



Radiocommunication Bureau
(Direct Fax N°: +41 22 730 57 85)

Circular Letter
CCRR/45

3 September 2012

To Administrations of Member States of ITU

Subject: Draft Rules of Procedure to reflect the decisions of WRC-12 and existing rules that may require updates.

To the Director General

Dear Madam/Sir,

At its 59th meeting (14-18 May 2012), the Radio Regulations Board considered the impact of WRC-12 decisions on the current Rules of Procedure and agreed on the schedule for considering draft new and modified existing Rules of Procedure on the basis of the document presented by the BR (see Document RRB12-1/4) and other inputs by Board members. The Board instructed the Bureau to proceed accordingly, under the understanding that the schedule may be eventually adjusted on the basis of additional studies (see Revision 3 to Document RRB12-1/4).

The Bureau therefore prepared a second set of draft new or modified Rules of Procedure as a consequence of the decisions of WRC-12.

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 **15 October 2012**, in order to be considered at the 61st meeting of the RRB, scheduled for 12-16 November 2012. All e-mail comments should be sent to: brmail@itu.int.

Yours faithfully,

F. Rancy
Director, Radiocommunication Bureau

Annexes: 1

Distribution:

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

ANNEX 1

Rules concerning

ARTICLE 9 of the RR

MOD

9.2

SUP

1

SUP

2

SUP

3

SUP

4

MOD

5 The question may arise, ~~however,~~ as to whether a change of orbital location of a geostationary satellite network up to $\pm 6^\circ$ is cumulative during the entire regulatory processing (i.e. Advance Publication (Article 9, Section I), Coordination (Article 9, Section II), and Notification (Article 11)) of a network. The Board considers that the cumulative modification of the orbital location of a geostationary satellite network during the entire regulatory processing of a network up to $\pm 6^\circ$ from the reference orbital position (i.e. the nominal orbital position indicated in the first advance publication of the network, ~~or the one described in § 4 above, as appropriate~~) does not require a new advance publication.

Reason: WRC-12 modified No.9.2 to clarify change of information which will require a new advance publication of a non-geostationary satellite network. Such modification to be applied as from 01.01.2013 does not require any rule for application. However the Bureau took this opportunity to review the existing rules and suppress the part relating to past transitional arrangement which are no longer necessary.

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

MOD

TABLE 9.11A-1

Applicability of the provisions of Nos. 9.11A-9.15-14 to stations of space services

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14, as appropriate	Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate	Applicable Nos. 9.12 to 9.14 provision(s), as appropriate	Terrestrial services in respect of which No. 9.14 apply equally	Notes
2 483.5-2 500	5.402	MOBILE-SATELLITE RADIODETERMINATION-SATELLITE (Region 2 and Region 1/Region 3 countries in No. 5.400)	↓	---	9.12, 9.12A, 9.13, 9.14	FIXED MOBILE RADIOLOCATION (Region 2, Region 3 and country in No. 5.397/398A) (see also No. 5.399)
2 483.5-2 500	5.402	Radiodetermination satellite (Region 1 and Region 3)	↓	---	9.12, 9.12A, 9.13	— (See No. 5.399)

Reason: WRC-12 added a primary allocation to RDSS in Regions 1 and 3 and suppressed footnote Nos. 5.400 and 5.397. Further, a new footnote No. 5.398A has been added that allows different category (primary) of service to radiolocation in certain footnoted countries in Region 1. Table 9.11A-1 is modified accordingly

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

TABLE 9.11A-1 (continued)

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14, as appropriate	Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate	Applicable Nos. 9.12 to 9.14 provision(s), as appropriate	Terrestrial services in respect of which No. 9.14 apply equally	Notes
2 500-2 520	5.414	MOBILE-SATELLITE (Region 3)	↓	FIXED SATELLITE (Region 2 and Region 3), RADIODETERMINATION-SATELLITE (5.404)	9.12, 9.12A, 9.13, 9.14* * Only applicable to MSS in J and IND (see No. 5.414A)	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)

2 520-2 535	5.403	MOBILE-SATELLITE (except AERONAUTICAL MOBILE-SATELLITE) (Region 3)	↓	BROADCASTING-SATELLITE, FIXED SATELLITE (Region 2 and Region 3) AERONAUTICAL MOBILE-SATELLITE (countries in No. 5.415A)	↓	9.12, 9.12A, 9.13, 9.14* * Only applicable to MSS, including AMSS in J and IND (see Nos. 5.414A and 5.415A)	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	
-------------	--------------	--	---	--	---	--	---	--

*Reason: suppression of footnote No. **5.405***

Effective date of application of the modified Rule: 01.01.2013

TABLE 9.11A-1 (continued)

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14 , as appropriate	Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate	Applicable Nos. 9.12 to 9.14 provision(s), as appropriate	Terrestrial services in respect of which No. 9.14 apply equally	Notes
5 010-5 030	5.328B	RADIONAVIGATION-SATELLITE	↓ ↔ AERONAUTICAL MOBILE-SATELLITE (R) (5.367)	↓ ↑ ↔ 9.12, 9.12A, 9.13	---	

*Reason: WRC-12 added to the Table a global primary allocation to AMS(R)S and deleted reference to this band in footnote No. **5.367***

Effective date of application of the modified Rule: 01.01.2013

TABLE 9.11A-1 (continued)

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14 , as appropriate	Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate	Applicable Nos. 9.12 to 9.14 provision(s), as appropriate	Terrestrial services in respect of which No. 9.14 apply equally	Notes
<u>5 030-5 091</u>	5.443D	<u>AERONAUTICAL MOBILE-SATELLITE (R)</u>	↓ ↑ ↔ ---	<u>9.12, 9.12A, 9.13, 14</u>	<u>--AERONAUTICAL MOBILE (R)</u>	

*Reason: WRC-12 added a new footnote No. **5.443D** that subjects AMS(R)S to coordination under No. **9.11A** in the band 5030-5091 MHz. The allocation does not restrict the direction of transmission or type of orbit (GSO or non-GSO), therefore, coordination is required under provisions*

Nos. 9.12, 9.12A and 9.13. There are also (terrestrial service) allocations to ARNS and AM(R)S in this band. Coordination under No.9.14 is not required with respect to ARNS service in view of the inequality of allocation and coordination(See No. 5.444)

Effective date of application of the modified Rule: 01.01.2013

TABLE 9.11A-1 (continued)

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Space services mentioned in a footnote referring to Nos. 9.11A, 9.12, 9.12A, 9.13 or 9.14, as appropriate	Other space services or systems to which Nos. 9.12 to 9.14 provisions(s) apply equally, as appropriate	Applicable Nos. 9.12 to 9.14 provision(s), as appropriate	Terrestrial services in respect of which No. 9.14 apply equally	Notes
5 091-5 150	5.444A	FIXED-SATELLITE (limited to non-GSO MOBILE-SATELLITE SERVICE feeder links)	↑ AERONAUTICAL MOBILE-SATELLITE (R) (5.367) ↓ ↑ ↔	9.12, 9.12A, 9.13	---	

Reason: idem band 5010-5030 MHz

Effective date of application of the modified Rule: 01.01.2013

MOD

TABLE 9.11A-2

Applicability of the provisions of No. 9.15 to earth stations of a non-geostationary satellite network and No. 9.16 to stations of terrestrial services

TABLE 9.11A-2 (*continued*)

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Terrestrial services to which No. 9.16 applies and in respect of which No. 9.15 applies	Space services mentioned in a footnote referring to No. 9.11A to which No. 9.15 applies and in respect of which No. 9.16 applies		Applicable Nos. 9.15, 9.16 provision(s)	Notes
2 483.5-2 500	5.402	RADIOLOCATION (Region 2, Region 3 and country in No. 5.397 5.398A) (see also No. 5.399) FIXED MOBILE	MOBILE-SATELLITE RADIODETERMINATION-SATELLITE (Region 2 and Region 1/Region 3 countries in No. 5.400)	↓	9.15, 9.16	1

Reason: WRC-12 added a primary allocation to RDSS in Regions 1 and 3 and suppressed footnote No. 5.397. Further, a new footnote No. 5.398A has been added that allows different category (primary) of service to radiolocation in certain footnoted countries in Region 1.

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

TABLE 9.11A-2 (*continued*)

1	2	3	4	5	6	7
Frequency band (MHz)	Footnote No. in Article 5	Terrestrial services to which No. 9.16 applies and in respect of which No. 9.15 applies	Space services mentioned in a footnote referring to No. 9.11A to which No. 9.15 applies and in respect of which No. 9.16 applies		Applicable Nos. 9.15, 9.16 provision(s)	Notes
2 500-2 520	5.414	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	MOBILE-SATELLITE (R3)	↓	9.15, 9.16	1
2 520-2 535	5.403	FIXED LAND MOBILE MARITIME MOBILE RADIOLOCATION (country in No. 5.405)	LAND MOBILE-SATELLITE (R3) MARITIME MOBILE-SATELLITE (R3)	↓	9.15, 9.16	1

Reason: suppression of footnote No. 5.405.

Effective date of application of the modified Rule: 01.01.2013

TABLE 9.11A-2 (continued)

1	2	3	4	5	6	7
Frequency band (MHz/GHz)	Footnote No. in Article 5	Terrestrial services to which No. 9.16 applies and in respect of which No. 9.15 applies	Space services mentioned in a footnote referring to No. 9.11A to which No. 9.15 applies and in respect of which No. 9.16 applies		Applicable Nos. 9.15 , 9.16 provision(s)	Notes
<u>5 030-5 091</u>	<u>5.443D</u>	<u>AERONAUTICAL MOBILE (R)</u>	<u>AERONAUTICAL MOBILE SATELLITE (R)</u>	↑	<u>9.15</u>	<u>1</u>
<u>5 030-5 091</u>	<u>5.443D</u>	<u>AERONAUTICAL MOBILE (R)</u>	<u>AERONAUTICAL MOBILE SATELLITE (R)</u>	↓	<u>9.15, 9.16</u>	<u>1</u>

*Reason: WRC-12 added a new footnote No. **5.443D** that subjects AMS(R)S to coordination under No. **9.11A** for the band 5030-5091 MHz. .*

Effective date of application of the modified Rule: 01.01.2013

MOD

9.21

NOC

2 Secondary services

MOD

2.1 Upgrade of the status of the allocation for specific assignments

The following Rule has been adopted by the Board for application in cases where the application of the coordination procedure of No. **9.21** will upgrade a secondary allocation made in the Table or in a footnote (e.g. No. **5.371**) to a primary status for specific assignments (e.g. Nos. **5.325**, and **5.326** ~~and **5.400**~~).

For the purpose of identifying other administrations (Administration B) likely to be affected, assignments to stations of secondary services already entered in the Master Register and subject to provisions of Nos. **5.28** to **5.31** shall not be taken into consideration in cases involving those services of the requesting administration (Administration A) which are subject to the coordination procedure of No. **9.21** and will have primary status once that procedure has been successfully applied. Consequently, when criteria are drawn up for identifying affected administrations, secondary services shall not be regarded as enjoying protection against a primary service subject to the coordination procedure of No. **9.21**.

*Reason: Suppression of footnote No. **5.400** by the WRC-12.*

Effective date of application of the modified Rule: 01.01.2013

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-0712) and Resolution 552 (WRC-12).)

2 Modification of characteristics of a satellite network during coordination

NOC

2.1

NOC

2.2

MOD

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

- a) networks with “2D-Date”² before D1³;
- b) networks with “2D-Date” between D1 and D2⁴, 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 has been applied (see No. 9.7 of Table 5-1 of Appendix 5), the increase of interference will be measured in terms of $\Delta T/T$ or -pfd values when Resolution 553 (WRC-12) or Resolution 554 (WRC-12) apply:-

NOC

2.3.1 to 2.4

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

³ D1 is the original “2D-Date” of the network undergoing modification.

⁴ D2 is the date of receipt of request for modification. Concerning the date of receipt, see the Rule of Procedure on Receivability.

NOC

3

Reason: For Region 1 and Region 3 BSS assignments in the band 21.4-22 GHz, WRC-12 modified the threshold/condition (column 4) of Table 5-1 of Appendix 5 for identification of the affected networks/administrations under No. 9.7 and also introduced new due diligence information contained in Resolution 552(WRC-12) that replaces the Resolution 49(Rev.WRC-12).

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

MOD

9.41-9.42

MOD

1 The Board has closely studied ~~the situation and the reasons that led to the adoption of the coordination are principle at WRC 2000 and in particular provisions Nos. 9.36.2, 9.41 and 9.42 (modified by WRC-12)~~ In doing so, it was guided by recognising and considering of Resolution 55 (WRC 2000), by Article 9 in general, and by Nos. 9.36, 9.36.2 and Appendix 5

2 ~~The Board and~~ has accordingly arrived at the following conclusions regarding the application of the provisions of No. **9.41** by an administration which considers that its name or any of its satellite networks should have been identified under No. **9.36** in the context of a request for coordination stemming from the application of No. **9.7** ~~(including for case not having to do with application of coordination are)~~;

SUP

2.1

MOD

2-2 Administrations or any of its networks ~~not identified by CA~~ are entitled, based on the $\Delta T/T > 6\%$ criterion, to be included in coordination, in application of Nos. **9.41** and **9.42**. Requests under No. **9.41** must be substantiated by $\Delta T/T > 6\%$ calculations. To minimize the administrative burden on the Bureau and administrations, it shall be deemed sufficient for an administration wishing to be added in a coordination request under No. **9.41** to provide $\Delta T/T > 6\%$ calculations for only one pair of assignments for each satellite network to be further considered in the coordination process (a pair consisting of one assignment of the published network and one assignment of the network of the requesting administration); the Bureau will then examine all assignments of the specific networks of the requesting administration and then establish coordination requirements for all the assignments of the network referred to in the publication vis-à-vis the requesting administration under No. **9.42** commensurate with the results of such examination.

The same information, i.e. $\Delta T/T > 6\%$ calculations for all groups of assignments of involved satellite networks, shall be submitted by an administration believing that an administration or any of its satellite networks identified under No. **9.36.2** should not have been included under No. **9.36** in the coordination request of its own satellite network.

Reason: consequent to WRC-12 modified provisions Nos. 9.36.2, 9.41 and 9.42

Effective date of application of the modified Rule: 01.01.2013:

Rules concerning
ARTICLE 11 of the RR

11.43A

NOC

1

NOC

2

ADD

3 The reference in Nos. **11.44**, **11.44.1**, **11.47** and **11.48** to the seven year regulatory period should be considered as five years from the date of receipt by the Bureau of the notification of the modification referred to in No. **11.43A**. (See also the comments made under the Rules of Procedure concerning No. **11.44B**)

[MOD]34

[MOD]45

[MOD]56

*Reason: Clarification in the application of No. 11.43A and consequent to WRC-12 addition of a new provision No. **11.44B***

Effective date of application of the modified Rule: 01.01.2013

suppose

MOD

11.44

and 11.44.1

MOD

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

- in AP4 notice forms when submitted under No. **11.15**; and
- in the confirmation of the date of bringing into use under Nos. **11.47** and **11.44B**.

It should be noted that the information concerning the date of bringing into use shall be provided for each assignment or group of assignments. (See also the Rules of Procedure concerning No.11.44B)

SUP

2 to 8

Reason: WRC-12 modified the provision No.11.48 to enable cancellation of special sections published under Nos.9.2B and 9.38 in cases where, the notification required under No.11.44.1 or due diligence information required under resolves 6 of Resolution 49 is not submitted within the regulatory time limit specified in those provisions. Further, WRC-12 adopted No.11.44B on the definition of bringing into use of frequency assignment to a GSO network for which a Rule of Procedure has been developed and is referred to.

Effective date of application of the modified Rule:01.01.2013

ADD

11.44B

1 This provision concerns the requirement of the notifying administration to inform the Bureau within thirty days from the end of the ninety-day period in which a space station in the geostationary satellite orbit with the capability of transmitting or receiving that frequency assignments has been deployed and maintained continuously at the notified orbital location, in order to consider a frequency assignment as having been brought into use.

2. The Board carefully studied the relationship between the various provisions related to bringing into use of frequency assignments for a GSO satellite network under provisions No.11.43A, 11.44, 11.44B and 11.47 and concluded that the Bureau will apply the following procedure.

3. A frequency assignment shall be considered as having been brought into use under No.11.44B only when the notifying administration shall so inform the Bureau within thirty day from the end of the ninety-day period specified in that provision. The confirmation of the bringing into use of a an assignment not yet recorded in the MIFR will be published in PART II-S of the BR IFIC and/or on the BR web page maintained for that purpose , as appropriate. In the absence of the confirmation information under No.11.44B at the end of the one hundred and twenty-day period after the end of the period provided under No.11.44, the Bureau shall cancel the provisionally recorded assignments in the MIFR under No.11.44 and/or delete the relevant special sections under No.11.48, as appropriate.

4. Frequency assignments for which an administration has submitted notification information for recording in the MIFR without submitting the mandatory information required under provision No.11.44B, will be recorded provisionally in the MIFR. Thereafter, at the end of the period provided under No. 11.44, the Bureau shall act in accordance with the provisions of No.11.47 and/or No.11.44B

Reason: Consequent to addition by WRC-12 of provision No.11.44B which has introduced a minimum period of operation under certain conditions before a frequency assignment can be considered as brought into use.

Effective date of application of the modified Rule: 01.01.2013

MOD

11.47

± The reference in No. **11.47** to No. **11.44** and its regulatory period should be considered as five years from the date of receipt of a notice of a change referred to in No. **11.43A**. (See also the comments made under the Rules of Procedure concerning No. **11.43A** and No. **11.44B**)

Reason: Consequent to addition by WRC-12 of provision No.11.44B.

Effective date of application of the modified Rule: 01.01.2013

MOD

11.49 and 11.49.1

1 Suspended assignments

1.1 Under the provisions of No. **11.49 (Rev.WRC-12)** the Board understands that an administration may request for suspension of the use of a frequency assignment to a space station for a period not exceeding ~~two~~ three years and still continue to enjoy the protection acquired by virtue of the coordination agreements already obtained. ~~The Bureau may be informed of such suspensions either by the administration at its own initiative (No. 11.49) or in response to an inquiry made under No. 13.6. The request for suspension for a period not exceeding three years shall apply to requests for suspension of frequency assignments of a space station suspended received by the Bureau on or after 01.01.2013.~~

1.2 The Board decided that the procedure described below shall apply. The procedure will only be valid for suspended assignments which are not modified before being brought back into use.

2 Recording of a suspension of use

2.1 When the Bureau is informed, either under No. **11.49** or in response to an inquiry under No. **13.6**, that the use of a frequency assignment to a space station recorded in the Master Register is suspended, this information is published in the relevant Part of the BR IFIC (in order to inform all administrations) and the entry in the Master Register will be amended to include the date of resumption of use indicated by the notifying administration. The Bureau understands that the notifying Administrations has the responsibility to inform the Bureau, as soon as possible, but no later than six months from the date on which the frequency assignments were suspended and that in the absence of such information within the six-month period, the Bureau shall cancel the assignments recorded in the MIFR after informing the notifying administration accordingly.

2.2 Frequency assignments to space stations whose suspension is notified for a period of not more than ~~two~~ three years will continue to be taken into account for the purposes of the examination of other assignments in accordance with Nos. **9.36, 11.31.1, 11.32, 11.32A and 11.33**

until the time that the consultation concerning their resumption of use is completed (see § 2.4 below).

2.3 Frequency assignments to space stations whose suspension is notified for a period of more than ~~two-three~~ years will not be taken into account for the purpose of examinations of other assignments under Nos. **9.36**, **11.31.1**, **11.32** and **11.32A**, and **11.33** as of the date of such notification or after confirmation from the administration of the period of suspension exceeding ~~two-three~~ years and shall be cancelled.

2.4 Consultation concerning resumption of use of an assignment

At the expiry of the period of suspension of the use of a frequency, the notifying administration is consulted as to the date of resumption of use. According to the results of the consultation, the Bureau will apply the following procedures:

2.4.1 When the administration confirms that the use has been resumed at the originally indicated date (not later than ~~two-three~~ years after the date of suspension) or before, this information is published in the relevant Part of the BR IFIC and the Master Register is modified to indicate this situation. However, the publication in BR IFIC will be delayed by one hundred and twenty days, to ensure the application of the provision No.11.49.1. (See also the Rules of Procedure concerning No. 11.44B)

2.4.2 When the administration notifies that the use will be resumed at a date later than ~~two-three~~ years after the date of suspension, these assignment shall be cancelled according to the provisions Nos. **11.49** and **13.6**. For those stations for which the use of may be resumed later than the 23-year period, the administration responsible for the assignment shall apply again the relevant ~~coordination~~ procedure of Article 9.

Reason: WRC-12 modified provision No.11.49 to indicate that administrations have six months to inform the Bureau about suspension of the use of recorded frequency assignments to a satellite network. Therefore, if administration fails to request suspension of satellite network within the six month period, the assignments should be suppressed. The draft Rule also clarifies the application of the modified provisions to frequency assignments of space stations suspended on or after 01.01.2013

Further, No.11.49.1 has introduced a minimum period of operation, under certain conditions, before the assignments can be considered as brought back into use. Hence, the publication in relevant Part of BR IFIC will be delayed by the period of 120 days indicated in No.11.49.1

Effective date of application of the modified Rule: 01.01.2013