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| **Agenda item: ADM 1** | **Document C24/16-E** |
| **9 April 2024** |
| **Original: English** |
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| Report by the Secretary-General |
| COST RECOVERY FOR THE PROCESSING OF SATELLITE NETWORK FILINGS |
| **Purpose**This document presents the annual report on the implementation of cost recovery for satellite network filings, pursuant to ITU Council Decision 482 (C01, last amended C20) and proposes modifications to this Decision consequential to decisions of the 2023 World Radiocommunication Conference (WRC-23).**Action required by the Council**The Council is invited **to note** the report and **to approve** the proposed revision of Council Decision 482.**Relevant link(s) with the Strategic Plan**Thematic priority – Spectrum use for space and terrestrial services.Product and service offerings – Allocation and management of resources.**Financial implications**CHF 11 215 321 as revenue from satellite network filings.CHF 19 438 401 as total costs of processing of all satellite network filings, noting that additional costs are borne by ITU for specific space software development.CHF 10 289 171 as financial consequences for the period 2024-2027 of WRC-23 decisions concerning space services (2 979 828 CHF in one-time costs, 1 827 336 CHF in recurrent annual costs).\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**References**[*Resolution 91 (Rev. Guadalajara, 2010)*](https://www.itu.int/en/council/Documents/basic-texts-2023/RES-091-E.pdf) *of the Plenipotentiary Conference;* [*Council Decision 482 (C01, last amended C23)*](https://www.itu.int/md/S23-CL-C-0126/en)*; Council documents* [*C23/11*](https://www.itu.int/md/S23-CL-C-0011/en)*,*[*C23/16*](https://www.itu.int/md/S23-CL-C-0016/en) |

1. At its 2020 session, the Council approved an amended [Decision 482](https://www.itu.int/md/S20-CL-C-0070/en), which entered into force on 1 September 2020.

**Report on the implementation of Decision 482 (C01, last amended C20) in 2022 and 2023**

2. Table 1 below provides relevant information regarding the application of Decision 482 (C01, last amended C20) for 2022 and 2023, in particular the percentage of invoices issued in 2022 and 2023 that were paid in a timely manner.

**Table 1. Status of the implementation of Decision 482 for 2022 and 2023**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **2022** | **2023** |
| Budgeted amount | CHF | 15 000 000 (Council Resolution 1405 (C21)) | 18 000 000 (Council Resolution 1405 (C21)) |
| Total invoices issued\*(less free entitlements) | CHF | 10 567 441 | 11 215 321 |
| Free entitlements | CHF | 1 301 909 | 1 396 871 |
| Payments received\*\* | CHF | 11 240 149 | 9 884 817 |
| Percentage of invoices issued in 2022 and 2023, due by 31/12/2023 and having been paid | >99% |

\* *Invoices are payable within six months of the date of issue.*\*\* *The payments received include invoices issued in previous years.*

3. Council Document [C24/11](https://www.itu.int/md/S24-CL-C-0011/en) provides information on the status of arrears and special arrears accounts as at 31 December 2023, which includes items related to satellite network filings.

4. The difference between the budgeted amounts of cost recovery and the actual invoiced amounts stems from a shift of balance between submissions of geostationary satellite networks and non-geostationary satellite systems. Submissions of geostationary satellite networks are generally subject to higher fees than those of non-geostationary satellite systems. In order to address this difference, the 2023 session of the Council adopted [Decision 632 (C23)](https://www.itu.int/md/S23-CL-C-0126/en) setting an Expert Group to study, based on the principles and guidelines provided in Resolution 91 (Rev. Guadalajara, 2010), in particular *resolves* 4 vi), the appropriateness or otherwise of modifying several items related to Decision 482.

5. In accordance with *instructs the Director of the Radiocommunication Bureau* 2 a) of Decision 482, Table 2 below presents the costs associated to the processing of satellite-related filings in 2022 and 2023. These amounts include the costs associated with the processing of all submissions received by the Radiocommunication Bureau, some of which are not subject to Decision 482. Therefore, they represent an upper bound of the costs that are intended to be recovered by Decision 482. For the 2025 session of the Council, the Radiocommunication Bureau will work with the General Secretariat to collect data in a manner that allows the report to differentiate between processing costs of satellite filings subject to Decision 482 and processing costs of those not subject to this Decision.

**Table 2. Costs associated to the processing of satellite-related filings in 2022 and 2023**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **2022** | **2023** |
| BR costs based on time survey | CHF | 10 650 494 | 10 254 511 |
| Costs of GS administrative and support services | CHF | 9 317 869 | 9 183 890 |
| Total costs | CHF | 19 968 363 | 19 438 401 |

Note: additional costs are borne by ITU for specific space software development.

6. The implementation of Decision 482 by the Radiocommunication Bureau has not given rise to any substantive administrative or operational difficulty either internally or with administrations notifying satellite network filings.

**Impact of decisions of WRC-23 on Decision 482 (C01, last amended C20)**

**Financial impact of decisions of WRC-23**

7. The financial consequences of the decisions of WRC-23 are contained in the Report of the Budget Control Committee of the World Radiocommunication Conference (WRC-23) (see Document [C24/INF/2](https://www.itu.int/md/S24-CL-INF-0002/en)). For space services, this amounts to 2 979 828 CHF in one-time costs, 1 827 336 CHF in recurrent annual costs totalling 10 289 171 CHF for the period 2024-2027 for updating space application software and processing satellite network filings, irrespective of whether or not those filings are subject to cost recovery fees.

**Regulatory impact of decisions of WRC-23**

8. Under its agenda item 1.15, WRC-23 adopted Resolution **121 (WRC-23)** titled “Use of the frequency band 12.75-13.25 GHz by earth stations in motion on aircraft and vessels communicating with geostationary space stations in the fixed-satellite service”. This Resolution allows earth stations in motion (ESIMs), either on aircraft (A‑ESIMs) or on vessels (M‑ESIMs), to communicate with geostationary space stations of a satellite network in the fixed-satellite service (FSS) in the frequency band 12.75‑13.25 GHz in the Earth-to-space direction. The use of the frequency band 12.75‑13.25 GHz by the FSS is also regulated by Appendix **30B** of the Radio Regulations, which contains the FSS Plan. The submission and processing of such ESIMs are subject to a specific procedure contained in Annex 1 to this Resolution titled “Procedure to be followed by the administrations and the Bureau for submission of the earth stations in motion on aircraft and vessels operating in the frequency band 12.75-13.25 GHz (Earth-to-space) and for the protection of allotments in the Plan, assignments in the Appendix 30B List and those submitted under Articles 6 and 7 of Appendix 30B as well as under Resolution 170 (Rev. WRC-23)”.

9. The regulatory provisions adopted under WRC-23 agenda item 1.15 will enter into force on 1January 2025, therefore a revision of Decision 482 is needed at the 2024 session of the Council in order to include these submissions in the schedule of processing charges to be applied to satellite network filings, as contained in the Annex to Decision 482. Noting that the procedure contained in Annex 1 to Resolution **121 (WRC-23)** requires both the examination of additional power limits as compared to usual Appendix **30B** submissions and an additional examination to check compatibility among ESIMs but that submissions under this Resolution will only concern the Earth-to-space direction whereas usual Appendix **30B** submissions contain both Earth-to-space and space-to-Earth links, the cost recovery fees of ESIM submissions (Part A, Part B and notification) under Resolution **121 (WRC-23)** are proposedto be identical to those of submissions under Appendix **30B**. [Annex A](#AnnexA) to this document contains a possible revision of Decision 482 that would implement this approach. This revision is required because of the date of entry into force of the provisions related to WRC-23 agenda item 1.15 on 1st January 2025 and is not related to the work currently carried out by the Expert Group on Decision 482. Should a specific fee for these ESIM submissions be proposed to be implemented in the future, this can be studied by the Expert Group on Decision 482 under item c) of the Annex to Decision 632.

**Conclusion**

10. The Council is invited **to take note** of the status report on the implementation of cost recovery for satellite network filings and **to approve** the updated Decision 482 in [Annex A](#AnnexA).

Annex A

DECISION 482 (modified 2024)

Implementation of cost recovery for satellite network filings

The ITU Council,

considering

[*Editor’s note: no changes are proposed to this section*]

recognizing

[*Editor’s note: no changes are proposed to this section*]

decides

1 that all satellite network filings concerning advance publication, their associated requests for coordination or agreement (Article 9 of the Radio Regulations (RR), Article 7 of Appendices 30/30A to the RR, Resolution 539 (Rev.WRC-19)), the use of the guardbands (Article 2A to Appendices 30/30A to the RR), requests for modification of the space service plans and lists (Article 4 of Appendices 30 and 30A to the RR), requests for the implementation of the fixed-satellite service plan (former Sections IB and II of Article 6 of Appendix 30B to the RR up to 16 November 2007), and requests for the conversion of an allotment into an assignment with modification which is beyond the envelop characteristics of the initial allotment, the introduction of an additional system, modification of the characteristics of an assignment in the List of Appendix 30B to the RR (Article 6 of Appendix 30B to the RR as from 17 November 2007) shall be subject to cost-recovery charges if, and only if, they have been received by the Radiocommunication Bureau on or after 8 November 1998;

1*bis* that all satellite network filings concerning notification for recording of frequency assignments in the Master International Frequency Register (Article 11 of the RR, Article 5 of Appendices 30/30A to the RR and Article 8 of Appendix 30B to the RR) received by the Radiocommunication Bureau on or after 1 January 2006 shall be subject to cost-recovery charges if, and only if, they refer to advance publication or modification of the space service plans or lists (Part A), requests for the implementation of the fixed-satellite service plan or requests for the conversion of an allotment into an assignment with modification which is beyond the envelop characteristics of the initial allotment, the introduction of an additional system, the modification of the characteristics of an assignment in the List of Appendix 30B to the RR, as appropriate, received on or after 19 October 2002;

1*ter* that all requests for the implementation of the fixed-satellite service plan (former Sections IA and III of Article 6 of Appendix 30B to the RR) shall be subject to cost-recovery charges if, and only if, they have been received by the Radiocommunication Bureau on or after 1 January 2006;

1*quater* that all requests for consolidation of frequency assignments in the MIFR of different GSO networks submitted by an administration (or an administration acting on behalf of a group of named administrations)at the same orbital position into frequency assignments of a single satellite network received by the Radiocommunication Bureau on or after 1 July 2013, shall be subject to cost recovery charges;

1*quinquies* that all requests submitted in accordance with Resolution 121 (WRC-23) for using frequency assignments in the List of Appendix 30B and in MIFR in support of the operations of an earth station in motion (Appendix 30B ESIM) and received by the Radiocommunication Bureau on or after 1 January 2025, shall be subject to cost recovery charges;

2 that for each satellite network[[1]](#footnote-2) filing communicated to the Radiocommunication Bureau, the following charges[[2]](#footnote-3) shall apply:

a) for filings received up to and including 29 June 2001, Decision 482 (C-99) applies; these filings are charged at publication in accordance with the fee schedule in force at the date of publication;

b) for filings received on or after 30 June 2001, but before 1 January 2002, Decision 482 (C-01) applies; these filings are charged at publication with a flat fee in accordance with the fee schedule in force at the date of receipt, and an additional fee (if any) according to the fee schedule in force at the date of publication;

c) for filings received on or after 1 January 2002, but before 4 May 2002, Decision 482 (C-01) applies; the flat fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice, and the additional fee (if any), calculated in accordance with the fee schedule in force at the date of publication, is payable after publication of the notice;

d) for filings received on or after 4 May 2002, but before 31 December 2004, Decision 482 (C-02) applies; the flat fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice, and the additional fee (if any), calculated in accordance with the fee schedule in force at the date of receipt, is payable after publication of the notice;

e) for filings received on or after 31 December 2004 but before 1 January 2006, Decision 482 (C-04) applies; the flat fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice, and the additional fee (if any), calculated in accordance with the fee schedule in force at the date of receipt, is payable after publication of the notice;

f) for filings received on or after 1 January 2006 but before 1 January 2009 except those received under Appendix 30B as from 17 November 2007, Decision 482 (C-05) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

g) for filings received on or after 1 January 2009, including those received under Appendix 30B as from 17 November 2007, but before 14 July 2012, Decision 482 (C-08) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

h) for filings received on or after 14 July 2012, but before 1 July 2013, Decision 482 (C-12) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

i) for filings received on or after 1 July 2013, Decision 482 (C-13) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

j) for filings received on or after 1 July 2017, Decision 482 (C-17) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

k) for filings received on or after 1 July 2018, Decision 482 (C-18) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

l) for filings received on or after 1 July 2019, Decision 482 (C-19) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

m) for filings received on or after 1 September 2020, Decision 482 (C-20) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice;

n) for filings received on or after 1 July 2024, Decision 482 (C-24) applies; the fee, calculated in accordance with the fee schedule in force at the date of receipt, is payable after receipt of the notice,

(…)

[*Editor’s note: no changes are proposed to decides 3 to 11*]

(…)

12 that the date of entry into force of Decision 482 (modified 2024) shall be 1 July 2024;

13 that the provisions of this decision need to be revised when further data from time recording are available,

[*Editor’s note: no changes are proposed to the last sections of the main body of the decision*]

***Annex:*** *1*

ANNEX

Schedule of processing charges to be applied to satellite network filings
received by the Radiocommunication Bureau on or after 1 July 2024

| **Type** | **Category** | **Flat fee per filing (in CHF)( 100 units, if applicable)e)** | **Start fee per filing (in CHF)(< 100 units)** | **Fee per unit (in CHF)(< 100 units)** | **Cost-recovery unit** |
| --- | --- | --- | --- | --- | --- |
| 1 | Advance publication (A) | A1 | Advance publication of a non-geostationary-satellite network not subject to coordination under Section **II** of Article **9**; Advance publication of inter-satellite links of a geostationary-satellite space station communicating with a non-geostationary space station provisionally not subject to coordination under Section **II** of Article **9** in accordance with the Rule of Procedure on No. **11.32**, §6 (MOD RRB04/35).Note: Advance publication also includes the application of No. **9.5** (API/B special section) and will not be separately charged. | 570 | Not applicable |
| 2 | Coordination (C) | C1\* | Coordination request for a satellite network in accordance with No. **9.6** along with one or more of Nos.  **9.7**, **9.7A, 9.7B**, **9.11, 9.11A, 9.12, 9.12A, 9.13, 9.14** and **9.21** of Section **II** of Article **9**, §**7.1** of Article **7** of Appendix **30**, §**7.1** of Article **7** of Appendix **30A** and Resolution **539** (Rev.WRC-19).Note: Coordination also includes the application of, Nos. **9.1A**, **9.53A** (CR/D special section) and **9.41**/**9.42** and will not be separately charged.Note: For coordination requests of a non-geostationary satellite network where the notifying administration has indicated that the different sub-sets of orbital characteristics would be mutually exclusive, the processing charges are separately computed for each of the sub-sets and thereafter added to produce the processing charge of the satellite network. | 20 560 | 5 560 | 150 | Product of the number of frequency assignments, number of classes of station and the number of emissions, summed up for all frequency assignment groups |
| C2\* | 24 620 | 9 620 |
| C3\* | 33 467 | 18 467 |
| 3 | Notification (N)a) | N1\*d) | Notification for recording in the MIFR of frequency assignments to a satellite network subject to coordination under Section **II** of Article **9** (with the exception of non-geostationary-satellite network subject to No. **9.21** only).Note: Notification also includes the application of Resolutions **4** and **49**, Nos. **11.32A** (see footnote a), **11.41**, **11.47**, **11.49**, Sub‑section IID of Article **9**, Sections 1 and 2 of Article **13**, Article **14** and will not be separately charged.  | 30 910 | 15 910 |
| 57 920 | 42 920 |
| N2\* |
| 57 920 | 42 920 |
| N3\* |
|  |  | N4 | Notification for recording in the MIFR of frequency assignments to a satellite network not subject to coordination under Section **II** of Article **9,** or to a non-geostationary satellite network subject to No. **9.21** only. | 7 030 | Not applicable |
| 4 | Plans (P) | P1 | Part A Special Section for a proposed new or modified assignment in the Regions 1 and 3 List or feeder-link Lists of additional uses under §**4.1.5** or proposed modification to the Region 2 Plans under §**4.2.8** of Appendices **30** or **30A**; or Part B Special Section for a proposed new or modified assignment in the Regions 1 and 3 List or feeder-link Lists of additional uses under §**4.1.15** (except Part B special section related to the application of Resolution **548** (Rev.WRC-12)) or proposed modification to the Region 2 Plans under **4.2.19** of Appendices **30** or **30A**b). | 28 870 | Not applicable |
| P2d) | Notification for recording in the MIFR of frequency assignments to space stations in the broadcasting-satellite service and its associated feeder-link in Regions 1 and 3 or Region 2 under Article **5** of Appendices **30** or **30A**b). | 11 550 |
| P3 | Coordination request in accordance with Article **2A** of Appendices **30** and **30A**. | 12 000 |
| P4 | Request for the conversion of an allotment into an assignment with modification which is beyond the envelop characteristics of the initial allotment, or for the introduction of an additional system, or for the modification of an assignment in the List in accordance with §6.1 of Article 6 of Appendix **30B**; or request for inclusion of assignments into the List for converted allotment with modification which is beyond the envelop characteristics of the initial allotment, or for an additional system or for modified assignments in the List in accordance with §6.17 of Article 6 of Appendix **30B**c); or request for assignments to Appendix **30B** ESIM in accordance with § 1 of Section A of Part 1 in Annex 1 of Resolution **121 (WRC-23)**; or request for inclusion of assignments to Appendix **30B** ESIM into the Appendix **30B** ESIM List in accordance with § 11 of Section A of Part 1 in Annex 1 of Resolution **121 (WRC-23)**. | 25 350 |
| P5d) | Notification for recording in the MIFR of frequency assignments to space stations in the fixed satellite service under Article **8** of Appendix **30B** or of frequency assignments to Appendix **30B** ESIM under Section B of Part 1 in Annex 1 of Resolution **121 (WRC-23)**. | 20 280 |

a) Fees for Categories N1, N2 and N3 are applicable to the first notification of assignments that also contains a request to apply No. **11.32A**. If the application of No. **11.32A** is not requested, 70% of the indicated fees will apply, with the remaining 30% to be charged to a subsequent request, if any, for application of No. **11.32A**.

b) Under this category, taking account that a filing for the broadcasting-satellite service and its associated feeder link in Region 2 includes both the downlink (AP30) and the feeder link (AP30A), which are examined and published together, the total fee application to such filing shall be twice the fee indicated in the column “Flat fee per filing”.

c) Fees for a request in accordance with §6.17 of Article 6 of Appendix **30B**also contains a possible subsequent request (resubmission) in accordance with §6.25. A request in accordance with §6.17 of Article 6 of Appendix **30B**for a submission treated as that under §6.1 in accordance with §7.7 of Article 7 shall not be charged.

d) For cases of consolidation of frequency assignments in the MIFR of different GSO networks submitted by an administration (or an administration acting on behalf of a group of named administrations) under Article 11 of the Radio Regulations, category N1 shall apply, for cases submitted under Appendices 30 or 30A, category P2 shall apply, and for cases submitted under Appendix 30B, category P5 shall apply.

e) For non-geostationary satellite networks, the flat fee for categories C1, C2, C3, N1, N2 and N3 is applicable from 100 units to 25 000 units. From 25 000 units to 75 000 units, there is an additional fee per additional unit, equal to the flat fee divided by 50 000. Above 75 000 units, there is no additional fee per additional unit.

**\* Definition of category for coordination (C) and notification (N)**

The category for coordination (C1, C2, C3) and for notification (N1, N2, N3) is related to the number of forms of coordination applicable to a particular satellite network coordination request or notification submission, as follows:

• C1 and N1 correspond to a satellite network filing referring to only one cost-recovery form of coordination (A, B, C, D, E or F). Both categories also include cases for which no form of coordination applies as a result of unfavourable finding under No. 11.31 of the Radio Regulations for all frequency assignments of the submitted filing, or cases including frequency assignments published for information only.

• C2 and N2 correspond to a satellite network filing referring to any two or three cost‑recovery forms of coordination amongst A, B, C, D, E or F.

• C3 and N3 correspond to a satellite network filing referring to any four or more cost‑recovery forms of coordination amongst A, B, C, D, E or F.

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| **Cost-recovery form of coordination** | **Individual Radio Regulations forms of coordination** |
| A | No. 9.7 |
| B | AP30 7.1, AP30A 7.1 |
| C | No. 9.11, RS539 |
| D | Nos. 9.7B, 9.11A, 9.12, 9.12A, 9.13, 9.14 |
| E | No. 9.7A[[3]](#footnote-4) |
| F | No. 9.21 |

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1. In this decision, the term “satellite network” refers to any space system in accordance with No. 1.110 of the Radio Regulations. [↑](#footnote-ref-2)
2. The fee per “unit” (see Annex) shall not be understood as a tax imposed on spectrum users. It is used here as a driver for the calculation of cost recovery relating to publication of satellite systems. [↑](#footnote-ref-3)
3. Cost recovery for category C1 only. See also *decides* 11. [↑](#footnote-ref-4)