

**S5.490**

This provision is similar to No. **S5.487**. The same rules apply.

**S5.491****Use of the band 12.2-12.5 GHz by the fixed-satellite service in Region 3**

In this footnote, the allocation “is limited to national and sub-regional systems”. Following WRC-97, a question has arisen as to the relevance of this limitation to non-geostationary satellite systems in the fixed-satellite service (non-GSO FSS systems). Having analyzed all decisions of WRC-97 related to the use of non-GSO FSS systems in certain frequency bands and particularly Resolution **130 (WRC-97)** and Resolution **538 (WRC-97)**, the Board is of the opinion that WRC-97 had the intention to promote the development of non-GSO satellite systems capable of providing global service. For that reason, the Board decided to instruct the Bureau to provisionally disregard, until WRC-2000, the limitation to national and sub-regional systems stipulated in the footnote when examining the conformity with the Table of Frequency Allocations of assignments to non-GSO FSS systems in the bands in question. The Board agreed also to instruct the Bureau to continue applying this limitation in the case of geostationary satellite (GSO) networks.

For GSO networks, the Board understands a national system as being a system having a service area limited to the territory of the notifying administration. As a consequence of this, the sub-regional system to which reference is made shall be considered an aggregate of two or more national systems; it shall be limited to the territories of the administration concerned and it shall be notified by one of the participating administrations. The Board reached this conclusion keeping in mind No. **S5.22**, which defines a sub-Region, and No. **S5.2.1**, relating to the interpretation of the word “sub-regional” without a capital “R”. Therefore, only those assignments which satisfy the following conditions shall be considered to be in conformity with the Table of Frequency Allocations:

- a) the service area for a national or sub-regional system is within Region 3;
- b) in the case of a national system the service area is limited to the territory under the jurisdiction of the notifying administration;
- c) in the case where a service area covers territory under the jurisdiction of other administrations it shall be limited to the territories of the administrations concerned and it shall be notified by one of the participating administrations on behalf of the other administrations;
- d) if the satellite network is operated within the framework of an international system to which countries outside Region 3 pertain, the notice must indicate that the use is limited to Region 3.

**S5.492**

1 The Board concluded that the frequency bands covered by Appendix **S30** are not allocated to the fixed satellite Service in the Regions where the broadcasting-satellite service is subject to the Plan of Appendix **S30**. Those transponders of the broadcasting-satellite

service which are also used for fixed satellite service purposes will be treated in accordance with Article 5 of Appendix **S30**. When recorded they will bear a symbol to indicate such a use. No established methodology exists to-date to carry out the compatibility analysis between the assignments that may be used in broadcasting-satellite transponders for fixed satellite service transmissions and the assignments in the Plan.

2 Earth stations receiving fixed-satellite service transmissions from the Broadcasting Satellite transponders will be treated as earth stations of the broadcasting-satellite service and are not to be notified as individual earth stations.

#### **S5.496**

1 The fixed and mobile (except aeronautical mobile) services in the countries listed in this provision:

- have equal rights with the fixed-satellite service in the countries of the footnote and in the relations between them, and the coordination under No. **S9.17** and No. **S9.18** shall be applied;
- shall be operated under No. **S5.43** with respect to the fixed-satellite service in the other countries of Region 1, and coordination under No. **S9.17** cannot be imposed on earth stations. The fixed and mobile stations shall apply coordination under No. **S9.18**;
- have equal rights with the services to which the band is allocated in Regions 2 and 3.

2 The comments made under the Rules of Procedure concerning No. **S5.164** apply.

#### **S5.498**

See comments under the Rules of Procedure concerning No. **S5.198**.

#### **S5.523A**

Footnote **S5.523A** obliges administrations which have communicated their GSO satellite systems in the bands 18.8-19.3 GHz and 28.6-29.1 GHz to the Bureau, prior to 18 November 1995, to “*cooperate to the maximum extent possible* to coordinate pursuant to No. **S9.11A**/Resolution **46 (Rev.WRC-97)** with non-geostationary-satellite networks for which

notification information has been received by the Bureau prior to that date, with a view to reaching results acceptable to all the parties concerned.” Since there is no basis on which the Bureau could formulate a regulatory finding in this respect, the Board decided on the following course of action:

Administration(s) responsible for the GSO satellite network, when notifying the assignments to the Bureau, shall include a statement indicating that the obligation “shall cooperate to the maximum extent possible” referred to in this provision has been fulfilled and the Bureau shall publish this information in its Weekly Circular accordingly.

The above Rule of Procedure was to be applied by administrations and the Radiocommunication Bureau as of 14 July 1998.

**S5.538**

For up-link power control beacons, this provision sets an e.i.r.p. limit “in the direction of adjacent satellites on the GSO”. The Board concluded that this direction is “tangential to the GSO at the position of the network under examination”.

The Board is of the opinion that the intention of this provision is to protect parts of the GSO arc adjacent to the satellite under examination in the direction “laterally tangential to the GSO at the position of the network under examination.”

**S5.543**

The Board concluded that this provision is an additional allocation to the earth exploration-satellite service for inter-satellite links. The use of the words “telemetry, tracking, and control purposes” leads the Board to understand that the use is limited to space operation.

**S5.551B,  
S5.551E**

1 Footnote **S5.551B** states that “The use of the band 41.5-42.5 GHz by the fixed-satellite service (space-to-Earth) is subject to Resolution **128 (WRC-97)**”. Resolution **128 (WRC-97)** indicates in its *resolves* “that administrations shall not implement fixed-satellite systems in the band 41.5-42.5 GHz until technical and operational measures have been identified and agreed within ITU-R to protect the radio astronomy service from harmful interference in the band 42.5-43.5 GHz.

Footnote **S5.551E** further refers to Resolution **134 (WRC-97)** (“Use of the band 40.5-42.5 GHz by the fixed-satellite service shall be in accordance with Resolution **134 (WRC-97)**”) which *resolves*:

“1 that the date of the provisional application of the allocation to the FSS in Regions 1 and 3 in the band 40.5-42.5 GHz is 1 January 2001;

2 that WRC-1999 should review this allocation, including the date of 1 January 2001, taking full account of the requirements of the other services to which the band is allocated and available ITU-R studies.”

2 The prohibition referred to in Resolution **128 (WRC-97)** is only related to the implementation of the Fixed Satellite Service in the band 41.5-42.5 GHz before a certain date (prior to 1 January 1999 in Region 2 and 1 January 2001 in Regions 1 and 3). Consequently, there is no restriction for administration to initiate the process of advance publication and coordination before these dates. However, until the next WRC decides on the definitive status of the allocation and the ITU-R agrees on technical and operational measures, there is no technical criteria based on which the Bureau could carry out the required regulatory and technical examination with respect to the assignments for which the request for coordination is received under Nos. **S9.30** and **S9.32**.

3 In view of the above, the Board decided that when submissions are received by the Bureau in the frequency band 41.5-42.5 GHz, the Bureau shall act as follows:

- to proceed with the process of advance publication as appropriate;
- to proceed with the coordination process indicating the results of its examination based on the criteria available at the time of the examination; once the status of the allocation becomes definitive and the technical criteria and operational measures are agreed upon, the Bureau shall take necessary actions to review the situation and revise its previous finding accordingly.
- as for the notification, if the date of bringing into use is before 1 January 1999, for submissions notified for operation in Region 2 and before 1 January 2001 for those notified for operation in Regions 1 and 3, the subject Forms of Notice will be considered not receivable and shall be returned to the notifying administration.

If the date of bringing into use is after 1 January 1999 for operation in Region 2 and 1 January 2001 for operation in Regions 1 and 3, and if at the time of examination the status of allocation is not yet definitive and the technical and operational criteria are not yet agreed, the assignments in question will be recorded for information only. This situation shall be reflected in the appropriate remarks columns. Once the status of allocation becomes definitive and the technical and operational measures agreed upon, the Bureau will review its previous finding and take necessary measures, as appropriate.

## PART C

### Rules concerning working methods of the Radio Regulations Board

#### Introduction

These working methods are intended to complement basic provisions which have been included in Article 14 of the Constitution and Article 10 of the Convention, in accordance with the provisions of No. 147 of the Convention (Geneva, 1992), and in accordance with the pertinent provisions of the Radio Regulations (e.g. Articles **S7**, **S13**, **S14**).

#### 1 Board meetings

1.1 Notwithstanding the possibility for the members of the RRB to consult each other as and when required between meetings, by also using modern means of communication, a meeting of the Board will be held approximately every three months. On the basis of a provisional annual meeting plan, the specific date for and duration of the next meeting will be decided at the end of each Board meeting, taking into consideration the foreseeable workload. Any subsequent change of date will only be made with the agreement of all the members

1.2 An appropriate convening notice for the next meeting shall be prepared by the Executive Secretary of the Board, before the closure of each meeting.

1.3 A specific draft agenda shall be proposed to the members of the RRB by the Executive Secretary, after consultation with the Chairman, at least three weeks before the next meeting. The draft agenda should include, *inter alia*, the following, as required:

- a) approval of the minutes of the previous Board meeting, if not already approved by correspondence;
- b) consideration of the Director's report;
- c) approval of the new or revised Rules of Procedure (CS95) together with any comments from administrations, if available;
- d) consideration of Review of Findings which cannot be resolved by the use of the Rules of Procedure (CV171);
- e) consideration of Reports on Harmful Interference (CV140, CV173);
- f) consideration of any other matters which cannot be resolved through the application of the Rules of Procedure (CS96);

- g) matters which should be referred to the Radiocommunication Conference (CS95, Resolution 1);
- h) any item requested by any member of the Board;
- i) any item requested by the Director of the Radiocommunication Bureau;
- j) miscellaneous (CS97, etc.);
- k) approval of the Summary of Decisions.

1.4 Input documentation listed on the draft agenda should be distributed to the members at the latest two weeks before the meeting. Should exceptional circumstances not allow documents to be provided in all required language versions in a timely manner, the original language version shall be made available. Any such documentation becoming available later shall be discussed only if the matter is considered urgent and if all members of the RRB so agree.

1.5 Meeting attendance will be as follows:

- Members
- Executive Secretary/Director of the Radiocommunication Bureau
- Secretary
- Minute writer(s)
- Any staff of the Union, on case-by-case basis, as necessary.

The Director of the Radiocommunication Bureau may be accompanied by any necessary staff of the Bureau on a case-by-case basis.

1.6 The minutes should clearly indicate whether a decision was unanimous or by majority. Minutes should be approved as soon as possible after the meeting of the Board and at the next meeting, at the latest.

1.7 A summary of decisions shall be prepared by the Executive Secretary in a tabular form (subject, decision, follow-up) and approved by the Board at the end of each meeting.

## **2 Maintenance of the Rules of Procedure**

The provisions of Section III and Section IV of Article **S13** of the Radio Regulations will be applied.

## **3 Review of Findings**

The procedure for the review of a Finding or any other decision of the Bureau, as outlined in Article **S14** of the Radio Regulations will be applied.

## **4 Recommendations on interference**

4.1 When an administration has requested the Bureau to investigate the resolution of a case of harmful interference in accordance with CV173, and the case cannot be resolved following the established procedures, a report shall be submitted to the Board at the request of an administration involved, which includes the following:

- a)* Brief explanation of the case which will include the degree of reported interference, history of the reported interference and the status of notification of the concerned assignments.
- b)* The statements by the administrations concerned which clarify the views of those administrations.
- c)* Draft recommendation to those administrations.

4.2 The Board will decide on the appropriate action.

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