

Radiocommunication Bureau (BR)

Circular Letter 7 April 2025 CCRR/78

To Administrations of Member States of ITU

Subject: Draft rules of procedure to reflect WRC-23 decisions

At its 98th meeting, the Radio Regulations Board (RRB) considered the impact of WRC-23 decisions, and the general practice of the Radiocommunication Bureau in relation to current rules of procedure. As a result, the Board agreed on the schedule for the approval of draft new and modified rules of procedure contained in Document RRB25-2/1. Accordingly, the Bureau prepared a set of draft new or modified rules of procedure annexed to this Circular Letter:

- Annex 1: Addition of new rules of procedure on Nos. 5.293, 5.295A, 5.307A, 5.308A and
 5.325;
- Annex 2: Addition of new rules of procedure on Resolution 170 (Rev.WRC-23);
- Annex 3: Modification to existing rules of procedure on Nos. 9.21 and 9.36;
- Annex 4: Addition of new rules of procedure on No. 13.2;
- Annex 5: Addition of new rules of procedure on No. 13.6.

In accordance with No. **13.17** of the Radio Regulations, these draft rules of procedure are made available to administrations for comments before being submitted to 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 no later than **16 June 2025**, **1600 UTC** in order to be considered at the 99^{th} RRB meeting, scheduled for 14 - 18 July 2025. Comments should be sent by e-mail to rrb@itu.int.

Mario Maniewicz Director

Annexes: 5

Distribution:

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

Addition of new rules of procedure on Nos.**5.293, 5.295A, 5.307A, 5.308A and 5.325 Rules concerning**

PART B

SECTION B6

Rules concerning criteria for applying the provisions of No. 9.36 to a frequency assignment in the terrestrial services whose allocation or identification is governed by Nos. 5.292, 5.293, 5.295, 5.295A, 5.296A, 5.297, 5.307A, 5.308, 5.308A, 5.309, 5.323, 5.325, 5.326, 5.341A, 5.341C, 5.346, 5.346A, 5.429F, 5.430A, 5.431A, 5.431B, 5.432B, 5.434A, 5.457F, 5.480A and 5.553A¹ (MOD RRB24/510)

MOD

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- 2 For identification of the administrations whose agreement may need to be obtained, in the context of the provisions of Nos. **5.292**, **5.293**, **5.295**, **5.295A**, **5.296A**, **5.297**, **5.307A**, **5.308**, **5.309**, **5.323**, **5.325**, **5.326**, **5.341A**, **5.341C**, **5.346**, **5.346A**, **5.429F**, **5.430A**, **5.431A**, **5.431B**, **5.432B**, **5.434A**, **5.457F**, **5.480A** and **5.553A**, the following criteria are applied: (MOD RRB24/510)
- the coordination distance concept is applied with respect to the services that are allocated according to Article **5** (these services are indicated in the Table below under the heading "Protected service");

TABLE 1 (MOD RRB24/510)

Applicability of No. 9.21

¹ WRC-23 deleted the reference to No. **9.21** from the modified Nos. **5.429D** and **5.434** as explained in <u>Circular Letter CCRR/73</u>.

Footnote	Frequency band (MHz)	Allocated service (No. 9.21)	Protected service
5.292 ¹	470-512	FS, MS	BS
5.293 ¹	470-512 and 614-806	FS, MS	BS
	<u>645-806</u>	FS, MS	ARNS
5.295	470-512	LMS (IMT)	BS, FS
	512-608	LMS (IMT)	BS
5.295A ³	470-694	LMS, MMS	BS
	606-614	LMS, MMS	RAS
	<u>645-694</u>	LMS, MMS	<u>ARNS</u>
5.296A	470-698	LMS (IMT)	BS, FS
	585-610	LMS (IMT)	RNS
5.297	512-608	FS, MS	BS
5.307A	614-694	LMS (IMT), MMS	BS
	<u>645-694</u>	LMS (IMT), MMS	<u>ARNS</u>
5.308	614-698	MS	BS
5.308A	614-698	MS (IMT)	BS
	<u>645-698</u>	MS (IMT)	ARNS
5.309 ¹	614-806	FS	BS, MS
5.323	862-960	ARNS	FS, MS
5.325 ¹	890-942	RLS	ARNS, FS, MS
5.326 ¹	903-905	LMS,_MMS	FS
5.341A ²	1 429-1 452	LMS (IMT)	AMS
	1 492-1 518		
5.341C	1 429-1 452 1 492-1 518	LMS (IMT)	AMS
5.346 ²	1 452-1 492	LMS (IMT)	AMS
5.346A	1 452-1 492	LMS (IMT)	AMS
5.429F	3 300-3 400	LMS (IMT)	RLS
5.430A	3 400-3 600	LMS, MMS	FS, FSS
5.431A and 5.432B ¹	3 400-3 500	LMS, MMS	FS, FSS
5.431B	3 400-3 600	LMS (IMT)	FS, FSS
5.434A	3 600-3 800	LMS -(IMT), MMS	FS, FSS
5.457F	6 425-7 125	LMS (IMT)	FS, MS
5.480A	10 000-10 500	LMS (IMT)	RLS, FS
5.553A	45 500-47 000	LMS (IMT)	AMS, RNS

¹ Different category of service.

² For frequency assignments subject to this provision the No. **9.21** procedure does not apply to those administrations whose territories are outside of the distances specified in the corresponding Rules of Procedure on No. **5.341A** and No. **5.346**.

³ Secondary service.

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2.2 The *case-by-case* verification is performed for the assignments submitted under the procedure of No. **9.21**. This verification consists in determining the distance from the location of a station subject to No. **9.21** to the border of a neighbouring country. In case this distance is shorter than the respective coordination distance, the administration of this neighbouring country is identified as affected. This verification of the coordination distance is performed with respect to the border of the territory of administrations belonging to the same ITU Region as the administration initiating the No. **9.21** procedure and the other ITU Regions.

Reason: The addition of the last sentence to item 2.2 clarifies numerous questions discussed at WRC-19 and WRC-23 on whether coordination should be effected between countries belonging to different ITU Regions in case the allocation of the service subject to No. **9.21** exist in one Region and does not exist in another Region (or exists without the condition of No. **9.21**) and given the formulation of No. **4.8**.

The WRC-23 decision in the Minutes of the eighth Plenary meeting, see Document CMR23/523, could serve as an example of such discussions. It states, "In the application of footnotes RR Nos. **5.434** and **5.435B**, the term "neighbouring countries" includes those countries of Region 1 which are neighbouring Region 2".

In the calculation of the coordination distances the following approach is used:

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3.1ter For the protection of the aeronautical radionavigation service in the frequency bands between 645 and 942 MHz allocated by Nos. 5.312 and 5.323, from the radiocommunication services indicated in Column 3 of Table 1, in the context of the provisions of Nos. 5.293, 5.295A, 5.307A, 5.308A and 5.325 a coordination trigger distance of 450 km with respect to the borders of the neighbouring countries listed in Nos. 5.312 and 5.323 is used.

Reason: In accordance with No. **5.293** the frequency bands 470-512 MHz and 645-806 MHz are allocated to the fixed service, and the frequency band 614-698 MHz is allocated to the mobile service on a primary basis in some Region 2 countries, subject to agreement obtained under No. **9.21**.

According to No.**5.295A** the frequency band 470-694 MHz is allocated to the mobile, except aeronautical mobile, service on a secondary basis in some Region 1 countries, subject to agreement obtained under No. **9.21**.

In some Region 1 countries the provision No. **5.307A** allocates the frequency band 614-694 MHz to the mobile, except aeronautical mobile, service on a primary basis and identifies this band for IMT, subject to agreement obtained under No. **9.21**.

In accordance with No. **5.308A** the frequency band 614-698 MHz is identified for IMT in some Region 2 countries, subject to agreement obtained under No. **9.21**.

No. **5.325** allocates the frequency band 890-942 MHz to the radiolocation service on a primary basis in one Region 2 country, subject to agreement obtained under No. **9.21**.

For the protection of the aeronautical radionavigation service in the frequency bands between 645 and 942 MHz, allocated by Nos. **5.312** and **5.323**, it is proposed to use the coordination trigger value of 450 km which is given in Resolutions **749** (Rev. WRC-23) and **760** (Rev. WRC-23) as the worst-case scenario that has been used in the rules of procedure (RoP) on Nos. **5.312A** and **5.316B**.

Based on the above, the 450 km distance criterion ensures the protection of the aeronautical radionavigation service from IMT base stations, hence it is proposed to apply the same 450 km distance criterion to the fixed stations operating under No. **5.293**, which may have similar antenna height as the IMT base station (see Appendix 4.5 to Chapter 4 of Annex 2 to GE06 Agreement where the typical antenna height is given as 37.5 m for both fixed and land mobile service base stations), to protect the aeronautical radionavigation service that operates under No. **5.312**.

Furthermore, considering that there is no dedicated ITU-R deliverable providing typical characteristics of the aeronautical radionavigation receiving system and typical characteristics of radiolocation service systems in the frequency band 862-960 MHz it is also proposed to apply the same 450 km distance criterion to the radiolocation service under No. **5.325** to protect the aeronautical radionavigation service that operates according to No. **5.323**.

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3.8 For the protection of the fixed and fixed-satellite services in the frequency bands between 3 400 MHz and 3 800 MHz from the mobile, except aeronautical mobile, service in the context of the provisions of Nos. **5.430A**, **5.431A**, and **5.432B** and **5.434A**, and from IMT in the context of the provisions of Nos. **5.431B** and **5.434A**, the power flux density of -154.5 dB(W/m²·4 kHz)² produced at the height of 3 m above ground level is used.

Based on the above pfd value the coordination distances are calculated using Recommendation ITU-R P.452-18 at 20% of time with a smooth Earth terrain profile. (MOD RRB24/510)

Reason: It is proposed to make modification to reflect the upgraded allocation of the frequency band 3 600-3 800 MHz to the mobile, except aeronautical mobile, service on a primary basis in Region 1 subject to agreement obtained under No. **9.21** in accordance with No. **5.434A**.

² This value was decided by WRC-07 based on the protection of a typical earth station in the fixed-satellite service.

Addition of new rules of procedure on Resolution 170 (Rev.WRC-23)

Rules concerning

RESOLUTION 170 (Rev.WRC-23)

Additional measures for satellite networks in the fixed-satellite service in frequency bands subject to Appendix 30B for the enhancement of equitable access to those frequency bands

. . .

ATTACHMENT 1 TO RESOLUTION 170 (REV.WRC-23)

ADD

§ 3 c)

The Board noted that WRC-23 had instructed the Bureau to align the rules of procedure on Resolution **170** (Rev.WRC-23) with the decisions of the Conference related to the modifications of Appendices **30A** and **30B** (see item 15.1 of the minutes of the 13th Plenary meeting in <u>Document</u> WRC23/528).

Therefore, the Board decided that the rules of procedure concerning § 6.39 of Appendix **30B** of the Radio Regulations also applies in the case of a beam formed by combining all individual minimum ellipses for a group of named administrations, as described in § 3c) of Attachment 1 to Resolution **170** (Rev.WRC-23).

Reasons: To implement the instruction of WRC-23 to apply new guidelines received from WRC-23 in the application of Resolution **170** (Rev.WRC-23).

Effective date of application of the Rule: 1 January 2025

Modification of existing rules of procedure on Nos. 9.21 and 9.36

Rules concerning

ARTICLE 9 of the RR*

MOD

9.21		

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3 Coordination of a satellite network

When an administration communicates Appendix 4 data (AP4/II Notice Forms) for a satellite network to initiate the coordination procedure of No. 9.21, the Bureau will act under Nos. 9.36 to 9.38 for that satellite network with respect to other satellite networks and for the space station of that satellite network with respect to terrestrial services, as appropriate.

If the administration requests that No. **9.21** be also initiated for earth stations of the satellite network, the request shall be accompanied with the AP4/III Notice Forms relevant Appendix 4 data. The Bureau will then establish coordination and/or "agreement" areas, as appropriate, for specific and/or typical earth stations located on the territory of the requesting administration, and publish the information under No. **9.38** (see also § 2 of the rules of procedure on No. **9.36**). In case horizon elevation data were not provided, as well as in the case of typical earth stations, a value of 0° will be assumed by the Bureau.

MOD

9.36

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For coordination requests under Nos. **9.11** to **9.14** and **9.21**, it is to be noted that irrespective of the identification by the Bureau under No. **9.36** (see footnote **9.36.1**), any administration, even one which was not identified, may disagree with the published assignment under No. **9.52** and any administration, including one identified by the Bureau, that has not commented on the proposed use within the regulatory time limit is considered to be unaffected by that use in accordance with No. **9.52C**. However, in the case of coordination requests under No. **9.21** concerning specific earth stations with respect to terrestrial services, the Board noted that the identification of affected

^{*} This Rule of Procedure refers to Articles **9**, **11**, to Articles 4 and 5 of Appendices **30** and **30A**, and to Articles 6 and 8 of Appendix **30B** of the Radio Regulations.

administrations by the Bureau is based on the coordination area method contained in Appendix 7, as referenced in Table 5-1 of Appendix 5. Accordingly, administrations not identified through that method are considered unaffected and their agreement under No. 9.21 is not required.

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Reasons: to reflect the application of section 2 of the rules of procedure on No. **9.36** for coordination requests of specific earth stations with respect to terrestrial services under No. **9.21**. Since Table 5-1 of RR Appendix **5** mandates the Bureau to identify the affected administrations based on the calculated coordination area method contained in Appendix **7**, any administration not identified through the Appendix **7** method is considered unaffected and an agreement from those administrations under No. **9.21** is not required.

Addition of new rules of procedure on No. 13.2

Rules concerning

ARTICLE 13 of the RR *, **

ADD

13.2	
15.2	

Noting that No. **13.2** does not provide a detailed procedure to handle requests of assistance made under this provision, the Board decided that the Bureau shall apply the following steps for cases of harmful interference.

1. When receiving a request for assistance under No. 13.2 together with the full particulars relating to the harmful interference (see No. 15.27), the Bureau shall promptly acknowledge receipt of the communication to the affected administration, study the case and contact the administration(s) concerned to request their urgent cooperation. Further information may also be sought from any administration, if necessary (see No. 15.25).

...

Furthermore, WRC-19 instructs the Bureau in applying the relevant provisions of the RR (e.g. No. **11.44C.2** or resolves 9d) of Resolution [**7(A)-NGSO-MILESTONES**]) to exercise utmost caution until such time as ITU-R completes studies on tolerances." ***

^{*} Note: WRC-15 took the decision related to RR No. 13.6 during the 8th Plenary, Par. 1.39 to 1.42 of Doc. CMR15/505, approval of Doc. CMR15/416 in relation to Section 6 of Doc. 4 (Add2) (Rev1) (Add1)), as follows:

[&]quot;With regards to the issue of whether partial evidence provided by an administration to support the use of frequency assignments across a frequency band may be considered as sufficient, in a reply to a RR No. 13.6 query, to demonstrate the use, or continuation of use, of frequency assignments in accordance with the notified characteristics recorded in the MIFR, WRC-15 was of the view that administrations need to respond as completely as practicable to queries under RR No. 13.6. If the Bureau receives what it considers to be a partial reply to a query, it is expected that the Bureau would further clarify the scope of its query for the administration or request additional or alternative information. In addition, it was recognized that WRC-15 agreed some revisions to RR No. 13.6 that are intended to ensure greater transparency in the application of this provision. These revisions should have the consequence of helping to address such issues."

^{**} **Note**: WRC-19 took the decision related to the application of No. **13.6**, during the 10th Plenary, see items 10.5 to 10.7 of Doc. CMR19/571, approval of Doc. CMR19/500, as follows:

[&]quot;1 WRC-19 has adopted a new milestone-based approach for the deployment of non-geostationary satellite systems in specific bands and services. WRC-19 indicates to the Director of the Radiocommunication Bureau that with the milestone approach, WRC-19 is not encouraging routine use of No. **13.6** in the Radio Regulations, in the absence of reliable information, to seek confirmation of the deployment of the number of satellites in notified orbital planes for non-geostationary satellite orbit systems in frequency bands and services not listed in *resolves 1* of the new Resolution.

^{***} Note by the Secretariat: The definitive number of Resolution [[7(A)-NGSO-MILESTONES] (WRC-19)] is Resolution 35 (WRC-19).

- 2. If the administration(s) concerned does not acknowledge receipt under No. **15.35** within seven days from the dispatch of the Bureau's communication, the Bureau shall send a reminder.
- 3. If the administration(s) concerned has not informed the Bureau of the results of its investigation of the case (or of its status) within thirty days from the dispatch of the initial Bureau's communication, the Bureau shall contact the affected administration to inquire whether the harmful interference is still present.
- 4. If the harmful interference is still present, the Bureau shall send a reminder to the administration(s) concerned, indicating that, in the absence of a resolution of the case in the following thirty days, the case will be reported to the next meeting of the Board in application of No. 13.2. If the harmful interference has stopped, the request for assistance can be considered as fulfilled.

The Board also reminded affected administrations to ensure that the administration(s) concerned and the Bureau were informed when the harmful interference had stopped so that the case could be considered closed.

Reasons: to clarify the procedure to be followed by the Bureau in application of No. **13.2**.

Effective date of application of this Rule: Immediately after approval

Addition of new rules of procedure on No. 13.6

Rules concerning

ARTICLE 13 of the RR *, **

ADD

13.6	
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The Board noted that, in Resolution 8 (WRC-23), the World Radiocommunication Conference (Dubai, 2023) (WRC-23) defined orbital tolerances applicable to frequency assignments notified as part of a non-geostationary-satellite orbit (non-GSO) system subject to Resolution 35 (Rev.WRC-23) and associated with orbital planes having an orbital eccentricity less than 0.5 and an apogee altitude less than 15 000 km. WRC-23 also added Appendix 4 data items so that notifying administrations can indicate whether a space station uses station-keeping to maintain the altitudes of the apogee and perigee during its operational lifetime (see data item A.4.b.4.p) and, if not, to have the option to provide the altitude of the apogee and perigee as a function of time (see data item A.4.b.4.q).

Furthermore, WRC-19 instructs the Bureau in applying the relevant provisions of the RR (e.g. No. **11.44C.2** or resolves 9d) of Resolution [**7(A)-NGSO-MILESTONES**]) to exercise utmost caution until such time as ITU-R completes studies on tolerances." ***

^{*} Note: WRC-15 took the decision related to RR No. 13.6 during the 8th Plenary, Par. 1.39 to 1.42 of Doc. CMR15/505, approval of Doc. CMR15/416 in relation to Section 6 of Doc. 4 (Add2) (Rev1) (Add1)), as follows:

[&]quot;With regards to the issue of whether partial evidence provided by an administration to support the use of frequency assignments across a frequency band may be considered as sufficient, in a reply to a RR No. 13.6 query, to demonstrate the use, or continuation of use, of frequency assignments in accordance with the notified characteristics recorded in the MIFR, WRC-15 was of the view that administrations need to respond as completely as practicable to queries under RR No. 13.6. If the Bureau receives what it considers to be a partial reply to a query, it is expected that the Bureau would further clarify the scope of its query for the administration or request additional or alternative information. In addition, it was recognized that WRC-15 agreed some revisions to RR No. 13.6 that are intended to ensure greater transparency in the application of this provision. These revisions should have the consequence of helping to address such issues."

^{**} **Note**: WRC-19 took the decision related to the application of No. **13.6**, during the 10th Plenary, see items 10.5 to 10.7 of Doc. CMR19/571, approval of Doc. CMR19/500, as follows:

[&]quot;1 WRC-19 has adopted a new milestone-based approach for the deployment of non-geostationary satellite systems in specific bands and services. WRC-19 indicates to the Director of the Radiocommunication Bureau that with the milestone approach, WRC-19 is not encouraging routine use of No. **13.6** in the Radio Regulations, in the absence of reliable information, to seek confirmation of the deployment of the number of satellites in notified orbital planes for non-geostationary satellite orbit systems in frequency bands and services not listed in *resolves 1* of the new Resolution.

^{***} Note by the Secretariat: The definitive number of Resolution [[7(A)-NGSO-MILESTONES] (WRC-19)] is Resolution 35 (WRC-19).

These decisions raised the question of what orbital tolerances the Bureau should consider when applying Nos. **11.44.3**, **11.44C.2**, **11.44D.2**, **11.49** or **13.6** to other non-GSO systems.

In order to provide notifying administrations of satellite systems not subject to Resolution 8 (WRC-23) with some flexibility regarding orbital tolerances, while avoiding inconsistencies for satellite systems carrying on-board frequency bands subject and not subject to that Resolution, the Board decided that the Bureau shall consider the orbital tolerances contained in §§ 1 and 2 below when applying Nos. 11.44.3, 11.44C.2, 11.44D.2, 11.49 or 13.6 to non-GSO systems not subject to that Resolution for their orbital planes having an orbital eccentricity less than 0.5 and an apogee altitude less than 15 000 km.

1 Bringing into, or back into, use

When bringing into use under Nos. **11.44C** or **11.44D**, or back into use under No. **11.49**, frequency assignments to non-GSO systems, the Bureau shall gather the observed values of the apogee, the perigee and the angle of inclination from publicly available information. If that information is not publicly available, the Bureau shall request the notifying administration to provide such information under No. **13.6**.

The Bureau shall then verify the difference between the observed and notified values and apply the tolerances below:

- For the apogee and the perigee: 100 km (for a notified altitude of the apogee/notified altitude of the perigee equal to or less than 1 000 km) or 10% in km (for a notified altitude of the apogee/notified altitude of the perigee greater than 1 000 km);
- For the angle of inclination: 3° (for a notified altitude of the apogee and notified altitude of the perigee equal to or less than 2 000 km), or 4° (for a notified altitude of the apogee greater than 2 000 km).

When the above tolerances are not met, the Bureau shall request clarification under Nos. **11.44.3**, **11.44C.2**, **11.44D.2** or **13.6**, which may lead the administration to submit a modification of the notified parameters under the provisions of No. **11.43A**.

2 Continuous use

The Bureau shall first consider whether the space station uses station-keeping to maintain altitudes of the apogee and perigee. Since Appendix 4 data item A.4.b.4.p has to be provided in notifications of non-GSO systems received from 1 January 2025, the Board decided that, for satellite systems notified before that date, the Bureau shall seek the indication from the notifying administration under No. 13.6.

The Bureau shall also gather the observed values of the apogee, the perigee and the angle of inclination from publicly available information. When the information is not publicly available, the Bureau shall request the notifying administration to provide such information under No. **13.6**.

2.1 Cases where station-keeping is used

If station-keeping is used to maintain altitudes of the apogee and perigee, the Bureau shall verify whether the satellite is maintained on the orbital plane brought into use, or back into use, and apply the tolerances described in § 1.

In the event that the above tolerances are exceeded, the Bureau shall request clarification from the notifying administration under No. **13.6**. Any modification of the notified parameters in reply to such clarification shall be submitted under the provisions of No. **11.43A**.

2.2 Cases where station-keeping is not used

If station-keeping is not used to maintain altitudes of the apogee and perigee, the Bureau shall verify whether the observed altitude of the space station is above the notified minimum operational altitude (see data item A.4.b.4.f of Appendix 4).

In the event that the observed altitude of the space station is below the notified minimum operational altitude, the Bureau shall request the notifying administration to cancel the frequency assignments or submit a modification under No. **11.43A**.

Reasons: to clarify the procedure to be followed by the Bureau in application of No. 13.6.

Before the adoption of Resolution 8 (WRC-23), the Bureau used the following practice for non-geostationary satellite network or system not subject to coordination under Section II of Article 9: when the enquiry concluded that the actual orbit of the space station deviated more than 10% from the characteristics of the notified orbital plane based on the altitude of the apogee (item A.4.b.4.d of Appendix 4), the altitude of the perigee (A.4.b.4.e) and inclination (A.4.b.4.a), the Bureau sought the agreement of the notifying administration to update the orbital information in the MIFR to the actual values and published the modification in a Part II-S of a BR IFIC (see section 3.1.6.1 of Addendum 2 to Document WRC23/4).

When compared to the orbital tolerances contained in Resolution 8 (WRC-23), the value of 10% was sometimes more stringent (i.e. for altitudes less than 1 000 km) or sometimes less stringent (i.e. for altitudes above 1 000 km), noting however the value of 10% also included the tolerance on the inclination, which was addressed separately in Resolution 8 (WRC-23). In light of these facts, this rule is proposed to be based on less stringent value between the BR practice before WRC-23 and Resolution 8 (WRC-23), with the altitude thresholds ensuring continuity of the values of orbital tolerances.

Effective date of application of this Rule: 1 January 2025