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| **Council Expert Group onCouncil Decision 482****Second meeting – Geneva, 28 February – 1 March 2019** |  |
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|  | **Document EG-D482-2/6-E** |
| **27 February 2019** |
| **English only** |

**Chairman, Council Expert Group on Council Decision 482**

Draft progress report containing
recommendations about the possible revision of Decision 482
with regard to complex/large non-GSO satellite filings

**Introduction**

The first meeting of the Council Expert Group on Council Decision 482 agreed on a preliminary draft structure for a progress report containing recommendations about the possible revision of Decision 482 with regard to complex/large non-GSO satellite filings (see Annex 1 to [Document EG-D482-1/9](https://www.itu.int/md/S18-EGD482-C-0009/en)).

The Annex to this document provides some draft text for the introduction and background of the progress report. The Council Expert Group is invited to review it and to further develop the report requested by Council.

**Annex:** 1

**Annex**

DRAFT progress report containing
recommendations about the possible revision of Decision 482
with regard to complex/large non-GSO satellite filings

**1 Introduction**

At its 2018 session, Council established a Council Expert Group on Decision 482. The terms of reference of this group contain three tasks:

* to further examine Procedures B and C described in Document C18/36, while taking into account considerations contained in Documents C18/36 (Addendum 1), C18/75, C18/83 and C18/90, as well as contributions submitted to its meetings;
* to focus its examination of Procedure B on the cases of complex non-GSO satellite filings and to prepare a report containing recommendations about the possible revision of Decision 482 with regard to complex non-GSO satellite filings for submission to the 2019 ITU Council for action;
* once studies of complex non-GSO satellite filings have been completed, and subject to the Bureau providing information to this Council Expert Group that support the need to take action, to consider whether the approach of Procedure B should also be applicable to the cases of exceptionally complex GSO satellite filings (i.e. filings that require a very significant amount of additional time and resources to process). The results of the studies on these GSO filings should be reported to the 2019 ITU Council in a separate report, for action as appropriate.

This group, chaired by Mr Nikolay VARLAMOV (Russian Federation), held [two/three] meetings on 27-28 September 2018, 28 February-1 March 2019 [and *dates to be defined*] in the ITU headquarters in Geneva.

Following a more detailed examination of Procedures B and C, this report contains recommendations about the possible revision of Decision 482 with regard to complex/large non-GSO satellite filings.

**2 Background**

Since November 2014, the Radiocommunication Bureau has received requests for coordination for non-geostationary satellite systems operating in the fixed-satellite service consisting of tens of thousands (from 70 000 to more than 230 000) of satellites in more than 1 000 orbit planes, as opposed to maximum values around 840 satellites when Decision 482 was initially agreed. According to Decision 482, processing fees are calculated on the basis of the number of cost-recovery units and, in cases where the number of units exceeds 100, a flat fee is charged. For some of the abovementioned non-geostationary satellite networks, the number of units reaches up to 254 000 units.

The current structure of Decision 482 was essentially decided by Council 2005, on the basis of [Document C05/29](https://www.itu.int/md/S05-CL-C-0029/en) on cost recovery for the processing of satellite network filings that is referenced in the Decision (see *considering* *ebis*). According to this document, the introduction of a ceiling in the amount that can be invoiced for satellite cost recovery was mainly based on the fact that, in absence of a ceiling, “some specific satellite network filings would continue to give rise to large number of units, resulting in invoices of very important amount that administrations would keep on not paying; the increase of overdue payments and unpaid invoices result in shortfall of treasury for the Union to be covered by other sources of funding such as assessed contributions”.

However, at the time of Council 2005, available statistics for non-geostationary satellite systems were limited (31 filings with an average of 45 units per filing, the maximum number of units for a single filing being 576) therefore the flat fee above 100 units was understood as an average between satellite systems of similar complexity and was adopted based on the value chosen for geostationary satellite networks. Prior to the period 2013-2014, this assumption proved to be remarkably valid (in the period 2005-2012, there were 46 filings with an average of 53 units per filing, the maximum number of units for a single filing being 639). Council 2005 did not envision the sharp increase in units occurring since 2013.

At its 2017 session, the Council instructed the Radiocommunication Bureau to submit a study on the technical issues arising in connection with processing of complex non-geostationary satellite (non-GSO) systems. Then, at its 2018 session, the Council adopted a revision to Decision 482 incorporating Procedure A (“Separately computing charges for mutually exclusive configurations and adding them”) and created a Council Expert Group on Decision 482 to work on Procedures B (“Limiting the flat fee to a maximum number of units”) and C (“Introducing an additional fee for cases subject to Article 22 epfd limits”).

**3 Description of complex/large non-GSO satellite filings**

**4 Categories and types of complex/large non-GSO filings**

Note: Technical details will be provided in an annex.

**5 Procedures on how to review Decision 482 with regard to processing complex/large non-GSO satellite filings**

**5.1 Procedure A**

Note: Not to be pursued as per Council Decision.

**5.2 Procedure B**

5.2.1 Review/Examination of Procedure B relating to the cases of complex/large non-GSO satellite filings

Note: include statistics taking into account impact of Procedure A in dealing with Procedure B (see request # 1 to the BR in Annex 2 to Doc. EG-D482-1/8).

5.2.2 Impact of complex/large non-GSO filings on the activities of the BR relating to processing of these filings

Note: Validation, technical/regulatory examination, publication, etc.

5.2.3 Review of Cost Recovery fees for complex/large non-GSO satellite filings according to Procedure B

**5.3 Procedure C**

5.3.1 Review/Examination of Procedure C

5.3.2 Major costs elements/factors in checking compliance with epfd limits

5.3.3 Non-recurring and recurring costs associated with checking compliance with epfd limits

**6 Other considerations**

**6.1 Possible modification to certain RR provisions and associated RoP**

Note: E.g. RR No. 4.1, RoP relating to receivability, etc.

Note: During the discussion on the review of Cost Recovery methodologies it was indicated that certain information is to be sought from/provided by the BR (see Annex 2 to Doc. EG-D482-1/8).

**7 Recommended course of actions to the 2019 session of ITU Council**

**7.1 Possible revision of Decision 482 with regard to complex/large non-GSO satellite filings**

**7.2 To consider the need to further review Decision 482 based on WRC-19 decisions on associated technical/regulatory issues, if available**

Note: The concept of § 7.2 may be included in the Chairman’s Report to Council 2019.

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