



DECISION 482 MODIFIED

(approved at the fourteenth 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 91 (Minneapolis, 1998);
- 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,

further recognizing

the practical experience of the Radiocommunication Bureau in implementing cost recovery filing charges and the methodology as reported to Council 2001 in accordance with Council Decision 482.

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 filing 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 covered by the flat fee;
- 3 that for satellite network filings received by the Bureau after 31 December 2001, the flat fee component shall be paid, in accordance with *decides* 9, following receipt of the filing by the Radiocommunication Bureau.
- 4 that the flat fee shall be regarded as a basic charge for a satellite network filing regardless of whether it is a new notice or a modification to a notice.³ For modifications to a notice in Category 1 of Attachment A, the additional charge per excess page will apply but no additional flat fee component will be charged.
- 5 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.
- 6 that nomination of the free entitlement shall be made by the member state no later than the end of the year in which the payment of the first cost recovery fee is due.
- 7 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;

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.

³ There will be no charge for simple modifications which do not result in further technical or regulatory examination by the Radiocommunication Bureau.

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

9 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 within a period of a maximum of six months after issue of the invoice. An invoice for the flat fee component shall be issued upon receipt of the filing by the Radiocommunication Bureau and, for the additional charge (if any), after the publication of the relevant special section. Administrations shall be invoiced according to the flat fee charges in force at the date of receipt of the filing or the additional charge per excess page (if any) in force at the date of publication of their respective networks;

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

decides further

to consider, at its 2002 session, further refinements to the cost recovery methodology including the categories set out in Annex A and the mechanism to establish relative complexity and work performed (currently based on number of pages).

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

to prepare a document for the Council, at its 2002 session, proposing possible refinements to the cost recovery methodology, including reductions in the number of categories for charging and an alternative basis for charging that does not depend on numbers of pages.

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, the charges collected.

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 description 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	Advance publication of a non-geostationary-satellite network not subject to coordination under Section II of Article S9	1 300	9	110
2	Coordination request under S9 (excluding S9.11A) and Article 7 of APS30/S30A	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, S9.11 and S9.21 of Section II of Article S9, and § 7.1 of Article 7 of Appendix S30, § 7.1 of Article 7 of Appendix S30A, where the network filed for is in the fixed-satellite, the mobile-satellite or the broadcasting-satellite service	5 600	27	120
3	Joint coordination requests under S9, including S9.11A (GSO case)	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, S9.11 and S9.21 as well as Nos. S9.11A, S9.13 and S9.14 of Section II of Article S9 and § 7.1 of Article 7 of Appendix S30, § 7.1 of Article 7 of Appendix S30A	21 000	35	410
4	Coordination request under S9.11A alone (non-GSO case)	Publication of a coordination request for a non-geostationary-satellite network in accordance with one or more of No. S9.6 along with Nos. S9.11A, S9.12, S9.12A and S9.14 and No. S9.21 of Section II of Article S9	7 100	29	120
5	"Small" 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 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	5 900	7	640
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	4 900	8	460

	Brief description of category	Detailed description 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)
7	APS30/E, APS30A/E up to the nominal number of channels national coverage	<p>Publication of a proposed new or modified assignment in the Regions 1 and 3 List or feeder-link Lists of additional uses or a modification to the Plan of Appendix S30 or the Plan of Appendix S30A (Region 2) where it concerns 10 or fewer channels (Region 1), 12 or fewer channels (Region 3) or 16 or fewer channels (Region 2) and national or lesser coverage</p> <ul style="list-style-type: none"> – publication of proposed new or modified assignment (Regions 1 and 3) or modification (Region 2) (Part A) – publication of update to the List (Regions 1 and 3) or the Plan (Region 2) (Part B) 	<p>5 000</p> <p>2 000</p>	<p>11</p> <p>11</p>	<p>360</p> <p>150</p>
8	APS30/E, APS30A/E more than the nominal number of channels, and/or multi-national coverage	<p>Publication of a proposed new or modified assignment in the Regions 1 and 3 List or feeder-link Lists of additional uses or a modification to the Plan of Appendix S30 or the Plan of Appendix S30A where it concerns more than 10 channels (Region 1), more than 12 channels (Region 3) or more than 16 channels (Region 2), and/or greater than national coverage</p> <ul style="list-style-type: none"> – publication of proposed new or modified assignment (Regions 1 and 3) or modification (Region 2) (Part A) – publication of update to the List (Regions 1 and 3) or the Plan (Region 2) (Part B) 	<p>15 800 (APS30/E Part A)</p> <p>15 800 (APS30A/E Part A)</p> <p>6 600 (APS30/E Part B)</p> <p>6 200 (APS30A/E Part B)</p>	<p>19 (APS30/E Part A)</p> <p>19 (APS30A/E Part A)</p> <p>3 (APS30/E Part B)</p> <p>3 (APS30A/E Part B)</p>	<p>560 (APS30/E Part A)</p> <p>770 (APS30A/E Part A)</p> <p>1 730 (APS30/E Part B)</p> <p>1 570 (APS30A/E Part B)</p>
9	APS30B	<p>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 S30B or</p> <p>Publication associated with the update of the list of subregional systems in accordance with the procedure of Section II of Article 6 of Appendix S30B</p>	9 900	9	880

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 Informatics, Administration and Publications 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.