's Democratic Republic, and Documents RRB14-3/7 and RRB14-3/DELAYED/2 (for information) from the Administration of China, recalled that the Board had discussed the matter in some detail at its 66th meeting and had agreed to send the Lao Administration a series of questions to answer in order to allow the Board to conclude on the matter at its present meeting. He noted, however, that in its submissions the Lao Administration appeared not to have answered the questions submitted to it; and that in its late submission the Chinese Administration refuted the allegations by the Lao Administration that China refused to coordinate and would not pursue a discussion based on cooperation and good faith.

7.2 **Mr Strelets and Mr Ebadi** questioned whether certain elements in Document RRB14-3/6 should have been made public – the correspondence from SES dated 24 July 2014 concerning support from SES for development of the LSTAR4B satellite network, and the joint venture company agreement of 15 June 2012.

7.3 **Chief SSD** said that the material in question had been submitted by the Lao People's Democratic Republic, and both SES and the Lao Administration had been aware that it would be made public and had made no objection. Other, confidential material had been received with the Lao Administration's late submission, and, in agreement with that administration, had been deleted and not published. Responding to a question from **Mr Garg**, he said that the cost recovery payments referred to by the Lao Administration in its correspondence related to networks other than LSTAR4B, which had not been subject to cost recovery.

7.4 **Mr Ito** recalled that at its 66th meeting the Board had concluded that the Bureau had acted correctly in its handling of the LSTAR4B case, but had considered that the Lao Administration might have further information of relevance to submit on the network. It would seem that there was no new information for the Board to consider (the copy of the joint venture company agreement was a perfectly routine element of business cases), and he therefore considered that the Board should confirm its conclusion that the Bureau had applied the provisions of the Radio Regulations correctly.

7.5 The **Chairman** noted that the other Board members concurred with Mr Ito, and he proposed that the Board conclude as follows:

“The Board carefully considered the proposal from the Bureau at the last meeting, contained in Document RRB14-2/1, along with the submissions in Documents RRB14-3/6 and RRB14-3/7, as well as Documents RRB14-3/DELAYED/1 and RRB14-3/DELAYED/2 for information, regarding the cancellation of all frequency assignments of the satellite network LSTAR4B (126° E) of the Administration of the Lao People’s Democratic Republic, in accordance with No. 13.6 and the provisions of Appendices 30 and 30A.

The Board had also discussed this issue at its last meeting in July 2014 and had requested the Administration of the Lao People’s Democratic Republic to provide answers to certain questions regarding the continued operation of the LSTAR4B satellite network at 126° E from 17 October 2006 until present (Item 8.1 of Document RRB14-2/19 – Summary of Decisions).

The Board carefully examined the information provided by the Administration of the Lao People’s Democratic Republic, along with the information provided by the Administration of China regarding this case, for this meeting of the Board, and concluded that the information provided by the Administration of the Lao People’s Democratic Republic did not confirm the continued operation of the LSTAR4B satellite network at 126° E after 17 October 2006.

Hence, the Board, based on all the information provided, agreed with the analysis of the Bureau contained in Document RRB14-2/1 and, decided to cancel all frequency assignments of the satellite network LSTAR4B (126° E) of the Administration of the Lao People’s Democratic Republic from the Master Register and the Regions 1 and 3 Lists of additional uses, in accordance with No. 13.6 and the provisions of Appendices 30 and 30A.

The Board instructed the Bureau to suppress the corresponding assignments from the Master Register and from the Lists and to bring this decision to the attention of the administrations concerned.”

7.6 It was so **agreed**.

7.7 **Mr Strelets**, supported by **Mr Magenta**, said that in reaching its decision, the Board should express to the Administration of the Lao People’s Democratic Republic its full understanding of the difficult circumstances that had arisen and the different financial, technical and organizational difficulties faced by that administration in implementing its first national satellite network LSTAR4B. It should also recognize the importance of the satellite communication project implemented by the Lao Administration in terms of providing the country’s inhabitants with equal opportunities for receiving television and education channels and allowing the wide and immediate dissemination of critical safety-of-life information to both the Lao population and those of neighbouring countries. The Board had nevertheless noted that the current provisions of the Radio Regulations, and No. 13.6 in particular, did not allow frequency assignments to be kept in the MIFR if they had not been brought into use, if they were not currently being used, or if they were being used not in accordance with the notified characteristics.

7.8 **Mr Garg** supported the thrust of that statement. **Mr Žilinskas** also supported the thrust of Mr Strelets’ statement in so far as it related to TV broadcasting.

8 Report by the Working Group on the Rules of Procedure (Document RRB12-1/4(Rev.11))

8.1 **Mr Ebadi**, Chairman of the Board's Working Group on the Rules of Procedure, indicated how the list of proposed rules of procedure in Document RRB12-1/4(Rev.11) should be updated, and said that a revised version of the document would be prepared for review by the Board at its 68th meeting. He noted that the current rule of procedure concerning the format used for the submission of information under Resolutions 552 (WRC-12) and 553 (WRC-12) should be converted into provisions of the Radio Regulations, and the matter included in the Director's report to WRC-15.

8.2 **Mr Bessi** asked whether possible amendment of the rules of procedure on No. 11.44B should continue to be listed, given the Board's decision not to adopt any addition to those rules. He said that the Board's decision at the present meeting to adopt additional rules on No. 11.50 should be reflected in the document.

8.3 **Mr Strelets** noted that studies were still continuing in regard to the decision by the 13th plenary meeting of WRC-12 on how to deal with satellite failure during the 90-day period for bringing into use. He suggested that it be left to a subsequent meeting of the Board to consider the possible addition of a new rule of procedure. Meanwhile, the Board could consider cases of satellite failure on a case-by-case basis.

8.4 **Mr Ebadi** asked how studies in that regard were progressing in ITU-R and when they would be likely to conclude.

8.5 **Chief SSD** said that ITU-R and the Special Committee on Regulatory/Procedural Matters were not giving priority to the topic. Probably the Bureau would be able to circulate a draft rule of procedure in time for the Board to consider the matter at its 69th meeting.

8.6 **Mr Strelets** noted that the subject was covered by item 7 of the WRC-15 agenda and suggested that, rather than attempting to adopt a rule of procedure on the eve of the conference, the matter could be included in the Director's report to WRC-15 and also perhaps in the Board's report under Resolution 80.

8.7 **Mr Botha (SGD)** informed the Board that, with regard to studies being carried out by ITU-R, Working Party 4A would hold its next meeting in June 2015 to work on the subject, so the results would not be available in time for the Board to consider at its next meetings.

8.8 **Mr Ebadi** recalled the case of the failure of the Russian satellite and noted that the replacement satellite had also failed. He suggested that the Working Group on the Rules of Procedure should continue to consider the matter and that, pending the outcome of studies and the development of a rule of procedure, the Board should continue to deal with such cases on a case-by-case basis.

8.9 **Mr Koffi** agreed with Mr Ebadi. It remained to be decided whether or not the Board would adopt a rule of procedure.

8.10 **Mr Strelets** requested a presentation of the work being carried out in the CPM-15 rapporteur group for Chapter 5 of the CPM Report, to complement information already provided informally by Mr Botha.

8.11 **Mr Aubineau (SGD)** presented a series of slides which had been prepared by Mr. K. Al Awadhi, the CPM-15 Rapporteur for Chapter 5 of the draft CPM Report to WRC-15, and presented at the 2nd ITU Inter-Regional Workshop on WRC-15 Preparation, held in Geneva on 12 and 13 November 2014. The slides described the methods and options resulting from the ITU-R studies

that are being proposed in Chapter 5 to satisfy the satellite regulatory issues under WRC-15 agenda items 7, 9.1 (issues 9.1.1, 9.1.2, 9.1.3, 9.1.5, 9.1.8) and 9.3.

8.12 **Mr Ebadi** noted that the draft CPM Report proposed three methods for dealing with the failure of a satellite during the 90-day bringing into use period: first, adding a footnote to No. 11.44B of the Radio Regulations indicating that, in the event of satellite failure during the bringing into use period, the frequency assignment was to be considered as having been brought into use; second, in addition to adding a footnote to No. 11.44B as in the first method, adding a footnote to No. 11.49 of the Radio Regulations indicating that, in the event of satellite failure during the period for bringing a frequency assignment back into use, the frequency assignment was to be considered as having been brought back into use; and third, to make no change to the current provisions of the Radio Regulations. Given that three different methods were still being studied, it was unlikely that the Board would be able to adopt a rule of procedure on the matter prior to WRC-15.

8.13 The **Chairman** said that there was evidently work in progress, and he suggested that the subject be taken up again at the 68th meeting through Mr Bessi, Vice-Chairman of the Working Group on the Rules of Procedure.

8.14 **Mr Strelets** said that the Board should thank Mr Ebadi for his able leadership of the working group.

8.15 The Board **agreed** that Document RRB12-1/4(Rev.11) would be updated and posted on the Board's website, for further review at the Board's 68th meeting.

9 Consideration of issues related to Resolution 80 (Rev.WRC-07) (Document RRB14-3/INFO/1)

9.1 Following a meeting of the Board's Working Group on Resolution 80 (Rev.WRC-07), **Ms Zoller** reported that the working group had discussed the Board's preliminary draft report to WRC-15 under Resolution 80 (Document RRB14-3/INFO/1) extensively and decided to revise it as follows:

- 1 Switch sections 2 and 3 (i.e. approach and Board's mandate).
- 2 Address the following topics in the report:
 - a) The issue of the "responsible administration", taking into account the minutes of the 13th plenary of WRC-12.
 - b) The meaning of *force majeure* and the opinion of the ITU Legal Adviser in this regard.
 - c) Satellite failure during the initial bringing into use, followed by a subsequent satellite failure (Mr Ebadi to prepare).
 - d) The interrelationship between Nos. 11.49 and 13.6 of the Radio Regulations.
 - e.) A new section on Article 48 of the Constitution.
 - f) The status of the minutes of a world radiocommunication conference, including the opinion of the ITU Legal Adviser in this regard.
 - g) The application of No. 14.6 of the Radio Regulations with respect to revisiting a decision of the Board, including the opinion of the ITU Legal Adviser in this regard.

9.2 She said that the working group recommended that the draft report be included on the agenda of the Board's 68th meeting, ensuring the availability of the report in all the working languages of the Union. The working group also recommended that the Board instruct the Director to issue a circular letter drawing the attention of administrations to the draft report and inviting them to contribute to studies in time for the Board's 68th meeting. The working group further

recommended that the Board instruct the Director to prepare a draft report on the activities of the Board since WRC-12 and include that report on the agenda of the Board's 68th meeting.

9.3 Responding to comments by **Mr Strelets** and **Mr Garg**, she said that the reason for asking the Director to move ahead quickly with his report on the Board's activities was to enable him, if he so wished, to call on the current Board members for help. Also, the Director's report dealt with such matters as the conversion of rules of procedure into provisions of the Radio Regulations, and if work did not start on that until the Board's 69th or 70th meeting it might not be completed in time for WRC-15.

9.4 **Mr Ebadi** agreed that the Board should see a draft of the Director's report on the Board's activities since WRC-12, but thought that it would be inappropriate to include such a request as part of the Board's conclusion on its consideration of Resolution 80 issues.

9.5 The **Chairman** thanked Ms Zoller for her excellent work in chairing the Board's Working Group on Resolution 80 (Rev.WRC-07) and Mr Ito for contributing the section of the draft report that dealt with satellite leasing. He suggested that the Board conclude as follows:

“The following report of the Working Group, chaired by Ms J. ZOLLER, was approved by the Board:

1 The draft report of RRB on consideration of issues related to Resolution 80 (Rev.WRC-07) as found in Document RRB14-3/INFO/1 was discussed extensively in the working group. The Board decided to update, by 31 December 2014, the draft report and to post a revision of RRB14-3/INFO/1.

2 Include the draft Report by the Radio Regulations Board to WRC-15 on Resolution 80 (Rev.WRC-07) on the agenda of the 68th meeting of RRB, ensuring the availability of the report in all languages.

3 Instruct the Director of the Radiocommunication Bureau to issue a circular letter calling the attention of administrations to the Draft Report by the Radio Regulations Board to WRC-15 on Resolution 80 (Rev.WRC-07) and inviting administrations to contribute to these studies in time for the 68th meeting.”

9.6 It was so **agreed**.

10 Chairmanship and vice-chairmanship of the Board for 2015

10.1 **Mr Strelets** said that it was not up to the present Board membership to discuss who should serve as chairman and vice-chairman of the Board in 2015, but the Board should, under No. 144 of the Convention, appoint an interim chairman to serve from the end of 2014 until the Board's 68th meeting – at which point the new Board would appoint its chairman and vice-chairman for 2015.

10.2 **Mr Bessi** questioned whether CV No. 144 was applicable to the situation the Board would face at the end of the year, and **Mr Ebadi** said that the Board had faced identical situations when its membership had changed in 2006-2007 and 2010-2011: following PP-10, the incumbent chairman, Mr Žilinskas, had continued to serve as chairman from 1 January 2011 until the Board's first meeting that year.

10.3 **Ms Zoller** said that the Board could draw inspiration from the Council's practice, whereby, following a change in its membership after a plenipotentiary conference, the outgoing chairman continued to serve as chairman until the new Council appointed its chairman at its first meeting, i.e. its extraordinary session held during the plenipotentiary conference.

10.4 The Board **agreed** to elect Mr Kibe to serve as interim chairman from 1 January 2015 up to the start of the Board's 68th meeting.

11 Confirmation of the dates of the next meeting and meeting schedule for 2015

11.1 **Mr Bessi** drew attention to the need to allow sufficient time for the Board to prepare and validate its reports to WRC-15, taking account where relevant of inputs from administrations, on subjects such as Resolution 80, rules of procedure, and the Board's activities between conferences. **Mr Strelets** suggested that the Board's 69th meeting should be an extended meeting.

11.2 The Board **agreed** to confirm the dates of its 68th meeting as 16-20 March 2015, and its subsequent meeting dates as follows:

69th meeting: 1-9 June 2015

70th meeting: 19-23 October 2015.

12 Briefing by RRB representatives to PP-14 (Documents RRB14-3/INFO/2 and RRB14-3/INFO/3)

12.1 **Mr Ebadi** introduced Document RRB14-3/INFO/2, reporting on the structure of PP-14 and the work of its Committee 5 (Policy and Legal Matters) in particular, and highlighting outcomes of particular relevance to the Board. He had been able to participate in all the meetings of Committee 5.

12.2 **Mr Garg** introduced Document RRB14-3/INFO/3, reporting on the work of Committee 6 (Administration and Management) and the Working Group of the Plenary during PP-14. Although some meetings of Committee 6 had been held in parallel with those of the Working Group of the Plenary, he had been able to participate in most of the meetings of those two bodies.

12.3 The **Chairman** suggested that the Board note the two reports with interest and express appreciation to the two rapporteurs.

12.4 It was so **agreed**.

13 Representation of the Board at the forthcoming meeting of the Special Committee on Regulatory/Procedural Matters

13.1 The Board **agreed** to designate Mr Bessi to represent it at the forthcoming meeting of the Special Committee (1-5 December 2014).

14 Approval of the summary of decisions (Document RRB14-3/8)

14.1 The summary of decisions (Document RRB14-3/8) was **approved**.

15 Closure of the meeting

15.1 The **Chairman** thanked all those who had contributed to the success of the present meeting and had supported him throughout his tenure as Chairman of the Board. He particularly thanked Ms Zoller and Mr Ito for their work on Resolution 80, Mr Ebadi and Mr Bessi for their work on the rules of procedure, and the Director and his staff, including the interpreters and sound technician.

He commended the outgoing Board members for their invaluable contribution to the work of ITU over the years, and looked forward to four further years of collaboration with those Board members re-elected by PP-14.

15.2 **Mr Magenta, Mr Ito, Mr Koffi, Mr Strelets, Mr Ebadi, Ms Zoller and Mr Garg** took the floor to echo the Chairman's comments and express their appreciation of the convivial and productive atmosphere that had always characterized the Board's work. They commended the Chairman on his able handling of some complex topics in the course of the year.

15.3 The **Director** thanked all the Board members, particularly the outgoing members, for their outstanding contribution to the work and success of the Union, and said he looked forward to seeing them all again in whatever capacity that entailed.

15.4 The **Chairman** reiterated his thanks to everyone, and closed the meeting at 1540 hours on Friday, 21 November 2014.

The Executive Secretary:
F. RANCY

The Chairman:
S.K. KIBE