



Radiocommunication Bureau
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Circular Letter
CR/223

29 October 2004

To Administrations of Member States of the ITU¹

Subject: Post-conference activities resulting from the decisions of the first session of the Regional Radiocommunication Conference for planning of the digital terrestrial broadcasting service in parts of Regions 1 and 3, in the frequency bands 174-230 MHz and 470-862 MHz (RRC-04): **Implementation of Resolution GT-PLEN/3**

To the Director-General

Dear Sir/Madam,

1. In accordance with the decisions of the first session of the Regional Radiocommunication Conference for planning of the digital terrestrial broadcasting service in parts of Regions 1 and 3, in the frequency bands 174-230 MHz and 470-862 MHz (RRC-04), which was held in Geneva from 10 to 28 May 2004, the Radiocommunication Bureau informed your Administration on the results of RRC-04 and brought to the attention of your Administration the Resolutions adopted by RRC-04 that are relevant for the preparation by the Member States for the second session of the RRC (see Circular Letter CR/214 of 25 June 2004). In that Circular Letter the Bureau indicated that it would address other aspects of the intersessional activities in separate communications. In this connection, the Bureau has already issued Circular Letters Nos. CR/215, 216, 217, 219 and 220.

2. In Circular Letters Nos. CR/216 (dated 19 July 2004) and 220 (dated 20 September 2004), the Bureau elaborated various aspects regarding the protection of the primary services, other than broadcasting, in the frequency bands 174-230 MHz and 470-862 MHz, based on the definition of existing and planned assignments that are to be taken into account in the design of the new plan for digital terrestrial broadcasting in the frequency bands 174-230 MHz and 470-862 MHz, as contained in § 1.7.2 of Chapter 1 of the Report of the first session of the Conference. With the same Circular Letter, the Bureau disseminated the lists of the existing and planned assignments of primary services other than broadcasting, which pertain to the first two categories of assignments indicated in § 1.7.2 of Chapter 1 of the Report of the first session of the Conference, notably:

¹ *This Circular Letter is primarily addressed to the Member States of Region 1 (except Mongolia) and to the Islamic Republic of Iran. It is for information only for other Member States.*

- assignments notified to the Radiocommunication Bureau and recorded in the Master International Frequency Register (MIFR) by 31 December 1989 with a favourable finding with respect to the applicable provisions of the Radio Regulations (RR), and without complaint of harmful interference received by the Radiocommunication Bureau;
- assignments notified to the Radiocommunication Bureau and recorded or considered as being recorded in the MIFR between 31 December 1989 and 10 May 2004 with a favourable finding with respect to the applicable provisions of the RR, and without complaint of harmful interference received by the Radiocommunication Bureau.

3. This Circular Letter deals with the third category of assignments referred to in § 1.7.2 of Chapter 1 of the Report of the first session of the Conference, i.e., assignments notified to the Radiocommunication Bureau after 10 May 2004.

4. As RRC-04 had no mandate to modify the currently applicable procedures concerning the treatment of the frequency assignments from this category, the Bureau continues to apply the relevant procedures in this respect when examining frequency notices to primary services, other than broadcasting, in the frequency bands 174-230 MHz and 470-862 MHz, even for administrations from the RRC planning area. However, their inclusion in the Master Register does not necessarily mean that these frequency assignments will be automatically included in the reference situation defined in footnote (4) in Annex 2 to Resolution COM5/1 from RRC-04. As indicated in § 1.7.2 of Chapter 1 of the Report of the first session of the Conference, frequency assignments from this category could be included in the reference situation only if they are successfully coordinated, by 31 October 2005, with all concerned administrations from the planning area, in accordance with the criteria and procedures stipulated in Resolution GT-PLN/3 (see Annex 1 to this Circular Letter).

5. Therefore, the Bureau wishes to draw the attention of the Member States from the RRC-06 planning area to the fact that if they wish to include, in the reference situation, frequency assignments to primary services, other than broadcasting, in the frequency bands 174-230 MHz and 470-862 MHz, they need to apply the procedures indicated in Resolution GT-PLN/3, in addition to the standard regulatory procedures, using the coordination criteria indicated in the Annex to Resolution GT-PLN/3.

6. The interim coordination procedure outlined in the Annex to Resolution GT-PLN/3 is based on the use of limiting distances for coordination and, in this respect, it makes reference, in paragraph 1.1 of the Annex, to the limits specified in § A.1.2.3 of Chapter 1 of the Report, which, in turn, specifies the use of the method described in § A.1.2.1.2. In this connection, two cases are elaborated: 1) the case dealing with ground-based transmitting stations of other primary services, and 2) the case where the transmitting station of the other primary service is on board an aircraft.

6.1 For situations where the transmitting station of the other primary service is ground-based, the RRC-04 report stipulates that distances from ST61/GE89 may be applied. For these situations, the following observations may be relevant:

6.1.1 The planning area includes Member States that are parties to either ST61 or GE89 Agreements, or to both Agreements, as well as Member States that have territories outside the areas governed by the ST61 and GE89 Agreements, but within the planning area of RRC-06. The Bureau understands that, with respect to the frequency assignments to other primary services for the Member States that have territories outside the areas governed by the ST61 and GE89 Agreements, but within the planning area of RRC-06 (i.e., Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Russian Federation (for that part of its territory which is situated outside the area governed by the ST61 Agreement), Tajikistan, Turkmenistan and Uzbekistan) the limiting distances from the ST61 Agreement will apply. This course of action will result in a consistent approach, bearing in mind that the same approach (use of the coordination distances as they appear in Annex 1

to the ST61 Agreement) has been used in the context of the establishment of the coordination requirements regarding analogue television broadcasting for these Member States, and contained in the "RCC List" annexed to Circular Letter CR/209 (see § 1.7.1 of Chapter 1 of the Report).

6.1.2 As some of the relevant tables of coordination distances, as they appear in Annex 1 to the ST61 Agreement, do not contain coordination distances for some specific conditions, it may be appropriate to use, for these cases, the closest coordination distance as they appear in Annex 1 to the ST61 Agreement. This course of action will result in a consistent approach, as the one used for the establishment of the "RCC List". Although this approach may result, theoretically, in underestimates regarding effective heights greater than 1 200 metres, it is assumed that no frequency assignment in other primary services is related to such effective antenna heights.

6.1.3 The above procedure is applicable to the following classes of station: FX, FL, FA, FB, FC, FD, FG, RN, AL and NL, for the Member States of the planning area that have primary allocations to any of the concerned services as listed in § 4.1.1.1 of Chapter 4 of the Report in the appropriate part(s) of the frequency bands 174–230 MHz and 470–862 MHz.

6.2 For situations where the transmitting station of the other primary service is on board an aircraft, the RRC-04 report stipulates that distances will be determined with line of sight. In this connection, the following observations may be relevant:

6.2.1 For this particular case, paragraph A.1.2.3 makes a cross-reference to § A.1.2.1.2.2. That paragraph stipulates that the line of sight will be determined using free-space propagation and specifies other conditions that need to be taken into consideration between the administrations concerned.

6.2.2 The above procedure is applicable to the following classes of station: MO, MA, NR and AM, for the Member States of the planning area that have primary allocations to any of the concerned services as listed in § 4.1.1.1 of Chapter 4 of the Report in the appropriate part(s) of the frequency bands 174–230 MHz and 470–862 MHz.

7. The interim procedure of Resolution GT-PLN/3 stipulates, in its paragraph 1.2, that, in seeking agreement, the administration proposing the assignment of a primary service other than broadcasting should furnish to the administrations that are being consulted, all the information specified in § 6.4 of the Report of the first session of RRC. Based on the indications in § 6.4 of the Report, it follows that the additional information on the existing and planned assignments of other primary services, specified in Table 6.4-1 of Chapter 6 of the Report, is to be used for bilateral or multilateral negotiations between administrations. Therefore, this additional information is not to be notified to the Bureau (see however section 7.2 hereunder). The planning exercise team will retrieve the data necessary for the protection of the existing and planned assignments of other primary services from the Master Register. In this connection, the Bureau has the following observations that may be relevant:

7.1 For the application of the relevant procedures stipulated in the Radio Regulations and the applicable Regional Agreements (i.e., GE89 Agreement), administrations will continue to use the current notice forms T11, T12, T13 and T14. The Bureau will examine these notices in accordance with the applicable procedures, as stipulated in the Radio Regulations and the GE89 Agreement. The administrations may indicate, in these forms, information on the already completed coordination procedure.

7.2 For those assignments that would need to be included in the reference situation, the administrations will use the form of notice R06. In this form of notice, they should indicate the identification parameters of the frequency assignment that would need to be transferred into the reference situation, together with the indication of the service type code and any coordination information that might have been updated in the meantime (complete list of administrations with which successful coordination has been achieved). The time limit for submitting this form of notice

shall be 1 November 2005 (so as to take account of the coordination activities that might have been completed on 31 October 2005).

7.3 The Bureau, in close collaboration with the PXT, will check the submitted data with the coordination requirements and will include in the reference situation those frequency assignments that conform to the indications in the RRC-04 Report. The completed list will be circulated with a circular letter and will be posted on the web.

8. The interim procedure of Resolution GT-PLN/3, in its paragraph 1.5, envisages the possibility of providing assistance to administrations in obtaining agreement from the concerned administrations if there were no reply to the urgent reminder. The Bureau will undertake the envisaged action only if the requesting administration had submitted complete information in this regard (the initial request for coordination with all data, and a copy of the urgent reminder). Any response from the administration whose agreement is being sought, within the prescribed time limit (30 days after the Bureau's action) will be forwarded to the administration that requested the assistance.

9. Resolution GT-PLN/3 clearly indicates that the interim procedure in its Annex may not be applicable if there are different bilateral or multilateral agreements between the administrations concerned. As the Bureau is not aware of such agreements, there is a need, for the Bureau, to know whether any agreements have been concluded in this respect, as well as the scope of these agreements. Therefore, the Bureau invites the Member States from the planning area to send to the Bureau, the relevant information in this respect. As the examination of conformity with any of these agreements would result in an additional workload for the Bureau, the Bureau will not make any examinations of the concerned assignment with respect to its conformity with each and every bilateral or multilateral agreement at the time of examining the request for transfer into the reference situation. For these cases, the Bureau will include the concerned assignment in the reference situation, if so wished by the administration concerned, with the indication that the subject assignment is governed by special bilateral and multilateral agreements. Following the publication of the consolidated list of assignments from this category that are eligible for inclusion in the reference situation, the Bureau will invite all administrations from the planning area to review the concerned assignments and to comment on the compliance or not of any of the included assignments with the bilateral or multilateral agreements. Any objection from any concerned administration, which is within the coordination limits stipulated in § A.1.2.3 of Chapter 1 of the Report, would result in the removal of the concerned frequency assignment from the reference situation.

10. The Bureau remains at the disposal of your Administration for any clarification you may require with respect to the subjects covered in this Circular Letter.

Yours faithfully,

V. Timofeev
Director, Radiocommunication Bureau

Attachment: Resolution GT-PLN/3 (RRC-04)

Distribution:

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

ATTACHMENT

RESOLUTION GT-PLEN/3

Interim procedure for the coordination of assignments of primary services other than broadcasting with existing and planned assignments/allotments of the broadcasting service

The first session of the Regional Radiocommunication Conference (Geneva, 2004),

considering

- a) that this session of the conference adopted definitions for existing and planned assignments/allotments of the broadcasting service and for existing and planned assignments of primary services other than broadcasting that are to be taken into account in the design of the new plan (see § 1.7 of the report to the second session);
- b) that this session of the conference adopted a list of the primary services other than broadcasting that are to be taken into account in the design of the new plan (see § 1.7 of the report to the second session);
- c) that the current procedures included in the Stockholm, 1961 (ST61) and Geneva, 1989 (GE89) Agreements to coordinate primary services other than broadcasting with the broadcasting service are applicable only between the parties to those agreements;
- d) that, in order to identify and resolve any incompatibilities between assignments/allotments referred to in *considering a)* above, assignments of primary services other than broadcasting notified to the Radiocommunication Bureau after 10 May 2004 for which the procedures referred to in *considering c)* above are not applicable need to be coordinated with affected administrations,

considering further

that the coordination between administrations concerned may be undertaken on the basis of bilateral or multilateral agreements,

resolves

that, in order for an assignment to a primary service other than broadcasting notified to the Bureau after 10 May 2004 to be considered as “existing and planned”, this assignment shall be coordinated with assignments of all administrations concerned in the broadcasting service using the coordination procedure specified in the annex to this resolution, unless bilaterally or multilaterally agreed between the administrations concerned.

ANNEX TO RESOLUTION GT-PLEN/3

Interim procedure for the coordination of assignments of primary services other than broadcasting with existing and planned assignments/allotments of the broadcasting service

1 When an administration proposes to consider as “existing and planned” an assignment of a primary service other than broadcasting which is notified to the Radiocommunication Bureau after 10 May 2004, the following actions shall be taken:

1.1 If the distances from the station using the assignment under consideration to the nearest points of the boundaries of other countries within the RRC planning area are less than the limits specified in § A.1.2.3 of Annex 1.2 of the report, agreement shall be sought from the administrations of those countries.

1.2 In seeking agreement, the administration proposing the assignment of a primary service other than broadcasting should furnish to the administrations that are being consulted all the information specified in § 6.4 of the report of the first session of RRC.

1.3 The assignments to be taken into account in the broadcasting service are those included in the relevant plan (ST61 or GE89), those for which the procedure for modification of the relevant plan (ST61 or GE89) has been initiated before 31 October 2005, or those which have been recorded in the Master International Frequency Register with a favourable finding and are included in the “RCC List” in Circular Letter CR/209.

1.4 The administrations concerned shall make every effort to reach agreement taking into account relevant methods and criteria contained in the ST61 and GE89 Agreements and the report of the first session of RRC.

1.5 Administrations from which agreement was requested which have not replied to the request within ten weeks shall be sent an urgent reminder. If there is no reply to the urgent reminder within two weeks following its dispatch, the consulting administration may seek the assistance of the Bureau. In this event, the Bureau shall forthwith send a telegram to the administration which has failed to reply requesting an immediate acknowledgement. If there is no acknowledgement of receipt within 30 days after the Bureau’s action, it shall be deemed that the administration which has failed to acknowledge receipt is not affected by the proposed assignment.
