



DECISION 482

(approved at the sixth Plenary Meeting)

**IMPLEMENTATION OF COST RECOVERY FOR
SATELLITE NETWORK FILINGS**

The Council,

considering

- a) Resolution 88 of the Plenipotentiary Conference (Minneapolis, 1998), on the implementation of cost recovery for satellite network filings;
- b) Resolution 91 of the Plenipotentiary Conference (Minneapolis, 1998), on cost recovery for some products and services of ITU;
- c) Council Decision 480, on the implementation of processing charges and administrative procedures;
- d) Council Resolution 1113, on cost recovery for the processing by the Radiocommunication Bureau of space notifications;
- e) Document C99/68 reporting on the Council Working Group on implementation of cost recovery for satellite network filings;
- f) Document C99/47 on cost recovery for some ITU products and services,

recognizing

that the Plenipotentiary Conference (Minneapolis, 1998), by Resolution 88, resolved:

- that cost recovery for satellite network filings shall be implemented as soon as possible consistent with the general principles for cost recovery adopted in Resolution PLEN/4;
- that all filings for the production of the special sections of the Weekly Circular for space radiocommunication services concerning advance publication, and their associated requests for coordination or agreement (Article 11, Article 14 plus Resolutions 33 and 46, or Article S9 of the Radio Regulations) and requests for modification of the space service plans contained in Appendices 30/S30, 30A/S30A and 30B/S30B to the Radio Regulations, received by the Radiocommunication Bureau after 7 November 1998, shall be subject to the application of cost recovery using the methodology to be adopted according to Resolution 88,

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further recognizing

that WRC-2000 has been invited to consider whether any relevant amendments to the Radio Regulations may be necessary,

decides

1 that satellite network filings identified under *recognizing* above received by the Radiocommunication Bureau after 7 November 1998 shall be subject to charges as set out in Annex A to this decision;

2 that the above charges for each satellite network¹ communicated to the Radiocommunication Bureau, shall be composed of:

- a) a flat fee² giving an entitlement to a publication of the number of pages indicated in Annex A for each category;
- b) an additional charge per excess page for the total satellite network filings (that is, initial publication and related modifications) which, when published, exceed the number of pages appearing in Annex A for the category concerned;

3 that each Member State shall be entitled to the publication of special sections for one satellite network each year without the charges referred to above. Each Member State may determine which category shall benefit from the "free" entitlement. Modifications to the publications of that network will be published with no charge up to the total of the number of pages indicated in Annex A which was in force at the time of the original publication;

4 that for any network for which the API or the request for modification to a plan was received prior to 7 November 1998, there will be no cost-recovery charges for the coordination request, regardless as to when it is received by the Radiocommunication Bureau. However, modifications to these networks communicated to the Radiocommunication Bureau after 7 November 1998, or changes to the request for modification to the plan, shall be subject to an additional charge per excess page if their cumulative number of pages exceeds three times the number of pages indicated in Annex A at the time of the original publication;

5 that Annexes A (Schedule of processing charges) and B (Methodology) to this decision should be reviewed periodically by the Council;

6 that the payment of charges specified in Annex A shall be made on the basis of an invoice sent to the notifying administration or, at the request of that administration, to the satellite network operator in question, after publication of the related special section, within a period of six months after issue of the invoice or by 1 September 2000, whichever is the later. Administrations shall be invoiced according to the charges in force at the date of publication of their respective networks;

7 that publication of special sections for the amateur-satellite service shall be exempt from any charges,

¹ In accordance with Nos. S1.111 and S1.112 and Appendix S4 of the Radio Regulations, a satellite network consists of one geostationary satellite, or one or more non-geostationary satellites, and one or more cooperating earth stations.

² The methodology for the calculation of the flat fee and the additional cost per excess page is described in Annex B.

decides further

1 to adopt, at its 2000 session, possible amendments to the Financial Regulations to ensure accountability and transparency in the application of cost recovery;

2 to consider, at its 2001 session, possible modifications to the schedule of charges, and the methodology established in this decision,

invites WRC-2000

to consider, in accordance with Resolution 88 (Minneapolis, 1998), required modifications to the Radio Regulations to take account of the content of this decision,³

instructs the Director of the Radiocommunication Bureau

to submit an annual report to the Council on the implementation of this decision, including analyses of:

- a) the cost of the different steps of the procedures;
- b) the impact of the electronic submission of information;
- c) enhancement in quality of service, including, among others, reduction of the backlog; and
- d) the costs of validating filings and requesting corrective action thereto,

instructs the Secretary-General, in consultation with the Director of the Radiocommunication Bureau

1 to prepare an information document for the Council, at its 2000 session, detailing the costing methodology adopted by the Council Working Group on the implementation of cost recovery for satellite network filings;

2 to report to the Council annually on refinements to the costing methodology, including the weighting factors used,

invites the External Auditor

to prepare, in accordance with Article 31 of the Financial Regulations, and to submit to the Council an annual report containing a financial and management audit of the processing costs incurred by ITU in the selected cost categories identified in Annex B and, starting in 2001, the charges collected.

³ The implementation of Resolution 88 (Minneapolis, 1998) implies that WRC-2000 may also consider any consequence of non-payment taking account of unforeseen circumstances, and take, in this respect, any action within its competence. In developing the required procedures, due account shall be taken of the principles contained in the Constitution and Convention, in particular those relating to the sovereign right of Member States in gaining access to spectrum and orbit resources.

ANNEX A

Schedule of processing charges to be applied to satellite network filings received by the Radiocommunication Bureau after 7 November 1998

	Brief description of category	Detailed description⁴ of category	Flat fee per filing (in CHF)	No. of pages in category covered by flat fee	Additional charge per excess page for publications with more than the number of pages indicated in the preceding column (in CHF)
1	Advance publication (non-GSO, non-coordination)	Advance publication of a non-geostationary-satellite network not subject to coordination under Section II of Article S9 <i>Advance publication of a non-geostationary-satellite network not subject to coordination under Section B of Resolution 33 or Section II of the procedure contained in Annex 1 to Resolution 46</i>	1 200	9	100
2	Coordination request RR1060, including Resolution 33 coordination requests	Publication of a coordination request for a geostationary-satellite network in accordance with No. S9.6 along with one or more of Nos. S9.7, S9.8 ⁵ , S9.9, S9.11 and S9.21 of Section II of Article S9, where the network filed for is in the fixed-satellite, the mobile-satellite or the broadcasting-satellite service <i>Publication of a coordination request for a geostationary-satellite network in accordance with RR1060 along with (if appropriate) one or more of § 7.2.1 of Article 7 of Appendix 30, § 7.1 of Article 7 of Appendix 30A, § 2.1 of Section A of Resolution 33, § 3.2.1 of Section B of Resolution 33 and RR1610, where the network filed for is in the fixed-satellite, the mobile-satellite or the broadcasting-satellite service</i>	6 000	25	160

⁴ Two detailed descriptions are given for categories 1 to 5. The first description is based on the simplified procedures from the Radio Regulations that have provisional application from 1 January 1999. The second (in italics) is based on the existing procedures of the Radio Regulations that applied before that date.

⁵ Application of Nos. S9.8 and S9.9 with respect to Article 7 of Appendices S30 and S30A is suspended pending a decision of the 2000 World Radiocommunication Conference on the revision of these two appendices. In the meantime, § 7.2.1 of Article 7 of Appendix S30 and § 7.1 of Article 7 of Appendix S30A continue to apply.

	Brief description of category	Detailed description⁴ of category	Flat fee per filing (in CHF)	No. of pages in category covered by flat fee	Additional charge per excess page for publications with more than the number of pages indicated in the preceding column (in CHF)
3	Joint coordination requests RR1060/ Res. 46 (GSO case)	<p>Publication of a coordination request for a geostationary-satellite network in accordance with No. S9.6 along with one or more of Nos. S9.7, S9.8⁵, S9.9, S9.11 and S9.21 as well as Nos. S9.11A, S9.13 and S9.14 of Section II of Article S9</p> <p><i>Publication of a coordination request for a geostationary-satellite network in accordance with RR1060 and § 2.2 of Section II of the procedure contained in Annex 1 to Resolution 46 along with (if appropriate) one or more of § 7.2.1 of Article 7 of Appendix 30, § 7.1 of Article 7 of Appendix 30A, § 2.1 of Section A of Resolution 33, § 3.2.1 of Section B of Resolution 33 and RR1610</i></p>	17 500	34	360
4	Coordination request Res. 46 alone (non-GSO case)	<p>Publication of a coordination request for a non-geostationary-satellite network in accordance with No. S9.6 along with Nos. S9.11A, S9.12 and S9.14 as well as No. S9.21 (if appropriate) of Section II of Article S9</p> <p><i>Publication of a coordination request for a non-geostationary-satellite network in accordance with § 2.1 of Section II of the procedure contained in Annex 1 to Resolution 46 as well as RR1610 (if appropriate)</i></p>	9 600	24	300
5	"Small" RR1060 coordination requests	<p>Publication of a coordination request for a geostationary-satellite network in accordance with No. S9.6 along with one or more of Nos. S9.7 and S9.21 of Section II of Article S9, where the network filed for is not in the fixed-satellite, the mobile-satellite or the broadcasting-satellite service</p> <p><i>Publication of a coordination request for a geostationary-satellite network in accordance with RR1060 along with RR1610 (if appropriate), where the network filed for is not in the fixed-satellite, the mobile-satellite or the broadcasting-satellite service</i></p>	4 300	8	410

	Brief description of category	Detailed description⁴ of category	Flat fee per filing (in CHF)	No. of pages in category covered by flat fee	Additional charge per excess page for publications with more than the number of pages indicated in the preceding column (in CHF)
6	Non-GSO coordination (S9.21 only)	Publication of a coordination request (request for agreement) for a non-geostationary-satellite network in accordance with No. S9.6 along with No. S9.21 of Section II of Article S9 <i>Publication of a coordination request (request for agreement) for a non-geostationary-satellite network in accordance with RR1610</i>	4 600	7	500
7	AP30/E, AP30A/E up to 5-channel (Regions 1 & 3) or up to 16 channels (Region 2), national coverage	Publication of a modification to the Plan of Appendix 30/S30 or the Plan of Appendix 30A/S30A where the modification concerns 5 or fewer channels (Regions 1 and 3) or 16 or fewer channels (Region 2) and national or lesser coverage – publication of proposed modification (Part A) – publication of update to the Plan (Part B)	5 000 2 000	11 11	360 150
8 ⁶	AP30/E, AP30A/E >5-channel (Regions 1 & 3) or >16-channel (Region 2), and/or multi-national coverage	Publication of a modification to the Plan of Appendix 30/S30 or the Plan of Appendix 30A/S30A where the modification concerns more than 5 channels (Regions 1 & 3) or more than 16 channels (Region 2), and/or greater than national coverage – publication of proposed modification (Part A) – publication of update to the Plan (Part B)	15 800 (AP30/E Part A) 15 800 (AP30A/E Part A) 6 600 (AP30/E Part B) 6 200 (AP30A/E Part B)	19 (AP30/E Part A) 19 (AP30A/E Part A) 3 (AP30/E Part B) 3 (AP30A/E Part B)	560 (AP30/E Part A) 770 (AP30A/E Part A) 1 730 (AP30/E Part B) 1 570 (AP30A/E Part B)
9	AP30B	Publication associated with the update of the list of existing systems in Part B of the Plan in accordance with the procedure of Section IB of Article 6 of Appendix 30B/S30B or Publication associated with the update of the list of subregional systems of the Plan in accordance with the procedure of Section II of Article 6 of Appendix 30B/S30B	9 900	9	880

⁶ Acceptance of this table by Morocco and Syria, in respect of category 8, shall in no way be considered as an acceptance of the Rules of Procedure of the RRB relating to an increase of the number of channels above five.

ANNEX B

Methodology

1 The schedule of processing charges shall be established to recover the selected processing costs for all filings for the production of special sections of the Weekly Circular for space radiocommunication services concerning advance publication, and their associated requests for coordination or agreement under Article S9 of the Radio Regulations (former Article 11, Article 14 plus Resolutions 33 and 46) and requests for modification of the space service plans contained in Appendices 30/S30, 30A/S30A and 30B/S30B to the Radio Regulations, received by the Radiocommunication Bureau after 7 November 1998, in line with Resolution 88 (Minneapolis, 1998).

2 The Council is requested to review the charges whenever it considers appropriate, and at least every two years, for:

- advance publication for those networks not subject to coordination;
- requests for coordination or agreement;
- requests for modification of space service plans,

or for subsets of the above.

3 The charges cover the following costs:

- costs of the Space Services Department associated with production of the content of satellite special sections;
- costs of the Radiocommunication Information Services Department associated with the production of satellite special sections;
- a proportionate share of administrative support from the Personnel and Social Protection, Finance, and Information Services Departments of the General Secretariat;
- a proportionate share of centralized support services, for the cost of non-mainframe equipment and non-network software acquisition or lease.

4 The number of pages in each category that are covered by the flat fee is calculated such that, over the preceding three-year period, 35 per cent of the publications will have that number or fewer pages.

5 Each satellite network for which the total number of pages of publications exceeds the number determined under § 4 above for its category shall be subject to an excess page charge of 80 per cent of the average page cost of that category during this same three-year period.

6 The flat fee for each category is calculated in such a way that, based on the preceding three-year period, the flat fee charges plus the additional charges per excess page are equal to the total cost for that category.

7 With reference to Resolution 91 (Minneapolis, 1998) and the Financial Regulations, the related income and expenditure relating to the publication of special sections shall be segregated but included in the budget of the Union and subject to external audit. Expenditure shall be split between cost of publications exempted from cost recovery and those subject to cost recovery and included in the budget of the Union. Income and expenditure shall be subject to external audit.