

INTERNATIONAL TELECOMMUNICATION UNION



Radiocommunication Bureau
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Circular Letter
CCRR/37

19 September 2008

To Administrations of Member States of ITU

Subject: Draft Rules of Procedure to reflect the decisions of WRC-07

To the Director General

Dear Madam/Sir,

Please find attached the third set of the draft Rules of Procedure to reflect the decisions of WRC-07, which were prepared by the Bureau in accordance with the schedule for consideration of such Rules as agreed by the Radio Regulations Board (www.itu.int/ITU-R/conferences/docs/rrb-schedule-rop-en.doc).

In accordance with No. **13.17** of the Radio Regulations, these draft Rules of Procedure are made available to administrations for comment before being submitted to the RRB pursuant to No. **13.14**. As indicated in No. **13.12A d)** of the Radio Regulations, any comments that you may wish to submit should reach the Bureau not later than **2 November 2008**, in order to be considered at the 49th meeting of the RRB, scheduled for 1-5 December 2008. All e-mail comments should be sent to: brmail@itu.int.

Yours faithfully,

Valery Timofeev
Director, Radiocommunication Bureau

Annex

Distribution:

- Administrations of Member States of the ITU
- Members of the Radio Regulations Board
- Director and Heads of Department of the Radiocommunication Bureau

ANNEX

Rules concerning ARTICLE 5 of the RR

MOD

5.172

The French Overseas Departments ~~and communities~~ in Region 2 are the following geographical areas: territories indicated in the Preface of the IFL under the following symbols:

Guadeloupe, GDL (including Saint Barthélemy, and the French part of Saint Martin), French Guyana, GUF, Martinique, MRT, and Saint Pierre and Miquelon SPM.

Reason: Editorial modification to reflect the new terminology used for the French overseas departments as introduced at WRC-07.

Effective date of application of the modified Rule: immediately after the approval of the Rule.

MOD

5.281

With respect to the French Overseas Departments ~~and communities~~ in Region 2, see comments under the Rules of Procedure concerning No. **5.172**.

Reason: Editorial modification to reflect the new terminology used in this provision.

Effective date of application of the modified Rule: immediately after the approval of the Rule.

ADD

5.316A

1 The term “unacceptable interference” referred to in this provision is not defined anywhere in the Radio Regulations. The Board considers that the evaluation of the “acceptable” and “unacceptable” interference is a matter for the administrations concerned and the Bureau shall make no examination in this respect. When recorded in the Master Register, the assignment governed by the allocation situation of No. **5.316A** will bear the symbol "R" in 13B2 (“*Finding observation*”) and the symbol "RR5.316A" in 13B1 (“*Finding reference*”), which indicate that the recording and the status of the assignment with respect to other administrations is to be derived from No. **5.316A**.

2 In the context of the application of No. **9.21** procedure to an assignment governed by the allocation situation of No. 5.316A, the identification of potentially affected administrations with respect to their assignments in the fixed and mobile, except aeronautical mobile, services would be performed using the coordination distances given in Table 2 of Section B6 of the Rules of

Procedure. In the absence of criteria for protection of the aeronautical radionavigation service against the mobile service, the identification of potentially affected administrations entitled to operate aeronautical radionavigation service under No. 5.312 would be provisionally carried out using the coordination triggers, the propagation data and other assumptions contained in Section I of Annex 4 to the GE06 Agreement, complemented with the relevant Rules of Procedure as given in Part A10. Recognizing the fact that the protection criteria of the GE06 Agreement are not fully appropriate for the protection of the aeronautical radionavigation service against the mobile service, a Note would be added into Special Section RR9.21/C indicating that the list of administrations identified by the Bureau as potentially affected is only for information purpose, to assist administrations.

3 If the procedure is initiated by the Administration of Lithuania or by the Administration of Poland, the Administrations of Belarus and the Russian Federation would be always indicated as administrations considered to be affected in the relevant Special Section (GE06 and/or RR9.21/C).

Reason: Self-explanatory.

Effective date of application of this Rule: 1 January 2009.

Rules concerning

ARTICLE 9 of the RR

MOD

9.27

1 Frequency assignments to be taken into account in the coordination procedure

Frequency assignments to be taken into account in the coordination procedure are mentioned in § 1 to 5 of Appendix 5 (see also Rules of Procedure concerning No. 9.36 and Appendix 5).

1.1 The period between the date of receipt by the Bureau of relevant information under No. 9.1 or 9.2 for a satellite network and the date of bringing into use of the assignments of the satellite network in question shall in no circumstance exceed seven years as referred to in No. 11.44. Consequently, frequency assignments not complying with these time-limits will no longer be taken into account under the provisions of No. 9.27 and Appendix 5. (See also Nos. 11.43A, 11.48 and Resolution 49 (Rev.WRC-07~~3~~) and Resolution ~~57 (WRC-2000)~~.)

2 Modification of characteristics of a satellite network during coordination

2.1, 2.2 (NOC)

2.3 (NOC):

- a) networks with “2D-Date”³ before D1⁴;
- b) networks with “2D-Date” between D1 and D2⁵, where the nature of the change is such as to increase the interference to or from, as the case may be, the assignments of these networks. In case of GSO networks referred to in No. 9.7, including those to which the coordination arc approach (frequency bands 1), 2), 3), 4) and 5) of) has~~ve~~ been applied (see No. 9.7 of Table 5-1 of Appendix 5), the increase of interference will be measured in terms of $\Delta T/T$.

(NOC to the remainder of the Rule).

Reason: Update of the reference regarding Resolution 49, deletion of a reference to an obsolete Resolution (Resolution 57(WRC-2000) was abrogated by WRC-07) and generalization of the reference to coordination arc application (that was modified by WRC-07) to avoid the need for future updates of the Rule.

Effective date of application of the modified Rule: immediately after the approval of the Rule.

³ The “2D-Date” is the date from which an assignment is taken into account as defined in § 1 e) of Appendix 5.

⁴ D1 is the original “2D-Date” of the network undergoing modification.

⁵ D2 is the date of receipt of request for modification. Concerning the date of receipt, see the Rule of Procedure on Receivability.

MOD

9.52

1 The provision No. **9.52** states that in the case of a disagreement concerning coordination, the responding administration (Administration B) informs the administration requesting the coordination (Administration A) of the reasons for its disagreement and in particular includes in these reasons those “assignments upon which that disagreement is based”. It further states that “A a copy of these comments shall also be sent to the Bureau. The Board noted the requirement for mandatory electronic filing and the Rules concerning the receivability of forms of notice, which require comments to be submitted to the Bureau in electronic format compatible with the BR electronic notice form capture software SpaceCom. As a consequence, when submitting its disagreement to the BR using SpaceCom, Administration B must also inform Administration A, within the 4 month regulatory period, of its disagreement, giving the reasons therefore and identifying those “assignments upon which that disagreement is based”. In addition, Administration B must also send a copy of these comments to the Bureau until such time that SpaceCom enables their inclusion in the electronic notice.

2 Where this information relates to terrestrial stations or earth stations operating in the opposite direction of transmission within the coordination area of an earth station, only that information relating to existing radiocommunication stations or those to be brought into use within the next three months for terrestrial stations, or three years for earth stations, shall be treated as notifications under No. **11.2** or **11.9**.” Provision No. **9.52** does not specify what action the Bureau will take with respect to the information relating to the other type of stations which are not to be considered as notifications but with respect to which the responding administration also stated its disagreement. The Bureau will not consider them as a notification under No. **11.2** or **11.9** and will not publish them, considering that it is a bilateral matter which does not need to be brought to the knowledge of all administrations.

23 The information submitted to the Bureau by Administration B which, according to No. **9.52**, shall be treated as notifications under No. **11.2** or **11.9** could only be so considered, if it contains complete data as required by Appendix **4**; otherwise the notice(s) will be returned to Administration B as incomplete. It is also understood that these notices have to be in conformity with No. **11.31**; otherwise the notice(s) will be either returned to Administration B, or shall be recorded in the Master Register for information purposes only, if the administration indicated that the assignment(s) will be operated in accordance with No. **4.4**. Furthermore, the relevant frequency assignments of Administration B will be examined under No. **11.32** (with respect to its conformity with the procedures relating to coordination) and may be eventually returned to the administration, under No. **11.37**, if the Bureau finds that the procedures for obtaining coordination were not successfully applied with all concerned administrations, under No. **9.27** with respect to their assignments recorded in the Master Register. See also the Rules of Procedure relating to No. **9.29**.

34 This provision ~~allows~~ requires the responding Administration B to inform the requesting Administration A of its disagreement within four months. It is to be noted that if Administration B ~~which may is not be~~ in a position, for any reason, to respond to the requesting Administration A, Administration B can send its disagreement directly to the Bureau accompanied by a statement reflecting the situation. The Board decided that disagreements addressed directly to the Bureau are valid in the meaning of No. **9.52**, and the Bureau shall communicate the disagreement to Administration A.

NOC

45 Case of administrations having responded

Reason: The Board, at its 47th meeting, instructed the Bureau to prepare a draft modification to the Rule of Procedure concerning No. 9.52 on the basis of the proposal of the United States (Document RRB08-2/2).

Experience shows that many administrations objecting to assignments under RR 9.11, 9.11A and RR 9.21 are sending their disagreements directly to the Bureau via the SpaceCom software tool in lieu of sending any comments to the administration requesting coordination. Submitting disagreements via SpaceCom only, does not fully meet the intent of No. 9.52 which specifically states that the responding administration “shall... inform the administration requesting coordination of its disagreement and shall provide information concerning its own assignments upon which that disagreement is based”. For orderly conduct of coordination process between administrations, it is important to inform the administration requesting coordination of the disagreement and of the reason for the disagreement. The current features in the SpaceCom software do not permit the responding administration to convey “the reasons for its disagreement and in particular [to] include in these reasons those assignments upon which that disagreement is based”. When comments are submitted via SpaceCom only, the administration requesting coordination is often unaware that a particular administration has submitted a disagreement until the draft CR/D report is made available on a future BR IFIC, which is now about one month after the expiry of the 4-month period for agreement of disagreement decision.

The proposal of the United States included also a specific period of 30 days for the Bureau to communicate the disagreements and reasons to Administration A. The Bureau believes that it is unnecessary to specify such period since the Bureau, when requested by the Administration B, always does it immediately, and that anyhow draft CR/D is published now about 30 days after the expiry of the 4-month period for comments.

Rules concerning
APPENDIX 4 to the RR

MOD

An. 1A

ITEM 3A1

When submitting a notice within the procedure of Article **11**, the administrations are required to provide information on the call sign or other identification used, as requested by Nos. **19.7** to **19.9** and **19.29**. Bearing in mind the variety of special arrangements concluded between administrations concerning notification of frequency assignments, the Board instructed the Bureau not to perform systematic control of the call signs referred to in No. 19.29 during the validation and examination of the notice. Nevertheless, if non-conformity of the call sign with the international call series is identified, the notifying administration is to be informed thereof.

Reason: Editorial updates to conform with the new numbering arrangement adopted by WRC-07 in the revised version of Appendix 4. The addition of the reference to No. 19.29 is required to complement the overall scope of this Rule.

Effective date of application of the modified Rule: 1 January 2009.

ADD

Rules concerning

APPENDIX 18 to the RR

WRC-07 revised Appendix **18** and modified the scope of application of several channels listed in Appendix **18** (Rev.WRC-07). Such modification was carried out, *inter alia*, on channels 01, 07, 19, 20, 21, 60, 66, 78, 79, 80 and 81, by adding the specific note “m” against these channels, which indicates: “These channels may be operated as single frequency channels, subject to coordination with affected administrations”. The mention of note “m” against a given channel in the Table of transmitting frequencies in Appendix 18 is normally associated with the symbol “X” in the column "Single frequency". However, WRC-07 did not place the indication "X" in the column "Single frequency" against channels 01, 07, 19, 20, 21, 60, 66, 78, 79, 80 and 81, although it added the note "m" against these channels.

The RRB considers that this was an unintentional omission and that, for the sake of consistency, the indication "X" should appear in the column "Single frequency" against channels 01, 07, 19, 20, 21, 60, 66, 78, 79, 80 and 81. Therefore, the RRB instructed the Director of the Radiocommunication Bureau to report this inconsistency to WRC-11, for consideration under the relevant agenda item.

Reason: Self-explanatory.

Effective date of application of this Rule: 1 January 2009.

Rules concerning
APPENDIX 30B to the RR

Art. 6

Procedures for the conversion of an allotment into an assignment for the introduction of an additional system or for the modification of an assignment in the List

ADD

6.3a)

1 The footnotes attached to provisions § 6.3a), 6.19b), 7.5a) and 8.8 require that the “other provisions” mentioned in those provisions shall be identified and included in the Rules of Procedure. This rule intends to answer the above problem.

The regulatory examinations under § 6.3a), 6.19b), 7.5a) and 8.8 include the following:

- conformity with the Table of Frequency Allocations, including its footnotes and any Resolution or Recommendation which is referred to in such a footnote;
- all “other” mandatory provisions that are contained in Articles **21** to **22**, in Articles **3** and **4** of Appendix **30B** to the Radio Regulations and/or in Resolutions that are relevant to the service in the frequency band in which a station of that service operates.

2 The list of “other provisions” that are contained in Articles **21** to **22** with respect to which the notices are examined, is given below:

2.1 conformity with the power limits for earth stations as stipulated in provisions Nos. **21.8** and **21.12**, account being taken of provisions Nos. **21.9** and **21.11**¹, and in provisions Nos. **22.26** to **22.28** under the conditions specified in provisions Nos. **22.30** and **22.31**, where the earth stations are subject to those power limitations;

2.2 conformity with the minimum angle of elevation of earth stations as stipulated in provisions No. **21.14**²;

2.3 conformity with the limits of power flux-density from space stations produced at the Earth’s surface as indicated in the Table **21-4** (provision No. **21.16**), taking into account, as appropriate, the provision Nos. **21.17**;

2.4 conformity with the limit specified in provisions Nos. **22.8** and **22.19**.

¹ See Rules of Procedure relating to No. **21.11**.

² See Rules of Procedure relating to No. **21.14**.

2.5 Other provisions of Articles 21 and 22 will not be taken into account in the Regulatory examination under § 6.3a), 6.19b), 7.5a) and 8.8 and the Board understands that these provisions are to be applied between administrations as appropriate.

Reason: Similar to No. 11.31.2 of the Radio Regulations, footnotes to provisions § 6.3a), 6.19b), 7.5a) and 8.8 require that the “other provisions” mentioned in those provisions shall be identified and included in the Rules of Procedure. The relevant parts of the Rules of Procedure relating to No.11.31 are extracted with some adjustments.

Effective date of modification of this Rule: 17 November 2007.

ADD

6.19b)

See Rules of Procedure relating to § 6.3a).

Reason: See the reason for Rules of Procedure relating to § 6.3a).

Effective date of modification of this Rule: 17 November 2007.

ADD

7.5a)

See Rules of Procedure relating to § 6.3a).

Reason: See the reason for Rules of Procedure relating to § 6.3a).

Effective date of modification of this Rule: 17 November 2007.

ADD

8.8

See Rules of Procedure relating to § 6.3a).

Reason: See the reason for Rules of Procedure relating to § 6.3a).

Effective date of modification of this Rule: 17 November 2007.
