



Radiocommunication Bureau (BR)

Circular Letter
CR/370

17 October 2014

To Administrations of Member States of the ITU

Subject: Minutes of the 66th meeting of the Radio Regulations Board

Pursuant to the provisions of Nos. 13.18 of the Radio Regulations and in accordance with §1.10 of Part C of the Rules of Procedure, please find attached the approved minutes of the 66th meeting of the Radio Regulations Board (30 July – 5 August 2014).

These minutes were approved by the Members of the Radio Regulations Board by electronic means and are available on the RRB pages of the ITU web site.

A handwritten signature in black ink, appearing to read 'FRANCIS RANCY'.

François Rancy
Director

Annex : Minutes of the 66th meeting of the Radio Regulations Board

Distribution :

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

Annex

Radio Regulations Board
Geneva, 30 July – 5 August 2014



Document RRB14-2/20-E
5 August 2014
Original: English

MINUTES¹

OF THE

66th MEETING OF THE RADIO REGULATIONS BOARD

30 July – 5 August 2014

Present: Members, RRB
Mr S.K. KIBE, Chairman
Mr M. ŽILINSKAS, Vice-Chairman
Mr M. BESSI, Mr A.R. EBADI, Mr P.K. GARG, Mr Y. ITO,
Mr S. KOFFI, Mr A. MAGENTA, Mr B. NURMATOV,
Mr V. STRELETS, Mr R.L. TERÁN, Ms J. ZOLLER

Executive Secretary, RRB
Mr F. RANCY, Director, BR

Précis-Writers
Mr T. ELDRIDGE and Ms A. HADEN

Also present: Mr M. MANIEWICZ, Deputy-Director, BR and Chief, IAP
Mr Y. HENRI, Chief, SSD
Mr A. MENDEZ, Chief, TSD
Mr A. MANARA, TSD/BCD
Mr N. VASSILIEV, TSD/FMD
Ms V. GLAUDE, SSD/SNP
Mr M. GRIFFIN, SSD/SNP (Acting Head, SSD/SNP)
Mr A. MATAS, SSD/SPR
Mr M. SAKAMOTO, SSD/SNP (Acting Head, SSD/SSC)
Mr V. TIMOFEEV, Special Adviser to the Secretary-General
Mr N. MALAGUTI, SGD
Ms K. GOZAL, Administrative Secretary

¹ The minutes of the meeting reflect the detailed and comprehensive consideration by the members of the Radio Regulations Board of the items that were under consideration on the agenda of the 66th meeting of the Board. The official decisions of the 66th meeting of the Radio Regulations Board can be found in Document RRB14-2/19.

	Subjects discussed	Documents
1	Opening of the meeting	-
2	Late submissions	-
3	Report by the Director of BR	RRB14-2/3+Add.1+2, RRB14-2/DELAYED/7)
4	Consideration of draft new rules of procedure reflecting decisions of WRC-12 and draft updates to the existing rules of procedure	CCRR/50, CCRR/51; RRB14-2/11
5	Application of No. 13.6 of the Radio Regulations at the request of administrations	RRB14-2/14, RRB14-2/15, RRB14-2/DELAYED/3, 5, 8, 10, 11, 12
6	Consideration of the status of the assignments of the SIRION satellite network	RRB14-1/3, RRB14-2/4, RRB14-2/9, RRB14-2/10, RRB14-2/16
7	Requests for suspension of satellite networks	RRB14-2/5, RRB14-2/13
8	Request by the Bureau for a decision by the Radio Regulations Board to cancel all frequency assignments of the LSTAR4B satellite network at 126° E in accordance with No. 13.6 and the provisions of Appendices 30 and 30A	RRB14-2/1, RRB14-2/DELAYED/4, 9
9	Request by the Bureau for a decision by the Radio Regulations Board on the status of frequency assignments to the INDOSTAR-118E satellite network and its consequential cancellation under No. 13.6 of the Radio Regulations	RRB14-2/2
10	Request by the Bureau for a decision by the Radio Regulations Board to cancel all frequency assignments to the INDOSTAR-1A satellite network under No. 13.6 of the Radio Regulations	RRB14-2/6
11	Request by the Bureau for a decision by the Radio Regulations Board to cancel frequency assignments in the bands 402.65-402.85, 2552-2588 and 2592-2628 MHz of the INSAT-2(83) satellite network under No. 13.6 of the Radio Regulations	RRB14-2/8, RRB14-2/17
12	Submission by the Administration of the Russian Federation on the restoration of frequency assignments to the WSDRN-M and CSDRN-M satellite networks	RRB14-2/18
13	Submission by the Administration of Luxembourg concerning modification of an assignment in the Appendices 30 and 30A Regions 1 and 3 List	RRB14-2/12, RRB14-2/DELAYED/6
14	Report by the Working Group on the Rules of Procedure	RRB12-1/4(Rev.10)
15	Draft rule of procedure on No. 11.44B of the Radio Regulations	RRB14-2/INFO/1
16	Consideration of issues related to Resolution 80 (Rev.WRC-07)	-
17	Confirmation of the dates of the next meeting and meeting schedule for 2015	-
18	Working methods of the Board	-

- 19 Approval of the summary of decisions
- 20 Closure of the meeting

RRB14-2/19

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1 Opening of the meeting

1.1 The **Chairman** opened the meeting at 1400 hours on Wednesday, 30 July 2014, and welcomed participants to Geneva.

1.2 The **Director** also welcomed participants, and wished the Board every success in tackling the very full and complex agenda of the present meeting.

2 Late submissions

2.1 The **Chairman** drew attention to twelve late submissions to the present meeting, including one received on the second day of the meeting.

2.2 The Board **agreed** that Documents RRB14-2/DELAYED/1 and 2 would not be taken into consideration, since they contained comments by administrations on draft new or revised rules of procedure that had been submitted after the deadline for such submissions (see No. 13.12*Ad* and *f*)).

2.3 The Board **further agreed** that, since Documents RRB14-2/DELAYED/3-12 all concerned items on the agenda of the Board's present meeting, they would be taken up under the relevant items, for information purposes.

2.4 A 13th late submission was received towards the end of the meeting but was not considered because the Board had already reached its conclusion on the matter.

3 Report by the Director of BR (Documents RRB14-2/3 and Addenda 1 and 2, RRB14-2/DELAYED/7)

3.1 The **Director** introduced his report in Document RRB14-2/3, drawing attention to Annex 1, which listed the Bureau's actions arising from the decisions of the previous meeting. He noted that Addendum 1 to Document RRB14-2/3 reported on a meeting between the Bureau and the Italian Administration in relation to harmful interference to sound and television broadcasting services caused by Italy to its neighbours. Referring to Table 2 of Annex 3 to Document RRB14-2/3, he explained that the treatment time for publishing coordination requests for satellite networks had exceeded the regulatory deadline for the past three months because the Bureau had identified an error in the software, which had taken time to correct.

3.2 **Chief SSD**, presenting the sections of the Director's report related to space systems, referred to § 2 and Annex 3, and informed the Board of an anomaly discovered in the BR technical examination software that delayed the processing of satellite network coordination request submissions. A new version of the relevant software was developed to correct this anomaly and delivered in BR IFIC 2773 of 8 July 2014. Normal processing had now resumed, and he anticipated that from mid-October the regulatory deadline would be respected again. With regard to § 3 of the report, dealing with the implementation of cost recovery for satellite network filings (late payments), Annex 4 listed the satellite network filings for which payment had been received after the due date but prior to the BR IFIC meeting that would have cancelled them, and which the Bureau continued to take into account. Annex 4 also listed the satellite network filings cancelled as a result of non-payment of invoices. Statistics on the implementation of various provisions of the Radio Regulations, in particular related to the suppression of coordination requests, were given in § 5 and he had no particular comments to make. Efforts by the Bureau to alleviate communication difficulties with administrations were described in § 6, and to date 17 administrations had responded to Circular Letter CR/366 issued on 19 June 2014, some confirming and others providing their official e-mail addresses.

3.3 The Bureau's decision regarding a specific case of a request for suspension of frequency assignments under No. 11.49 of the Radio Regulations was described in § 7. After thorough investigation, the Bureau had decided to accept, on an exceptional basis, the resumption of operation on 28 March 2013 of the frequency assignments to the EUTELSAT 2-4E, EUTELSAT 3-4E and F-SAT-KU2-E-4E satellite networks in the bands 10950-11200, 11540-11700, 12500-12620 and 14000-14500 MHz and suspension of the use of the recorded frequency assignments to those networks from 5 September 2013. Reliable information confirmed the information provided by the Administration of France that the satellite HOT BIRD 5 (EUTELSAT 4B) had indeed operated frequency assignments in the bands 10950-11200, 11540-11700, 12500-12620 and 14000-14500 MHz at 4° E from 28 March 2013 to 5 September 2013. The Administration of France recognized that it had been late in providing information on resumption of use, attributing the delay to problems of internal communication within the administration.

3.4 **Mr Ebadi** asked what had happened to the satellite during the second period of suspension. He recalled the Board's view, which had emerged in previous discussions, that using a single satellite to bring into use two orbital slots was an abuse of the spectrum resource. He further observed that Nos. 11.44B and 11.49.1 of the Radio Regulations had not been applied, and said that the Bureau should not accept information on bringing into use or suspension without the full application of those provisions.

3.5 **Chief SSD** pointed out that the use made of a satellite during a period of suspension was irrelevant to the Bureau's examination of bringing into use and suspension. Regarding the issue of using one space station to bring frequency assignments at different orbital locations into use within a short period of time, WRC-12 had requested the Bureau to make an enquiry to the administrations on previous orbital locations/frequency assignments brought into use with the shifted satellite and report to the next WRC, in order to see whether the practice of using one satellite to bring different orbital positions into use was widespread. In the specific case described in § 7 of the Director's report, the satellite network had been brought into use again in accordance with the regulatory provisions, although the Administration of France had provided the information late. The Bureau had accepted the explanation given by the Administration of France that the delay in sending the information to the Bureau had been caused by internal shortcomings.

3.6 **Mr Bessi**, referring to § 6 of the Director's report, emphasized the importance of having a secure communication system between administrations and the Bureau in order to avoid future problems, especially in regard to satellite network filings. Regarding § 7 of the report, he supported Mr Ebadi and asked whether there was a precedent for the Bureau's decision.

3.7 **Mr Strelets** shared Mr Ebadi's concern regarding the case referred to in § 7. In its report under Resolution 80, the Board should draw the attention of WRC-15 to the possible abuse of the Radio Regulations by administrations suspending use of a satellite system, using the satellite to bring a different filing into use, and then resuming use of the original system, while retaining all the rights of both systems.

3.8 **Mr Ito** said that he had similar concerns to those expressed by previous speakers.

3.9 **Chief SSD** pointed out that no decision was required from the Board in regard to § 7, which was presented for information only, although Board members were obviously welcome to comment. In taking its decisions, the Bureau always considered similar previous cases, but in the present instance the Bureau did not know of any such previous case. According to the Radio Regulations, after ninety days in use, an assignment could be suspended for up to three years, and the cycle of ninety days in use followed by suspension could be repeated indefinitely. WRC-12 had considered the matter, especially in regard to No. 11.44B, and had asked the Bureau to observe the practice of administrations in that context and to report on it to WRC-15, which could then decide how to ensure more efficient use of the spectrum. Responding to questions from **Ms Zoller**, he said that it

was not unusual for a single satellite to be used to bring into use several – sometimes overlapping – frequencies, which could belong to different networks.

3.10 **Ms Zoller** said that it seemed that in the case reported in § 7 all regulatory deadlines had been respected, although it would have been preferable for the Bureau to be informed of use being resumed before the administration requested a new suspension of use.

3.11 **Mr Bessi** said that it was reassuring for the Board to hear that there were no other similar cases. No specific deadline was fixed in No. 11.49 for informing the Bureau that a suspended assignment had been brought back into use. The provision simply stated that the Bureau should be informed “as soon as possible”. In his view, it would be reasonable to expect that, before requesting a new suspension, an administration would inform the Bureau that use had been resumed following the previous suspension. Still, the case described in § 7 did not violate the Radio Regulations. He proposed that the Board should note the Bureau’s decision in regard to the case in § 7 and suggest that WRC-15 clarify No. 11.49.

3.12 **Mr Ebadi** pointed out that No. 11.49.1 required the notifying administration to inform the Bureau of the bringing back into use of a frequency assignment to a space station in the geostationary-satellite orbit “within thirty days from the end of the ninety-day period”. Therefore a time-limit existed. The possibility for abuse of the ninety-day period should be brought to the attention of WRC-15.

3.13 **Mr Magenta** said that the Board need not comment on the specific action taken by the Bureau. The Board should simply bring the general matter to the attention of WRC-15.

3.14 **Mr Garg** agreed with previous speakers. There was no need for the Board to comment on the specific case in § 7 but the conference should be made aware in general of the possible abuse of the ninety-day period.

3.15 **Mr Ito** said that the ninety-day period was a delicate matter, because some (generally the business community) wanted a shorter period, while others wanted a longer period. If the Board raised the matter to the conference, it should focus on the efficient use of the geostationary orbit, rather than on the number of days. WRC-12 had decided that as long as the bringing-into-use dates obeyed the regulations, the actions were considered legitimate.

3.16 The **Director** recalled that WRC-12 had wanted to avoid satellites being moved from one orbital position to another to bring assignments of different networks into use. It was not certain, however, that the case described in § 7 was related to that problem. The Bureau was well aware of the sensitivity of Nos. 11.44B, 11.49.1 and 13.6, and accordingly informed the Board of its decisions based on those provisions, whether they involved cancelling or retaining networks.

3.17 **Chief TSD**, presenting the sections of the Director’s report related to terrestrial systems, drew attention to Annex 2, which provided information on the processing of notices for terrestrial services. Two dates were given incorrectly in Annex 2: in § 2, the period referred to should be “1 February 2014 to 30 June 2014”, and in § 4.1 the text should read: “As of 30 June 2014, there were no notices awaiting examination.” All processing was being done within the regulatory deadlines. With regard to § 4 of Document RRB14-2/3, dealing with reports of harmful interference or infringements of the Radio Regulations, he confirmed – in response to a question by **Mr Garg** – that reports of harmful interference to safety services (shown in Table 1-2) were for information only, although the Bureau always followed up such cases. Referring to § 4.2, he said that the Bureau had met with the Italian authorities and broadcasting operators in Rome from 28 to 30 April 2014. Addendum 1 to Document RRB14-2/3 contained a report of that meeting, while Addendum 2 contained a report from the Administration of Switzerland on the harmful interference caused to its sound and television broadcasting services by Italy, and on the outcome of a meeting held on 26 and 27 June 2014 between the Administrations of Italy and Switzerland. Finally, in Document RRB14-2/DELAYED/7, the Administration of Croatia called on the Board and the Bureau to

continue providing support to ensure that the promises made by Italy were translated into positive results. In fact, Croatia continued to suffer the same harmful interference as in previous years.

3.18 The **Director** added that, during the meeting in Rome, he had expressed dissatisfaction with the slow progress being made to resolve the problems of harmful interference. There did, however, now seem to be real political will to improve matters, starting with changing the legislation, both to phase out the use by television networks of the specific frequencies that were causing the most significant interference, and to implement a reverse auction for releasing those frequencies, for which 20 million euros had been set aside. While the Bureau was concerned about the auction of three additional nationwide television multiplexes, a step imposed by the European Commission, it appeared that there was interest only in one. Also, the European Commission's Radio Spectrum Policy Group was pushing for the resolution of the harmful interference cases. Another meeting between the Bureau and the Italian authorities (originally scheduled for 7 and 8 July) would be held on 22 and 23 September 2014.

3.19 **Mr Strelets** commended the Bureau for its efforts to implement the Board's decision and said that a new road map would be needed to deal with the cases of harmful interference. Given the legislative changes, he asked whether Italy planned to ratify the GE06 Agreement.

3.20 The **Director** said that ratification of the GE06 Agreement had not been discussed because, according to the ITU Legal Adviser, as a beneficiary of the agreement Italy anyway had to act consistently with its obligations under the agreement. Responding to a query by **Mr Bessi**, he said that it was up to operators whether or not to accept the one-time offer to be compensated for releasing the concerned frequencies through the reverse auction.

3.21 **Mr Garg, Mr Koffi** and **Mr Žilinskas** commended the Director and the Bureau for their efforts, noting that further actions were needed.

3.22 The Board **agreed** to conclude as follows:

“With respect to harmful interference to the sound and television broadcasting services caused by Italy to its neighbours (§ 4.2 of Document RRB14-2/3), the Board assessed the information provided in Addenda 1 and 2 to Document RRB14-2/3, taking Document RRB14-2/DELAYED/7 for information.

The Board recognized the efforts and actions undertaken by the Italian Administration towards the resolution of the reported cases of harmful interference and the avoidance of future harmful interference, and commended the Italian Administration and the Director for the positive results of their recent meeting.

Nonetheless, the Board considered that further concrete actions are needed to resolve issues in a reasonable time frame. The Board encouraged the Italian Administration to continue with its efforts with the support of the Director.

The Board also invited the Italian Administration to submit the new proposed Plan of frequency assignments for its broadcasting stations to the Radiocommunication Bureau as soon as possible in order to allow the Bureau to make the necessary analysis before their next meeting with the Italian Administration in September.”

3.23 The Director's report (Document RRB14-2/3) was **noted**.

4 Consideration of draft new rules of procedure reflecting decisions of WRC-12 and draft updates to the existing rules of procedure (Circular Letters CCRR/50 and CCRR/51; Document RRB14-2/11)

4.1 **Mr Ebadi** recalled the understanding reached at a previous Board meeting, that all Board members could participate in the discussion of draft rules of procedure even if their administration

had submitted comments on them, since such discussions did not involve the interests of individual administrations but concerned the entire ITU membership.

4.2 The **Chairman** endorsed those comments.

Draft rules on No. 11.50

4.3 The **Chairman** drew attention to the comments from administrations in Document RRB14-2/11 relating to the draft rule of procedure on No. 11.50, set out in Circular Letter CCRR/50. He noted that the Administrations of Brazil, the United States, Malaysia, Uzbekistan, the Russian Federation and France had all proposed substantive changes.

4.4 **Chief TSD** made available a set of flowcharts to help in understanding the draft rule on No. 11.50.

4.5 **Chief SSD** provided the Board with a working document in which the comments from administrations were displayed alongside the text of the draft rule of procedure proposed by the Bureau in Circular Letter CCRR/50. He noted that no administration had proposed modifying the structure of the draft rule. He observed that the object of a rule of procedure was to clarify the Radio Regulations, and it should not add burden to administrations or the Bureau with additional administrative tasks. In any case, an administration that disagreed with the Bureau could always raise a matter to the Board.

4.6 The **Chairman** invited the Board to consider the draft rule paragraph by paragraph.

4.7 In the course of the ensuing discussion, the following main points were made:

4.8 Regarding § 1, **Mr Ebadi** said that the addition proposed by the United States, which included the words "to the extent consistent", would create ambiguity and cause regulatory difficulties. He preferred the Bureau's text.

4.9 **Chief SSD** explained that § 2 was an introduction to §§ 3-6 and as such did not need to go into detail.

4.10 **Mr Bessi** suggested that the Board accept the proposal by the United States to give administrations 30 days (rather than just 15 days) to respond to a reminder sent by the Bureau. Responding to a query by **Mr Koffi**, **Chief SSD** confirmed that giving administrations 30 days to respond would not pose any problem for the Bureau.

4.11 **Ms Zoller** considered that the additions proposed by the Russian Federation were unnecessary in an introductory paragraph, because they simply reflected the Bureau's usual practice. **Mr Ebadi** endorsed that view but asked for the opinion of the Bureau.

4.12 **Chief SSD** observed that §§ 3-6 went into detail of what was to be done when administrations agreed or disagreed with the course of action taken by the Bureau. Those details were not needed in § 2. He noted that the French proposal was not substantive but helpful and could be endorsed by the Bureau.

4.13 **Mr Strelets** emphasized that the Bureau had to contact administrations and that administrations had to understand what course of action to expect. **Mr Bessi** supported that view and considered that France's amendment improved the text.

4.14 **Mr Garg** said that it should be clear what the Bureau would do both in the event of a response from an administration and in the event of no response. The first amendment proposed by the Russian Federation was therefore acceptable. With regard to the second Russian amendment, he thought that the matter should be brought to the Board only after continued disagreement. He had no problem in accepting France's amendment.

4.15 **Chief SSD** explained that if a WRC was to change the status of certain services, without indicating how recorded frequency assignments in those services were to be treated in regard to the

new status of the services the proposed rule of procedure on No. 11.50 was an attempt to describe how the Bureau would deal with the consequences of the conference's decision. It was important for the Bureau to ask administrations what they wanted to do with their assignments. **Mr Ito** endorsed those remarks.

4.16 **Mr Bessi** agreed that the Bureau should ask administrations what they wanted to do with their assignments but the rule should also cover the case of an administration that disagreed with all the designated options. Probably, such a case would have to be decided by the WRC.

4.17 **Chief TSD** said that it was vital for the Bureau to correspond with administrations in order to ensure that the appropriate course of action was followed in updating the MIFR. He recalled that, in the event of continued disagreement, administrations always had the possibility of bringing matters to the Board.

4.18 **Mr Ebadi** understood that § 2 was an introductory text, and he supported France's amendment. He agreed that the detailed explanation of the different courses of action should be covered in §§ 3-6.

4.19 **Mr Strelets** proposed a streamlined text for § 2, which Board members discussed editorially.

4.20 Regarding § 3, which dealt with the situation when a change to Article 5 resulted in abrogation of an allocation, **Mr Bessi** supported the wording proposed by the United States, which seemed to be a reasonable approach because it retained assignments in the Master Register for information purposes unless the administration requested suppression. That text also had the advantage of avoiding "explicitly" – a word that Uzbekistan found troublesome in the Russian language.

4.21 **Chief SSD** said that it would be contrary to the Radio Regulations to maintain an assignment in the MIFR no more in conformity with regulations in force without an explicit request from an administration.

4.22 **Mr Garg** said that the Bureau should inform administrations about the suppression of recorded assignments.

4.23 **Mr Strelets** considered that France's text was appropriate. **Mr Ito** agreed, adding that administrations should know what the WRC decided, and that it would be superfluous for the Bureau to inform administrations individually.

4.24 **Chief SSD** said that the Bureau would send administrations a list of assignments that the conference had decided to suppress, noting that an administration could request an assignment to be kept in the Master Register under No. 4.4 of the Radio Regulations.

4.25 **Mr Strelets** observed that the requirement for the Bureau to inform administrations would be covered by § 2, which stated that the Bureau would contact each notifying administration concerned, prior to any action. He suggested that § 3 should be based on France's text, with deletion of "explicitly" and amendment of the added phrase to clarify that it was a conference that adopted the specific provisions to deal with assignments. **Mr Žilinskas** endorsed that approach.

4.26 Regarding § 4, which dealt with the situation when a change to Article 5 resulted in downgrading of the category of allocation, **Mr Strelets** said that the proposals by the United States and France were complementary and could both be taken on board. Further, the proposals by the United States, the Russian Federation and France on both § 4.1 and § 4.2 were similar. He noted that there were also proposals by Brazil and Malaysia.

4.27 **Chief TSD**, referring to the proposal by Brazil to allow concerned administrations at least six months to adapt their affected assignments, observed that the conference decided from which date its decisions were to be implemented and usually allowed a year for administrations to adapt.

4.28 **Chief SSD** said that the proposal by Malaysia was interesting but contrary to the Radio Regulations, while the other proposals on §§ 4, 4.1 and 4.2 were somewhat contradictory and posed problems regarding implementation by the Bureau. He suggested that the Bureau should draft a new text.

4.29 The **Director** said that the fundamental question to be addressed concerned rights with respect to assignments processing, bearing in mind that all WRC decisions aimed to “grandfather” existing uses.

4.30 Regarding § 5, which dealt with the situation when a change to Article 5 resulted in the allocation to a new service or upgrade of the category of an existing service, the **Chairman** noted that there were proposals from France and the United States.

4.31 Following comments from **Mr Žilinskas**, **Mr Strelets**, **Mr Garg** and **Mr Bessi**, generally in favour of the proposal by France, the **Director** said that it was important that administrations enjoyed rights only when they had applied the coordination procedure. Neither the text proposed by the Bureau nor the versions proposed by administrations achieved that result. He offered to produce a new text.

4.32 Regarding § 6, which dealt with the situation when a change to Article 5 resulted in the modification of the conditions of an allocation without modification of the category of allocation, **Mr Bessi** said that the amendment proposed by the Russian Federation was acceptable and that the text should be maintained, despite the proposal by the United States to delete it.

4.33 **Mr Strelets** supported the proposal by the United States because § 6 created the danger of retroactivity.

4.34 **Chief SSD** observed that the Russian proposal assumed that the conference had decided how to deal with existing assignments in the Master Register. If that were the case, then there would be no need for a rule of procedure on No. 11.50.

4.35 **Chief TSD** stressed that it was important to keep § 6. **Mr Vassiliev (TSD/FMD)** gave the following two examples of the conference modifying the conditions of an allocation without modifying the category of the allocation. WRC-12 had set a new power limit for the 21.4-22 GHz band to protect broadcasting-satellite from the fixed and mobile. Also, WRC-12 had revised Appendix 17 to the Radio Regulations to use a part of the band for data transmission, so use for Morse would no longer be possible after 1 January 2017 in this part of the band.

4.36 The **Chairman** suggested that the Bureau revise § 6.

4.37 Regarding § 7, which dealt with the situation when an allocation to a radiocommunication service was subject to obtaining the agreement of the administrations concerned, **Ms Zoller** suggested adding at the end of the Bureau’s text: “, without invoking No. 9.21”.

4.38 The **Chairman** said that the proposal by Uzbekistan (to include a complete list of footnotes to which the rule applied) would make the text lengthy. He took it that the Board agreed to the text proposed by the Bureau, as amended by Ms Zoller.

4.39 Regarding § 8, which dealt with publication, **Chief SSD** said that the amendment proposed by the Russian Federation was already taken into account in the text proposed by the Bureau, although the Bureau’s version could be amended to read “in the relevant parts of the BR IFIC”.

4.40 The **Director** subsequently circulated a revised version of the rule of procedure on No. 11.50 in the form of a draft in progress. The text captured the discussion, with some ramifications. Thus new § 4.2 covered both the case of no additional conditions and the case of some additional conditions that had been met, and focused on the coordination procedure. As a result of the downgrading of an allocation by the conference, the recorded assignment would be subject to coordination with pre-existing assignments in that lower category. Prior to the conference

those pre-existing assignments would have been recorded subject to not causing harmful interference to – nor claiming protection from – the recorded assignment now downgraded, so they could be considered as compatible with it. If the characteristics of the assignment were modified, there would be no “grandfathering” in respect of secondary services. Also, there would always be an obligation to coordinate with primary services. Under new § 5, a recorded assignment could not be upgraded to a higher status without being resubmitted and applying the relevant coordination procedures.

4.41 **Mr Strelets** pointed out that § 6 referred to § 5, and that § 5 dealt only with upgrading. It was possible, however, for a service to be upgraded with respect to some services and downgraded with respect to others. The RRC-06 decisions in regard to the transition from analogue to digital broadcasting provided an example of that. Responding to comments by **Mr Žilinskas** and **Mr Garg**, the **Director** suggested that the relevant conditions could be repeated in § 6 to clarify the text.

4.42 The Board **agreed** to conclude as follows:

“Regarding the draft Rule of Procedure on No. 11.50, the Board instructed the Bureau to prepare a revised version of this draft Rule of Procedure and circulate it to administrations in time for consideration at its 67th meeting.”

Draft rules on the receivability of notices, No. 9.2B and No. 9.5B

4.43 **Mr Matas (SSD/SPR)** introduced the draft revised and new rules of procedure on the receivability of forms of notice and Nos. 9.2B and 9.5B in Circular Letter CRR/51. The proposed changes to the rules reflected the new submission approach employed with the introduction, in application of Resolution 908 (WRC-12), of the new SpaceWISC web interface following its successful testing for three months with administrations and satellite operators. The proposed changes to the rule of procedure on No. 9.5B would mean, among other things, that the Bureau would no longer be receiving separately “a copy of these comments to the Bureau”, as specified in No. 9.5B, which hitherto had represented a total of around two thousand faxes per year. Comments on the draft new and revised rules had been received from the Administrations of Armenia, the United States, Belarus, the Russian Federation and France, all in support of the drafts. The Administration of the Russian Federation proposed that the date of application of the rules be 1 January 2015, rather than 1 October 2014 as proposed in Circular Letter CRR/51. Responding to a question by **Mr Strelets**, he said that testing of the new web interface would continue up until it was introduced definitively.

4.44 **Mr Strelets** thanked the Bureau for its excellent work in implementing the decisions of the WRC with a view to simplifying the submission process for all involved. Use of the new web interface was by no means straightforward, however, as it involved not only relations between administrations and the Bureau, but between administrations and operators too. Hence the Russian Federation’s proposal to defer the date of application of the new rules to 1 January 2015, thus allowing time for all parties to gain more experience with the new system. Advantage could be taken of the BR seminar to be held in December in order to provide administrations with a demonstration of the new interface.

4.45 **Mr Garg**, endorsing **Mr Strelets’** comments, also commended the Bureau for the initiatives it was taking as reflected in the draft rules. He noted that the proposed use of the web interface would go some way towards eliminating problems encountered with traditional mail correspondence between administrations and the Bureau. He supported the Russian Federation’s proposal to change the date of application to 1 January 2015. **Mr Bessi** agreed.

4.46 **Chief SSD** noted that the new rule on No. 9.2B and proposed changes to the rule on No. 9.5B were consequent to the changes proposed to the rule on receivability reflecting the introduction of the new SpaceWISC interface. The new submission approach was deemed by the

Bureau to represent a constructive response to the concerns expressed and decisions taken by both the plenipotentiary conference and WRC. It was nevertheless an innovative approach, and everything should be done to ensure that administrations were fully comfortable with it by the time it was fully introduced. The Bureau therefore saw no problem with a date of application of 1 January 2015.

4.47 The draft new and revised rules of procedure on receivability of forms of notice, Nos. 9.2B and 9.5B were **approved**, with an effective date of application of 1 January 2015.

4.48 **Ms Zoller** noted that, like No. 9.5B, No. 9.3 of the Radio Regulations contained wording to the effect that a copy of comments should be sent to the Bureau. Thought should perhaps be given to amending the rule of procedure on No. 9.3 by introducing wording similar to that just approved for the rule on No. 9.5B.

4.49 It was so **agreed**.

Draft rules on Nos. 9.47 and 9.62

4.50 **Mr Sakamoto (SSD/SNP)** introduced the draft rules on Nos. 9.47 and 9.62 in Circular Letter CRR/51, which were proposed further to the Board's decision at its 65th meeting to instruct the Bureau to prepare draft rules reflecting its practice of sending administrations a reminder providing an additional 15-day period for a response after the end of the 30-day period specified in Nos. 9.47 and 9.62. Comments had been received from the Administrations of Armenia and Belarus supporting the draft rules. The Administration of the Russian Federation did not object to the Bureau's practice of sending a reminder and providing an additional 15-day period for response, but considered that the practice must be incorporated in the Radio Regulations through consideration of the Director's report to WRC-15. The Administration of France wrote that, while understanding the Bureau's cautious approach in implementing Nos. 9.47 and 9.62, its practice was not strictly in conformity with those provisions; therefore, if the rules were approved, the Board should ensure that the matter was referred to the next WRC for a decision on whether the rules should be incorporated in the Radio Regulations or for confirmation of the practice currently described in Nos. 9.47 and 9.62.

4.51 **Ms Zoller** noted that, as pointed out by the Administrations of the Russian Federation and France, the rules of procedure must normally be in conformity with the Radio Regulations. The practice of the Bureau introduced a 15-day extension not provided for by the regulations in question, thus the question arose as to whether the Bureau's practice could legitimately be reflected in rules of procedure.

4.52 **Mr Strelets** said that all administrations submitting comments appeared to support the Bureau's practice. He asked the Bureau if it would be in a position to continue applying the practice up until WRC-15 if the Board did not approve rules of procedure reflecting it.

4.53 **Chief SSD** recalled that the Bureau's practice had posed no problem to administrations. The Administration of Japan, however, had requested that it be reflected in a rule of procedure in order to ensure full transparency, and that the Board consider the matter with that aim in mind. The Board had done so at its 65th meeting, and had instructed the Bureau to prepare a rule of procedure reflecting the practice, for consideration at the present meeting. The comments by administrations to the present meeting confirmed their view that the practice should continue, and the matter would be reported to WRC-15 for possible incorporation in the Radio Regulations. In the absence of a rule of procedure, the Bureau could continue to apply the practice, but with less transparency than if a rule of procedure was approved.

4.54 **Mr Bessi** said that he understood the logic of the Bureau's practice, which applied caution prior to implementing the consequences of Nos. 9.48 and 9.49. The additional 15-day period was, however, in the interest of an administration requested to coordinate, but not necessarily in the

interest of an administration requesting assistance. He asked whether the introduction of the new electronic submission interface (SpaceWISC) would make the additional 15-day period superfluous.

4.55 **Mr Sakamoto (SSD/SNP)** said that the new web interface as instructed in Resolution 908 (WRC-12) was to be used above all for APIs. As to other secure communications covered by Resolution 907 (WRC-12), it would be premature to assert that introducing such methods would obviate all need for reminders.

4.56 **Mr Ito** recalled that Japan's request had originated further to exchanges between the Japanese Administration and the Bureau concerning real filings that might well have been cancelled but for the cautious approach applied by the Bureau. Full support had been expressed for enshrining the practice in a rule of procedure, and failure to pursue that course of action might well lead to the cancellation of certain frequency assignments. He fully endorsed the Bureau's practice and its reflection in a rule of procedure.

4.57 **Mr Garg** said that the Board had discussed the matter fully at its 65th meeting and had decided to request the Bureau to draft a rule of procedure enshrining its practice. The provisions of Nos. 9.47-9.49 were extremely important, especially when delays or difficulties were encountered in the coordination of frequency assignments, given the loss of rights that could ensue if administrations failed to reply. Every effort was being made to be as transparent as possible by reflecting the practice in a rule of procedure, and even if it went slightly beyond the strict letter of the Radio Regulations he fully supported the draft rules, which should be approved at the present meeting and the matter reported to the WRC. If and when advances in web-based communication systems removed the need for such reminders, the practice could be revisited, possibly even by the forthcoming WRC, if appropriate.

4.58 **Mr Ebadi** said that the Board had discussed the matter at length at its previous meeting, and was clearly mandated under No. 13.12A*b*) to develop rules of procedure reflecting practices of the Bureau. The Board should approve the rules now before it, and send them to the WRC for incorporation in the Radio Regulations or rejection by the conference.

4.59 **Mr Bessi** warned that in accordance with No. 13.12A*g*) any rule of procedure must avoid any relaxation of the corresponding provisions of the Radio Regulations. The rules under consideration appeared to involve some such relaxation, by providing an additional 15-day period for administrations to respond not allowed for in the Regulations. The Board could note – and allow the Bureau to continue – the practice, and bring it to the attention of the WRC, but should not adopt the draft rules of procedure.

4.60 **Mr Strelets** agreed with Mr Bessi. Indeed, the French Administration had pointed out that the draft rules of procedure were not strictly in conformity with the Radio Regulations, so to adopt such rules would set a dangerous precedent even if the rules were adopted for the best of reasons. To his understanding, the Bureau's practice was supported by all administrations, and could continue to be implemented by the Bureau without the rules. **Mr Magenta** supported Mr Strelets.

4.61 **Mr Ito** said that if the Bureau continued to apply the practice without corresponding rules of procedure, it would be deviating somewhat from the Radio Regulations, and the situation would be even more dangerous than having rules of procedure that were not in full conformity with the Radio Regulations. The Bureau's practice was prudent, should be continued, and should be reflected in rules of procedure.

4.62 The **Director** said that he failed to see in what respect the Bureau's practice was not in conformity with the Radio Regulations. The practice provided a means of ensuring that both the letter and spirit of the Radio Regulations were applied in the most correct manner possible. To his mind it could not be construed as a relaxation of the provisions of the Radio Regulations.

4.63 **Ms Zoller**, supported by **Mr Koffi** and **Mr Ebadi**, considered that the Board should approve the draft rules, and in doing so make particular reference to No. 13.12A*b*) of the Radio Regulations. In view of the comments made by some administrations and some Board members, the Board should instruct the Director to raise the matter in his report to WRC-15, and in so doing to make reference to No. 13.12A*g*).

4.64 **Mr Bessi** said that he could agree to conclude as proposed by Ms Zoller, provided that stress was placed on the fact that the Board's decision came in response to the need to reflect a practice of the Bureau in the Rules of Procedure (No. 13.12A*b*)) and was in accordance with the spirit of the Radio Regulations (No. 13.12A*g*)).

4.65 **Mr Magenta** agreed with the previous speakers.

4.66 The Board **agreed** to conclude as follows:

“Taking into account No.13.12A*b*), the Board approved the proposed draft Rules of Procedure on Nos. 9.47 and 9.62 of the Radio Regulations. In particular, taking into account No.13.12A*g*), the Board decided to instruct the Director to bring the Rule of Procedure reflecting the practice of the Bureau under No. 9.62 of sending a reminder providing an additional fifteen-day period for the response to the attention of WRC-15 in the Report of the Director to WRC-15.”

5 Application of No. 13.6 of the Radio Regulations at the request of administrations (Documents RRB14-2/14, RRB14-2/15 and RRB14-2/DELAYED/3, 5, 8, 10, 11 and 12)

5.1 **Mr Strelets** questioned whether the submissions by the Administrations of Papua New Guinea and the Netherlands under No. 13.6, in Documents RRB14-2/14 and RRB14-2/15, respectively, were receivable by the Board. Could administrations submit matters concerning other administrations' networks directly to the Board under No. 13.6, or could only the Bureau submit matters to the Board under No. 13.6?

5.2 **Mr Bessi** expressed similar concerns. To his understanding, No. 13.6 was applied by the Bureau, and under that provision it could bring cases to the Board with a view to the cancellation of filings.

5.3 **Mr Magenta** also expressed doubt as to whether administrations could make submissions to the Board under No. 13.6.

5.4 **Ms Zoller** recalled that the Board had in the past dealt with cases in which administrations had made submissions to the Board under No. 13.6 concerning other administrations' networks, and there was nothing in the provisions of No. 13.6 to suggest that the Board could not take up such cases. She also recalled that the application of No. 13.6 had been addressed by the Board in its report to WRC-12 under Resolution 80 (WRC-07).

5.5 **Mr Ito** also recalled that in the past the Board had dealt with submissions made to it by administrations under No. 13.6. The Board must not decline to take up such cases, lest it and ITU be accused of not assuming their responsibilities.

5.6 **Mr Ebadi** said that § 1.4*d*) of the Board's working methods in Part C of the Rules of Procedure authorized the Board to deal with submissions by administrations under No. 13.6, referring as it did to the “consideration of cases dealing with the review of Findings by the Bureau, following a request by an administration, which cannot be resolved by the use of the Rules of Procedure (CV171)”.

5.7 It was so **agreed**.

Submission by the Administration of Papua New Guinea requesting a decision from the Radio Regulations Board on the cancellation of all frequency assignments to the KOREASAT-1 and

INFOSAT-C satellite networks at 116° E under No. 13.6 of the Radio Regulations (Documents RRB14-2/14 and RRB14-2/DELAYED/3 and 5)

5.8 **Chief SSD** introduced Document RRB14-2/14, containing a request from the Administration of Papua New Guinea for the cancellation of all frequency assignments to the KOREASAT-1 AND INFOSAT-C satellite networks at 116° E under No. 13.6 on the grounds that the notified frequency assignments to the KOREASAT-1 network at 116° E in the non-planned FSS 12250-12750 MHz and 14000-14500 MHz bands for services to areas outside the Korean peninsula and the notified FSS frequency assignments to the INFOSAT-C satellite network at 116° E in the 18100-21200 MHz and 27000-31000 MHz bands for transmission on a global basis had not been brought into use within the regulatory period established by No. 11.44 of the Radio Regulations. He also drew attention to the correspondence received late from the Administrations of the Republic of Korea and Papua New Guinea in Documents RRB14-2/DELAYED/3 and 5, respectively.

5.9 Providing further background to the case, he said that the Administration of Papua New Guinea had first consulted the Bureau under No. 13.6 regarding the KOREASAT-1 and INFOSAT-C beams in March 2014, further to which an informal meeting had been organized by the Bureau between the two administrations concerned in June 2014 to discuss the matter and other areas of dispute. It had not proved possible for the administrations to reach agreement, which was why the Administration of Papua New Guinea had now submitted the matter to the Board. The case involved far more than the question of whether certain beams had been brought into use or not, and the Bureau was currently investigating all aspects relating to the relevant filings and satellites of both administrations: bringing into use, continuity of service and requests for suspension, coverage areas, the possible use of one satellite to bring more than one filing into use, the responsibility of a given administration for a given satellite, etc. The consultations and investigation were ongoing with both administrations.

5.10 **Mr Ebadi** said that the Board required the results of the Bureau's investigation before it could take a decision on the case.

5.11 **Mr Bessi**, supported by **Mr Terán**, said that the Board had before it only the arguments of one of the parties to the dispute, and did not have the results of the Bureau's investigation and of its consultations with the Administration of the Republic of Korea, as referred to in the letter from that administration dated 22 July 2014 (Document RRB14-2/DELAYED/3).

5.12 **Mr Magenta** concurred with the previous speakers.

5.13 **Mr Strelets** said that the case before the Board was complex. The Bureau had made considerable efforts to resolve it already, but its investigation was still under way, and its intention appeared to be to submit its findings to the next meeting of the Board. Normally speaking, the provisions of No. 13.6 provided for the Board to be able to carefully examine a fully documented case submitted and followed by the Bureau, and allowed for administrations to provide not only information but "additional supporting materials" too. The present situation, however, resulting from an administration submitting a request under No. 13.6 direct to the Board, was unorthodox in that the Board had before it the full views of only one party to the dispute, along with a few late submissions.

5.14 **Mr Ebadi** said that, since application of No. 13.6 to the case in hand was ongoing, the Board should instruct the Bureau to continue its investigation of the matter and should encourage the administrations concerned to meanwhile seek to resolve the matter bilaterally. If the parties continued to disagree, the matter could be taken up by the Board. He commended the Bureau for the considerable efforts it had already made to bring the parties together to solve the problem.

5.15 **Mr Garg** said the matter was complex, and could only be resolved by discussion between the two administrations concerned and analysis of the situation by the Bureau. He proposed that the Board urge the two administrations to pursue their discussions to find a mutually satisfactory

solution, and ask the Bureau and Director to use all the influence of ITU to bring the parties together to that end. The Bureau should report back to the Board on the matter at its next meeting. **Mr Koffi** supported Mr Garg.

5.16 **Ms Zoller** said that Mr Garg had proposed a good way forward. The information before the Board was both conflicting and incomplete, and the Bureau should therefore be instructed to carry out a study of the matter in time for consideration by the Board at its next meeting. The Bureau should also convene a formal meeting of the two parties to address the matter. The Board could take a decision on the matter at its next meeting, if required.

5.17 The Board **agreed** to conclude on the matter as follows:

“The Board agreed to include this matter on the agenda of the 66th meeting in accordance with § 1.4*d*) of Part C of the Rules of Procedure for the application of the Radio Regulations.

The Board carefully considered the submission from the Administration of Papua New Guinea in Document RRB14-2/14 requesting a decision on the cancellation of some frequency assignments of KOREASAT-1 and INFOSAT-C satellite networks, taking Documents RRB14-2/DELAYED/3 and RRB14-2/DELAYED/5 for information. The Board appreciated the efforts of the Bureau to informally support consultations among the administrations and satellite operators involved.

The Board considered that the information available in Document RRB14-2/14 was insufficient and, in some cases, conflicted with information in the delayed documents. Accordingly, the Board decided to defer its decision until the 67th meeting and instructed the Bureau as follows:

- To further investigate, based on reliable available information, the use of the frequency assignments of the KOREASAT-1 and INFOSAT-C satellite networks in accordance with No. 13.6 of the Radio Regulations;
- To assist the administrations concerned by convening a meeting under the auspices of the Bureau with the objective of reaching a mutually acceptable solution to this issue;
- To submit a report for consideration by the 67th meeting of the Board on the results of investigations under No. 13.6 of the Radio Regulations and the meeting with the administrations concerned.”

Submission by the Administration of the Netherlands pursuant to Article 13.6*b*) and § 1.6 of Part C of the Rules of Procedure on the cancellation of the entry of BERMUDASAT-1 in the Master Register (Documents RRB14-2/15 and RRB14-2/DELAYED/8, 10, 11 and 12)

5.18 **Mr Griffin (SSD/SNP)** introduced Document RRB14-2/15, containing a request by the Administration of the Netherlands for cancellation of the BERMUDASAT-1 entry from the Region 2 Plan and the Master Register. The filing had been entered in the Region 2 Plan having successfully completed the requirements of Articles 4 and 5 of Appendices 30/30A, and had been published in BR IFIC 2752 of 3 September 2013. The Netherlands had first submitted its concerns to the Bureau regarding the filing on 23 September 2013, since which date further correspondence had been exchanged on the matter between the Bureau and the Administrations of the Netherlands and the United Kingdom. The Bureau had reviewed all relevant information, and had concluded that the frequency assignments to BERMUDASAT-1 had been brought into use in accordance with No. 11.44B within the periods stipulated in Appendices 30 and 30A. The submission in Document RRB14-2/15 related to evidence under No. 13.6 that the assignments to the network were not in conformity with the characteristics recorded in the MIFR pursuant to Article 5 of Appendices 30 and 30A. Further correspondence on the matter had been sent by the Administrations of the United Kingdom and the Netherlands and the Government of Bermuda, as contained in late submissions RRB14-2/DELAYED/8, 10, 11 and 12. The Netherlands disagreed with the Bureau’s decision in

regard to No. 11.44B, thus the case could be regarded as coming under No. 14.1 of the Radio Regulations.

5.19 **Mr Ito** observed that the Netherlands' basic claim in its lengthy submission in Document RRB14-2/15 was that the BERMUDASAT-1 assignments could not have been brought into use in the manner required by the Radio Regulations because the United States had authorized the network to operate for 60 days only, whereas a period of 90 days of operation was required for the purposes of bringing into use under the Radio Regulations. No. 11.44B nevertheless stipulated that a frequency assignment to a GSO space station "shall be considered as having been brought into use when a space station in the geostationary-satellite orbit with the capability of transmitting or receiving that frequency assignment has been deployed and maintained at the notified orbital position for a continuous period of ninety days." Thus it would appear that the regulatory requirements for bringing into use had been met by BERMUDASAT-1. Indeed, the dispute appeared to be based more on commercial than on regulatory considerations. Regarding the points raised by the Netherlands on page 21 of Document RRB14-2/15 (page 6 of the letter from the Netherlands Administration to the Director of BR of 23 September 2013), he recalled that the priority of one satellite over another in the coordination process was to be based, as ever, on ITU's practice of first-come, first-served, and in that regard it would seem that the United Kingdom's filing had priority over any filing of the Netherlands nearby. The case presented by the Netherlands called for a detailed study of the data involved, which the Board might ask the Bureau to carry out, but it seemed to impose an overly precise study that might not be suited to the examination process for registration in the MIFR. To his mind, since the requirements for bringing into use in No. 11.44B had been satisfied, the only course of action open to the Board was to request the administrations involved to undertake coordination.

5.20 **Mr Ebadi** said that the information before the Board appeared to be complete, and bore out the fact that all requirements in terms of bringing into use, Resolution 49 information and notification had been fulfilled and could not be called into question. All the steps taken and conclusions reached by the Bureau appeared to be in full conformity with the Radio Regulations.

5.21 **Mr Garg** endorsed the comments made by Mr Ito and Mr Ebadi. The Bureau had studied all aspects of the matter in detail and had found that the BERMUDASAT-1 filing had been brought into use in conformity with the Radio Regulations, and in his view all the actions taken by the Bureau had been correct. The administrations concerned should be encouraged to pursue coordination as required.

5.22 **Mr Žilinskas** wondered whether the late submissions in Documents RRB14-2/DELAYED/10, 11 and 12 contained any new elements not already covered in Document RRB14-2/15. He also requested the Bureau to comment on various of the assertions and allegations made by the Netherlands in its submission in Document RRB14-2/15 – for example, the fact that authorization had been given to operate the satellite for 60 days only, whereas No. 11.44B and other provisions of the Radio Regulations referred to a period of ninety days. The Netherlands also claimed that the frequencies had been used for MSS and FSS rather than the BSS services for which they had been notified; that bringing into use had suffered delays; and that the system had been brought into use with parameters and coverage different to those notified. He noted moreover that the terms of the operating authorization referred to operations under No. 4.4, in which case there could surely be no problems in regard to coordination. Had the Bureau addressed and could it refute all of the allegations made by the Netherlands?

5.23 Responding to some of the questions raised by Mr Žilinskas, **Mr Ebadi** noted that various provisions of the Radio Regulations provided operators with ways of responding to the technical points raised by the Netherlands. For example, No. 5.492 permitted the use of BSS assignments for transmissions in the FSS provided they did not cause more interference or require more protection from interference than BSS transmissions operating in conformity with the Plan or List. With regard

to station-keeping, some room for manoeuvre was permitted under provisions such as No. 22.10 and § 3.11 of Annex 5 to Appendix 30, under certain conditions. Power on board the satellite could be reduced provided it did not result in interference to other assignments. He was sure the Bureau had responded to the numerous technical issues raised by the Netherlands; if it had not responded to them all, it should do so, and endeavour to ensure that the Netherlands was satisfied with the responses.

5.24 **Chief SSD** said that the Bureau had responded, either by correspondence or at meetings between the Bureau and the Administration of the Netherlands and its operator, and meetings between the Bureau and the Administration of the United Kingdom and its operator, to all the questions raised by the Netherlands; it would continue to do so if the Netherlands raised any new questions. The late submissions to the present meeting did not appear to raise any new elements related to the decision taken by the Bureau. Adding to the explanations provided by Mr Ebadi, he said that the case related, not to continuity of service as treated under No. 13.6, but to the bringing into use of frequency assignments in conformity with No. 11.44B. In that regard he reiterated his earlier explanation that, according to the information provided by the Administration of the United Kingdom, the Bureau had concluded that a satellite had been deployed and maintained for ninety days at the notified orbital position with the capability of transmitting or receiving the frequency assignments in question, satisfying at the same time the station-keeping requirements indicated in § 3.11 of Annex 5 to Appendix 30. All those considerations had been communicated to the Administration of the Netherlands in the Bureau's letter dated 18 February 2014, reproduced in Document RRB14-2/15. Following further correspondence from the Netherlands, the Director had confirmed, in his letter dated 12 March 2014, that the Bureau had carried out an in-depth review of the matter, taking into account the points raised by the Netherlands, and he had therefore informed the Netherlands that the Bureau was consequently not in a position to revise its earlier conclusion regarding the bringing into use of BERMUDASAT-1.

5.25 Regarding the question of licences, the Bureau, basing itself on § 3.12 of the minutes of the 13th plenary meeting of WRC-12, deemed that it should not concern itself with the precise contents of licences or authorizations to operate satellites, but should simply ascertain whether or not the administration responsible for the satellite objected to its use by the other administration, and indeed it was clear that the Administration of the United States had not objected to the United Kingdom's use of the EchoStar 6 satellite to bring into use BERMUDASAT-1. Thus, based on all the information available and the relevant provisions of the Radio Regulations, it was the Bureau's opinion that the frequency assignments to BERMUDASAT-1 had been brought into use in conformity with No. 11.44B of the Radio Regulations within the timeframe of Appendices 30 and 30A. Any question related to continuity of service could be the subject of an examination on the part of the Bureau, but was not linked to that of bringing into use under No. 11.44B.

5.26 **Mr Strelets** said that the request submitted by the Netherlands came under Article 14, and not under No. 13.6, and should therefore be dealt with from the perspective of No. 14.6 of Article 14, i.e. of an administration contesting a decision taken by the Bureau. He considered that the Board should endorse the Bureau's decision regarding the BERMUDASAT-1 filing, and urge the administrations concerned to pursue their consultations with a view to reaching a mutually satisfactory solution. However, if the Administration of the Netherlands disagreed with the Board's decision, it could raise the matter at a World Radiocommunication Conference.

5.27 In view of the explanations provided and the comments made by Board members, the **Chairman** suggested that the Board conclude as follows:

“The Board carefully considered the submission from the Administration of the Netherlands in Document RRB14-2/15 requesting the cancellation of the entry of BERMUDASAT-1 assignments in the Region 2 Plan and Master Register, taking Documents RRB14-2/DELAYED/8, RRB14-2/DELAYED/10, RRB14-2/DELAYED/11

and RRB14-2/DELAYED/12 for information. After detailed discussion, the Board concluded that:

- a) The Bureau has applied the provisions of the Radio Regulations correctly regarding the entry of BERMUDASAT-1 assignments in the Region 2 Plan and Master Register and therefore the Board is unable to accede to the request of the Administration of the Netherlands on this matter;
- b) The Administration of the Netherlands and United Kingdom are urged to make every possible mutual effort to overcome the difficulties and achieve coordination in a manner acceptable to the parties concerned.”

5.28 It was so **agreed**.

6 Consideration of the status of the assignments of the SIRION satellite network (Documents RRB14-1/3, RRB14-2/4, RRB14-2/9, RRB14-2/10 and RRB14-2/16)

6.1 **Chief SSD** drew attention to Document RRB14-1/3, which had been presented at the 65th meeting of the Board. He recalled that the Administration of Australia had requested that the SIRION network should not be cancelled. The Bureau had taken the decision to cancel the frequency assignments in the bands 1980-2000 and 2170-2180 MHz to the SIRION satellite network because the Administration of the United Kingdom had not authorized the use of the ICO-F2 satellite, for which it was responsible, to bring into use the SIRION satellite network. In other words, the Administration of Australia had used the ICO-F2 satellite to bring the SIRION network into use but the Administration of the United Kingdom had objected. According to the decision of WRC-12 at the 13th plenary meeting (§ 3.12 of Document CMR12/554), “WRC-12 recognizes that an administration can bring into use, or continue the use of, frequency assignments for one of its satellite networks by using a space station which is under the responsibility of another administration or intergovernmental organization, provided that this latter administration or intergovernmental organization, after having been informed, does not object, within 90 days from the receipt of information ...”. Hence, because the Administration of the United Kingdom had objected, the Bureau had decided that the SIRION satellite network had not been brought into use by the ICO-F2 satellite. The Administration of Australia had questioned the Bureau’s use of the WRC-12 decision recorded in the plenary minutes.

6.2 Following the discussion at its 65th meeting, the Board had decided to defer its decision to the 66th meeting, meanwhile communicating a list of questions to the Director. Replies to those questions by the Director, coordinated where appropriate with the ITU Legal Adviser, were contained in Document RRB14-2/4. In its submission reproduced in Document RRB14-2/9, the Administration of Papua New Guinea said that it had sought and received agreement from the Administration of the United Kingdom to use the ICO-F2 satellite to bring into use the S-band frequencies of the OMNISPAC F2 system. In its submission reproduced in Document RRB14-2/10, the Administration of the United Kingdom said that it had objected to the request by Australia to bring into use the SIRION satellite system “because we were informed by our operator (Omnispace) that Sirion and Omnispace did not enter into any type of definitive agreement for Sirion’s use of the satellite”. In its submission reproduced in Document RRB14-2/16, the Administration of Australia reiterated its concern regarding the use of WRC minutes as the basis for cancelling frequency assignments to a satellite system. Further, even if WRC minutes could so be applied, the Administration of Australia stated that “the clarity of the WRC-12 minutes in question is insufficient to allow their clear and unambiguous application by administrations and the BR”. The Administration of Australia also stated that, in applying the Radio Regulations to bring into use the SIRION satellite network, it had always acted in good faith and would continue to do so.

6.3 **Mr Ebadi** said that two questions should be answered concerning § 3.12 of the minutes of the WRC-12 13th plenary meeting. First, what did “responsibility” mean? Second, what did “having been informed” mean?

6.4 **Mr Garg**, recalling the Board’s discussion at its 65th meeting, said that in addition to addressing Mr Ebadi’s two questions, the Board should consider loss of rights on both sides. Despite the comments by the Administration of the United Kingdom, employing the ICO-F2 satellite to bring the SIRION networks into use would surely not have been possible without some agreement between Omnispace and Sirion.

6.5 The **Director** said that Mr Garg had identified the crux of the problem. It seemed that an agreement had been discussed but not formally signed. The Administration of Australia had at that time and in good faith sent information to the Bureau concerning the bringing into use of the SIRION networks.

6.6 **Mr Magenta** asked whether the Board should base its decision on good faith or on a signed document.

6.7 **Mr Ito** observed that companies generally started discussing contracts in good faith, but the outcome was what counted. In the present case, the discussions had broken down.

6.8 **Mr Bessi** said that, according to the replies in Document RRB14-2/4, it seemed that an administration wishing to use a space station had to make a specific request to the administration responsible for the space station in order to use that space station. Further, the publication of Resolution 49 information did not fulfil the condition of “having been informed”, stipulated in the WRC-12 decision, because it did not seek any comment or agreement by the other administration. The Board could therefore take its decision based on the fact that there had been no final signed agreement.

6.9 **Ms Zoller** suggested that, before deciding whether or not to accede to the request by the Administration of Australia to reverse the Bureau’s decision to cancel the SIRION network, the Board should consider whether or not due process had been carried out with regard to No. 13.6 and whether or not the WRC minutes were binding on the Bureau.

6.10 **Mr Strelets** said that the comments by the Administration of the United Kingdom in Document RRB14-2/10 indicated that the problem was commercial in nature, while the correspondence in Document RRB14-1/3 showed that the intentions had been good on both sides. The Board, however, had to avoid discussing commercial aspects and should focus on the regulatory aspects. The Administration of Australia had acted correctly under Nos. 11.48 and 11.49. There was no need for the Board to consider No. 13.6.

6.11 **Mr Ito**, supported by **Mr Žilinskas**, said that if a satellite network was not brought into use and was not notified, then it could not be suspended. If the Board accepted the suspension of the SIRION network, then under No. 11.49, it would be granting the right to bring the network back into use.

6.12 **Mr Garg** noted that transmission had taken place, so from a regulatory point of view the only omission had been in failing to elicit a statement from the responsible administration that it did not object. The fact that the S-bands had been suppressed for the Administration of the United Kingdom, however, introduced some ambiguity into the understanding of the responsibility of that administration.

6.13 **Chief SSD** said that Document RRB14-2/4 answered some of the questions being raised by the Board. In § 6.20 of Document RRB14-1/17 (Minutes of the 65th meeting), the Legal Adviser explained that the decision in the minutes of the 13th plenary meeting of WRC-12, having been approved by the conference, was binding on the Bureau as a subsidiary body of the WRC, and therefore needed to be taken into account by the Bureau. The Administration of the United

Kingdom had not authorized the Administration of Australia to use the ICO-F2 satellite to bring the SIRION network into use. In the absence of valid bringing into use, the network could not be suspended.

6.14 **Mr Ito** said that there was no ambiguity. Although the Administration of Australia had acted in good faith, it had failed to reach agreement with the owner of the satellite regarding the bringing into use of the SIRION network. The Bureau had acted correctly in accordance with the Radio Regulations in cancelling the network. Perhaps the Bureau could work with the administrations concerned to resolve the problem.

6.15 **Mr Strelets** pointed out that, in § 6.22 of Document RRB14-1/17 (minutes of the 65th meeting), the ITU Legal Adviser had given the opinion that the text of the decision adopted by the WRC-12 13th plenary meeting did not intend to specify any particular form of informing the administrations concerned, which could therefore be done either through the general information contained in a circular, or through a bilateral or targeted form of information. That being the case, the bringing into use of the SIRION network had been valid.

6.16 **Ms Zoller**, supported by **Mr Magenta** and **Mr Koffi**, said that the Board had to differentiate between commercial agreements between operators and submissions by administrations responsible for satellite networks under the Radio Regulations. The Administration of the United Kingdom was the responsible administration for the ICO-F2 satellite. Because the Administration of the United Kingdom objected, the ICO-F2 satellite could not be used to bring the SIRION network into use, so under the Radio Regulations use could not be suspended. The Board was therefore unable to accede to Australia's request.

6.17 **Mr Žilinskas**, referring to the understanding of "having been informed" in § 3.12 of the minutes of the WRC-12 13th plenary meeting, noted that the ITU Legal Adviser's view reflected in the minutes of the Board's 65th meeting (§ 6.22 of Document RRB14-1/17) had been given on the spur of the moment. The considered written response in Document RRB14-2/4 clearly stated that sending Resolution 49 data was not sufficient to fulfil the inquiry process referred to in § 3.12 of the minutes of the WRC-12 13th plenary meeting. **Mr Bessi** endorsed those remarks.

6.18 **Mr Ebadi** and **Mr Strelets** considered that, because the Administration of the United Kingdom had suppressed the S-band frequency assignments, that administration could not be responsible for the S-band.

6.19 **Chief SSD** referred to Document RRB14-2/4, which explained that, in the absence of any authorization or licence to another administration for the use of the ICO-F2 satellite, the Administration of the United Kingdom retained responsibility for the overall use of the satellite, including the S-band package. Thus, for the period 25 February to 25 May 2013, the Administration of the United Kingdom was to be considered the responsible administration.

6.20 The **Director** added that, in order to bring frequency assignments into use, there had to be an object capable of transmitting the frequencies concerned. That object was placed under the responsibility of an administration, and any change in responsibility required the agreement of that administration.

6.21 The Board **agreed** to conclude as follows:

"The Board carefully considered the submissions in Documents RRB14-1/3, RRB14-2/4, RRB14-2/9, RRB14-2/10 and RRB14-2/16 and concluded that:

- a) The Bureau has applied the provisions of the Radio Regulations correctly
- b) The Administration of Australia acted in good faith and according to the spirit of the Radio Regulations
- c) Although the Administration of the United Kingdom has suppressed the S-band frequency assignments, the Administration of the United Kingdom remains the

'responsible administration' for the ICO-F2 satellite. Since the Administration of the United Kingdom objected to the use of ICO-F2 to bring into use the frequency assignments of the SIRION satellite system, SIRION cannot therefore be considered as having been brought into use by ICO-F2 in conformity with the provisions of the Radio Regulations

- d) Under No. 11.48 of the Radio Regulations, the expiry of the seven years from the date of receipt of the relevant complete information referred to in No. 9.1 was reached on 28 February 2013 for the frequency assignments associated with the SIRION satellite system. Given that the frequency assignments associated with the SIRION satellite system were not brought into use by 28 February 2013, they cannot be suspended and must be suppressed. Accordingly, the Board was unable to accede to the appeal of the Administration of Australia concerning the decision of the Bureau to cancel the frequency assignments associated with the SIRION satellite system."

7 Requests for suspension of satellite networks (Documents RRB14-2/5 and RRB14-2/13)

Request for suspension of a satellite network under No. 11.49 of the Radio Regulations received more than six months after the date of suspension (Document RRB14-2/5)

7.1 **Mr Matas (SSD/SPR)** introduced Document RRB14-2/5, in which, in line with the decision taken by the Board at its 65th meeting, the Bureau requested the Board to note the Bureau's acceptance of the requests for suspension of three satellite networks even though those requests had been received by the Bureau more than six months after the date of suspension. In the case of two of the networks, the request had been received two days late, i.e. two days after expiry of the six-month period. In the case of the third network, the request had been received 7.5 months late.

7.2 **Mr Garg** asked whether any other administrations would be adversely affected by the acceptance of the late requests for suspension.

7.3 **Mr Ebadi** saw no objection to the action taken by the Bureau in accepting the late requests, but sought confirmation that the networks in question had fulfilled all their obligations in regard to due diligence, bringing into use, and so on, prior to suspension.

7.4 **Mr Matas (SSD/SPR)** said that the Bureau was satisfied that the three networks had fulfilled all such obligations and was not aware of any negative impact that would entail from acceptance of the late requests.

7.5 **Mr Bessi** said that similar cases had been submitted to the Board's 65th meeting, and in taking its decision on them the Board had noted that No. 11.49 and the related rules of procedure did not indicate what penalty, if any, should be paid if administrations failed to submit their requests for suspension within six months of the actual date of suspension. Regarding the cases considered at the 65th meeting, the administrations had not explained why they had submitted their requests late. Since the cases now before the Board were similar to those considered at the 65th meeting, the Board should give them the same treatment by accepting them.

7.6 **Mr Koffi** wondered whether the Board was going to continue accepting late requests for suspension of the kind now before it. What was the purpose of the six-month deadline in No. 11.49?

7.7 **Mr Malaguti (SGD)**, speaking in his capacity as councillor for ITU-R Study Group 4, informed the meeting that Working Party 4A would submit text on exactly that topic to the CPM, for inclusion in its report to WRC-15.

7.8 **Mr Ebadi** said that Mr Koffi had raised an important point. Were the Bureau and Board to continue to accept the late requests up until WRC-15? The number of such cases could well

increase, and surely some limit should be placed on how long after the six-month deadline requests remained acceptable.

7.9 **The Director** recalled that WRC-12 had set the six-month deadline in order to avoid cases of evident abuse whereby administrations submitted requests for suspension, say, 7 years after the date of actual suspension. In that spirit, a reasonable approach appeared to be that of accepting late requests provided such acceptance had no adverse effects on other administrations. If accepting a late request would have adverse effects, then the six-month deadline could be applied and the request rejected.

7.10 **Mr Magenta** suggested, in view of the information provided by Mr Malaguti, that the Board draw the attention of WRC-15 to the matter in the Director's report to the conference, informing the conference of the Board's approach and dilemma in regard to the six-month deadline.

7.11 **Mr Ito** said that the Board was repeating the debate held at its 65th meeting. It should close the discussion and apply the conclusions it had reached at that meeting. **Mr Strelets** agreed with Mr Ito.

7.12 **Mr Garg** said that the Bureau had taken its decisions on the cases listed in Document RRB14-2/5, and the Board should now simply note those decisions.

7.13 **Mr Bessi** agreed that the Board should take the same decision now as at its 65th meeting, but in accepting such cases it should ascertain that to do so would have no adverse effects on other networks.

7.14 **Mr Ebadi** agreed with Mr Bessi. The Board should handle all such submissions on a case-by-case basis.

7.15 **Mr Strelets** wondered what precisely was meant by "no adverse effect" or "no negative impact on other networks" in regard to the suspension of networks and the timing of related requests. It was especially important to have a clear understanding of those phrases if the intention was to include such a clause in the Board's decision on late requests for suspension.

7.16 **Chief SSD** said that it was difficult to comment on the possible negative impact of accepting late requests for suspension. After all, everything else in regard to the filings concerned was in order – bringing into use, continuity of service, etc. In the course of its discussions on the rule of procedure on No. 11.49, the Board had decided that requests for suspension received after the six-month deadline remained acceptable, that the Bureau should take the decisions accepting them, and that the Board should simply note those decisions, on the understanding that the matter would be included in the Director's report to WRC-15. The fact that a request had been submitted late would surely have no impact on other networks at the time of suspension, but it was impossible to predict what impact there might be when the network was brought back into use within the three-year regulatory period for suspension. Late submission of requests for suspension was a regulatory matter, and WRC-15 should resolve current ambiguity given that the rule of procedure was not fully in line with the Radio Regulations. In every case of late request for suspension, the Bureau would check that all requirements regarding bringing into use had been satisfied, would take its decision accordingly, and would inform the Board of its decision.

7.17 **Mr Strelets** inferred from the Bureau's explanation that the fact that a request for suspension was submitted late had no real consequences for other administrations. If that was so, and given the flexibility agreed to by the Board regarding the six-month period in No. 11.49, was there any real need for the Bureau to submit the cases to the Board? Could the Bureau's decisions not simply be reported to the Board in the Director's report to each meeting?

7.18 **Mr Ebadi** advocated caution when it came to speaking of impact. When networks were suspended, they remained valid. If they were suppressed, the impact on other networks could be positive in terms of priority.

7.19 **Mr Žilinskas** endorsed Mr Ebadi's comments. There were inevitably consequences when it came to accepting or rejecting late requests for suspension. If a late request was accepted, the network obviously retained its rights. If a late request was rejected because it was not in conformity with the Radio Regulations and the network cancelled, rights were obviously lost, to the advantage of other networks. The Board must be circumspect in ascertaining that acceptance of late requests for suspension would have no impact on other networks. In view of the decision taken by the Board at its 65th meeting, he could agree to the Bureau reporting its decisions on such cases to the Board in the Director's report to each meeting.

7.20 The **Chairman** suggested that thought might be given to covering the matter in a rule of procedure.

7.21 The **Director** said that it was impossible to ascertain the precise impact of accepting late requests for suspension. For example, to maintain a network for which the request for suspension was not in full conformity with the Radio Regulations could have a negative impact on another administration if that administration wanted the same orbital position. The fundamental problem was that the Radio Regulations failed to specify what penalty should be applied for submitting a request for suspension late. On one hand, to cancel the assignments concerned would appear to be too harsh a penalty. On the other hand, open-ended flexibility with regard to the six-month deadline constituted relaxation of the Radio Regulations. Perhaps a rule of procedure should be drawn up, but the WRC had been unclear in this respect.

7.22 **Mr Strelets** said that the Board had discussed the problem at length at its 65th meeting and was now repeating those discussions. It should remain with the decision it had taken at its previous meeting – which included the fact that the total suspension period could not exceed the three years allowed under No. 11.49 – recognizing that the issue would be examined by WRC-15 as a result of the work carried out by Working Party 4A and the Special Committee, and calling for the Director to bring it to the attention of WRC-15 in his report to the conference. **Mr Ito** supported the course of action advocated by Mr Strelets.

7.23 **Chief SSD** recalled that the draft rule of procedure on No. 11.49 originally prepared by the Bureau for the Board's consideration had sought to apply the six-month period strictly. The Board, however, when considering the draft rule, had decided that there should be flexibility when applying the six-month period, but had included in the rule it approved the stipulation that, when the Bureau determined under No. 13.6 that an assignment had not been in operation for over six months, it asked the administration concerned for explanations. Thus, certain safeguards were in place, and the Board had expressed a preference for the Bureau to bring cases to its attention case by case, rather than in the Director's report to the Board.

7.24 The Board **agreed** to conclude as follows:

“The Board carefully considered the submissions in Document RRB14-2/5.

The Board noted that the Bureau had applied the RR provisions and the Rule of Procedure on No. 11.49 correctly and took note of the decision of the Bureau to accept the requests for suspension of the satellite networks mentioned in Document RRB14-2/5.

The Board also decided to bring the issue of receivability in application of No. 11.49 of the Radio Regulations when the six-month deadline is exceeded to the attention of WRC-15 through the Report of the Director.”

Request for suspension of a satellite network under § 8.17 of Article 8 of Appendix 30B of the Radio Regulations received more than six months after the date of suspension (Document RRB14-2/13)

7.25 **Mr Griffin (SSD/SNP)** said that the submission in Document RRB14-2/13 was similar to the one just dealt with by the Board in Document RRB14-2/5, save that the request for suspension

had been submitted under § 8.17 of Article 8 of Appendix 30B, rather than No. 11.49. It involved a late request for suspension by the United States, submitted around nine months after the date of actual suspension. The Bureau had ascertained that all requirements, such as bringing into use, had been satisfied, and that acceptance of the late request would have no negative impact on other administrations. The Board was invited to note the Bureau's acceptance of the late request for suspension.

7.26 The **Chairman**, drawing attention to the rule of procedure on Appendix 30B which allowed administrations to request suspension of networks after 1 January 2013, noted that the request for suspension now before the Board had been submitted on 18 June 2014, for suspension as from 13 September 2013.

7.27 **Mr Garg** said that as the late request involved a real network and there would be no negative impacts on other networks, the Board could simply note the Bureau's decision.

7.28 The Board **agreed** to conclude as follows:

"The Board carefully considered the submissions in Document RRB14-2/13.

The Board noted that the Bureau had applied the RR provisions and the Rule of Procedure on § 8.17 of Article 8 of Appendix 30B correctly and took note of the decision of the Bureau to accept the request for suspension of the satellite network mentioned in Document RRB14-2/13.

The Board also decided to bring the issue of receivability in application of the Rule of Procedure on § 8.17 of Article 8 of Appendix 30B of the Radio Regulations when the six-month deadline is exceeded to the attention of WRC-15 through the Report of the Director."

8 Request by the Bureau for a decision by the Radio Regulations Board to cancel all frequency assignments of the LSTAR4B satellite network at 126° E in accordance with No. 13.6 and the provisions of Appendices 30 and 30A (Documents RRB14-2/1 and RRB14-2/DELAYED/4 and 9))

8.1 **Mr Griffin (SSD/SNP)** introduced Document RRB14-2/1, containing a request by the Bureau that the Board decide to cancel all frequency assignments to the LSTAR4B satellite network at 126° E in accordance with No. 13.6 and the provisions of Appendices 30 and 30A. He drew attention to Document RRB14-2/DELAYED/4, in which the Lao People's Democratic Republic explained that LSTAR4B had suffered delays and requested that the frequency assignments should not be cancelled, bearing in mind the importance of the satellite network. Document RRB14-2/DELAYED/9, also submitted by the Lao People's Democratic Republic, provided additional information on LSTAR4B and highlighted some difficulties in planning a satellite at 126° E.

8.2 **Mr Ebadi** noted that there had been difficulties of communication and recalled the Board's treatment of similar difficulties at its 65th meeting, for example in regard to NICASAT-1-30B. The assignments to the LSTAR4B satellite network had been entered in the Regions 1 and 3 List at WRC-2000, and WRC-03 had granted a 3-year extension to the date of bringing into use. Now a satellite was under construction but there were problems between two satellite operators, although the Lao People's Democratic Republic was confident that these problems could be resolved. He suggested that the Board should allow time for a mutually acceptable solution to be found.

8.3 **Mr Strelets** supported Mr Ebadi. In Document RRB14-2/DELAYED/4, the Lao People's Democratic Republic underlined its readiness to enter into discussions with China to ensure that operation of the LSTAR4B satellite network would be compatible with adjacent operational systems. In fact, the Lao Government and its partners had been on the verge of relocating an

existing in-orbit satellite to 126° E but, because of strong objections from an adjacent satellite operator, had decided that it would be more practical to try to cover the concerns of that operator first in order to avoid operational incompatibility. In Document RRB14-2/DELAYED/9, a letter from SES (in Attachment 4) showed that SES was ready to make an SES satellite available, with the capacity to operate the LSTAR4B satellite network at 126° E. The Board's decision should be in line with its decision, taken earlier in the meeting, on the similar case of Papua New Guinea and the Republic of Korea.

8.4 **Ms Zoller** said that the question was whether or not the LSTAR4B satellite network had been brought into use by 18 October 2006, the extended deadline granted by WRC-03. Now, eight years later, it was clear from the documents provided by the Lao People's Democratic Republic that there had never been a satellite in that position. The Lao People's Democratic Republic had been diligent in paying cost-recovery fees but had not moved a communications satellite into that position because of problems of interference. Unfortunately, in order to apply the Radio Regulations, the Board had to cancel the frequency assignments of the LSTAR4B satellite network because they had not been brought into use. She wondered whether there was anything the Board could do to accelerate the re-starting of the process for bringing into use once the Lao Administration had a satellite in place.

8.5 **Mr Ito** noted that the Lao People's Democratic Republic had claimed that the frequency assignments to the LSTAR4B satellite network had been brought into use within the period of the extension granted by WRC-03. The Administration of China however stated that, since then, there had never been an actual satellite at 126° E. The letter from SES showed that talks had started with the Lao Administration, but had not concluded. He had great sympathy for the Lao People's Democratic Republic but it would be difficult for the Board to accede to its request. The Board always had to comply with the Radio Regulations, whereas the WRC had the power to take a more lenient approach.

8.6 **Mr Garg** also had a lot of sympathy for the Lao People's Democratic Republic as a developing country but, like Ms Zoller and Mr Ito, said that the Radio Regulations did not allow the Board to accede to its request if the system had not been brought into use. The Lao Administration could, however, appeal to WRC-15.

8.7 **Mr Bessi** said that the Bureau had correctly applied the provisions of No.13.6. As Ms Zoller and Mr Ito had observed, there was no satellite at 126° E. He nevertheless understood the views expressed by Mr Ebadi and Mr Strelets, given that cancellation would result in a loss of rights for the Lao People's Democratic Republic and it seemed that China had a satellite extremely close by. He asked whether coexistence between the two satellites would be possible, and proposed that the Board should get more information in order to have a clearer understanding of the situation. Meanwhile the Bureau should try to help to find a solution.

8.8 **Mr Koffi** said that it appeared that the LSTAR4B satellite network had not been brought into use, so it would be difficult for the Board not to cancel the frequency assignments. The Board had to apply the Radio Regulations, but the Lao People's Democratic Republic could request the WRC to reinstate its assignments.

8.9 **Mr Terán** pointed out that the Board was faced with contradictory information, and again there had been difficulties of communication between the Bureau and the administration concerned. The Lao Administration had confirmed that the assignments had been brought into use, but the Administration of China said that they had not. ITU had a duty to ensure that developing countries had access to the spectrum and orbit; in the case before the Board one operator was ready to position a satellite at 126° E, but the Lao People's Democratic Republic had concerns about interference with respect to another satellite being operated at less than 1° of orbital separation from the position. As Mr Bessi had explained, the Board needed further information to understand the situation. The Bureau should be asked to study the matter and try to bring the two sides together.

8.10 **Mr Ebadi** observed that No. 13.6 provided that, in the case of disagreement between the notifying administration and the Bureau, the matter “shall be carefully investigated by the Board, including taking into account submissions of additional supporting materials from administrations”.

8.11 **Mr Žilinskas** said that, from his reading of all the documents, it seemed clear that the Lao People’s Democratic Republic did not have a satellite in place. In Document RRB14-2/DELAYED/9, the letter from the Lao People’s Democratic Republic Ministry of Post and Telecommunication dated 25 July 2014 stated that the relocation of the satellite “is anticipated to start during 2nd half of 2013”. He had full sympathy with the Lao People’s Democratic Republic, but WRC-03 had adopted a BSS Plan in which all countries had a protected slot. There was also an FSS Plan, although access was not quite so easy as in the BSS Plan. He wondered why the Lao People’s Democratic Republic was concerned about interference with the Chinese satellite, since the Lao People’s Democratic Republic had priority. He agreed with Ms Zoller and Mr Ito that the Board had to apply the Radio Regulations. What additional information could the Board request?

8.12 **Mr Strelets**, referring to Document RRB14-2/DELAYED/9, noted that the Lao People’s Democratic Republic had confirmed bringing into use and the Bureau had received payment of cost recovery for satellite network filings. The Board must not deprive the Lao People’s Democratic Republic of the opportunity to submit its arguments. He endorsed the comments made by Mr Ebadi, Mr Bessi and Mr Terán, and said that the matter needed to be examined more closely, in view of the conflicting information provided.

8.13 **Mr Magenta** recalled that WRC-12 had praised the Board for taking decisions in line with the Radio Regulations, but had then gone on to change certain of those decisions because it had the authority to take a more sympathetic approach. There were doubts about the case at present before the Board, so he agreed with previous speakers who had asked for time to clarify the matter. The Lao Administration should be asked to provide the necessary information.

8.14 **Mr Ito**, supported by **Ms Zoller**, observed that although the Lao Administration had sent two documents, it had provided no data supporting its claim that the assignments had been brought into use.

8.15 **Mr Bessi** pointed out that the Bureau was basing its decision on information provided by China on 18 September 2013. The Lao Administration had confirmed bringing into use on 17 October 2006, but had not provided information in regard to the intervening period. As Mr Strelets had proposed, the Board should seek further information, in accordance with No. 13.6. The Board needed more time to take a decision, based on further information. He pointed out, in particular, that the late submissions were not available in all the languages used by Board members.

8.16 **Mr Griffin (SSD/SNP)** informed the Board that the invoices for cost recovery, referred to in Document RRB14-2/DELAYED/9, were for other satellite network filings (not for LSTAR4B). The Chinese filing was in the same frequency band at 125.7° E with overlapping coverage, therefore there was a high probability of harmful co-channel interference. With regard to communication problems, the Bureau’s letter dated 6 February 2014 had been sent to the Administration of the Lao People’s Democratic Republic by certified courier and the Bureau had confirmation that the letter had been received and signed for by the Lao Administration. Furthermore, the Lao People’s Democratic Republic had other satellite network filings, as well as a position at 122° E in the BSS plan that it was entitled to bring into use whenever it wished.

8.17 **Mr Strelets** endorsed Mr Bessi’s comments. Opinion was obviously divided in the Board, but some Board members wanted further information. Once that information was provided, perhaps it would be possible to reach a unanimous decision.

8.18 **Mr Žilinskas** said that having differences of opinion was a principle of democracy, and he was not against seeking further information. The Board nevertheless had to apply the Radio

Regulations and could not accept the bringing into use of a satellite network more than eight years after the regulatory deadline.

8.19 **Mr Ito** said that, bearing in mind the information provided by the Bureau and the lack of data provided by the Lao Administration, as well as the opinion that he, Mr Garg, Mr Koffi, Mr Žilinskas and Ms Zoller had expressed, the only reason to postpone taking a decision was because there was disagreement within the Board.

8.20 **Mr Koffi** asked the Bureau whether any further information was needed.

8.21 The **Chairman** noted that there was no consensus in the Board. Before taking a decision, the Board had to examine all documents in detail, but the late submissions were available only in the original language, and the Lao Administration should be given the opportunity to provide more information. He invited Mr Ebadi to work with the Bureau to draft questions to be sent to the Administration of the Lao People's Democratic Republic.

8.22 That having been done, the Board subsequently **agreed** to conclude as follows:

“The Board carefully considered the submission in Document RRB14-2/1, taking Documents RRB14-2/DELAYED/4 and RRB14-2/DELAYED/9 for information.

The Board considered that the Bureau applied correctly the provisions of No. 13.6 of the Radio Regulations. The Board decided to defer decision on this issue to the 67th meeting and instructed the Bureau to request the Administration of Lao People's Democratic Republic to provide answers (including evidence), not later than the deadline for submission of documents to the 67th meeting, to the following questions regarding the continuous operation of the LSTAR4B satellite network at 126°E:

- Identify the actual satellite which is currently in operation including the commercial name
- Identify whether or not some of the frequency assignments in the above network were discontinued
- Duration of operational satellites (from 17 October 2006 until present) to support the above operation, e.g. date of bringing into use, technical characteristics of the satellite (validity of actual parameters under the requirements of Articles 4 and 5 of RR Appendices 30 and 30A), etc.
- Any other publicly available information to support the above operation.”

9 Request by the Bureau for a decision by the Radio Regulations Board on the status of frequency assignments to the INDOSTAR-118E satellite network and its consequential cancellation under No. 13.6 of the Radio Regulations (Document RRB14-2/2)

9.1 **Mr Matas (SSD/SPR)** introduced the Bureau's request for cancellation of the INDOSTAR-118E satellite network in Document RRB14-2/2. He noted in particular that Indonesia had confirmed the bringing into use of the network, but upon investigation the Bureau had ascertained that the network had been operated by the INDOSTAR-1 satellite for 41 days only. Consequently, Indonesia had requested the Bureau to consider that the network had been brought into operation under the 2008 edition of the Radio Regulations. The Bureau had replied by explaining its application of Nos. 11.44 and 11.47 prior to WRC-12, which it had reported to WRC-12, and had confirmed that the network could not be considered as having been brought into use in view of the short period that INDOSTAR-1 had been located at 118° E. Responding to a request for clarification by **Mr Garg**, he said that information publicly available for all networks had been the Bureau's source of information in ascertaining that INDOSTAR-1 had been located at 118° E for 41 days only.

9.2 The **Chairman**, having outlined the main aspects of the case, noted that WRC-12 had endorsed the Bureau's understanding of the requirements relating to bringing into use.

9.3 **Mr Bessi** said that the Administration of Indonesia was not denying that it had operated its network for 41 days only, but was calling into question the applicability of the ninety-day period of operation prior to WRC-12. To his mind, Indonesia must have been aware of the Bureau's approach, given that Board decisions had been based on it at the 13th, 57th and 58th meetings. The Board should therefore accede to the Bureau's request in Document RRB14-2/2.

9.4 **Mr Strelets** wished to know whether INDOSTAR-1 had drifted from 118° E having operated there for 41 days, or had been move deliberately to another orbital position. The use of one satellite at more than one orbital position was the crucial factor in such cases, since, as borne out by certain statements made by members at the Board's 59th meeting, the Board had never agreed prior to WRC-12 on any set period as constituting regular operation and as being usable as grounds for network cancellation if not satisfied. The ninety-day period had become enforceable only on 1 January 2013. Decisions taken to cancel networks had been based on other considerations.

9.5 The **Director** said that, in its analysis of the case and in the conclusions it had reached, the Bureau had made no specific mention of the ninety-day period, given that the approach adopted by the Bureau prior to WRC-12 was being applied to the case now before the Board. The Bureau's conclusions were consistent with the decisions taken by the Board in the past.

9.6 **Mr Matas (SSD/SPR)** confirmed that INDOSTAR-1 had been moved deliberately from 118° E after having been deployed there for 41 days. It had not drifted.

9.7 **Mr Žilinskas** endorsed Mr Bessi's comments, and noted that the minutes of the Board's 13th meeting were often quoted in the context of cases like the one now before the Board relating to bringing into use.

9.8 **Ms Zoller** supported Mr Bessi. She also asked what had transpired regarding the Bureau's inquiries concerning Indonesian networks at orbital position 107.7° E in the Bureau's letter to the Indonesian Administration dated 1 March 2013.

9.9 **Mr Matas (SSD/SPR)** said that further to the Bureau's questions regarding Indonesian networks at 107.7° E, the filings in question had been cancelled, as published in BR IFIC 2768 of 29 April 2014.

9.10 **Mr Ito** said that it appeared from the information provided that the INDOSTAR-1 satellite had been relocated (on 3 October 2012) two months prior to notification of the network (7 December 2012). Could the use of a network be suspended before it had even been notified? If it could not, the corresponding frequency assignments must be cancelled.

9.11 **Chief SSD** said that Indonesia's notification of INDOSTAR-118E on 7 December 2012 and of bringing into use on 3 July 2012, as well as its submission of a request for suspension from 3 October 2012, had all been in conformity with the Radio Regulations and related rules of procedure in force at the time (prior to 1 January 2013). The questions raised by the Bureau had concerned the validity of the bringing into use of INDOSTAR-118E, based on the fact that satellite INDOSTAR-1 had been deployed and maintained at the orbital position for a period that had been insufficient in light of the approach applied by the Bureau at the time. He noted in passing that INDOSTAR-1 had been at another orbital position prior to being moved to 118° E for the period reflected in Document RRB14-2/2, and subsequently it had been moved to two further positions (it was now at 70° E). Regarding Mr Ito's point, the fact that the date of suspension had been prior to that of notification would have been looked into by the Bureau if the Bureau had not already had sufficient grounds for cancelling the network for the reasons already explained.

9.12 The Board **agreed** to conclude as follows:

"The Board carefully considered the submission in Document RRB14-2/2.

The Board considered that the Bureau applied correctly the provisions of No. 13.6 of the Radio Regulations. The Board agreed with the analysis of the Bureau and, given the information provided, decided to cancel the frequency assignments of the INDOSTAR-118E satellite network under No. 13.6.”

10 Request by the Bureau for a decision by the Radio Regulations Board to cancel all frequency assignments to the INDOSTAR-1A satellite network under No. 13.6 of the Radio Regulations (Document RRB14-2/6)

10.1 **Mr Matas (SSD/SPR)** introduced Document RRB14-2/6, containing a request by the Bureau that the Board cancel all frequency assignments to the INDOSTAR-1A satellite network under No. 13.6.

10.2 The **Chairman** noted the similarities between the case now before the Board and the case it had just dealt with in Document RRB14-2/2. Although Indonesia had confirmed the bringing into use of INDOSTAR-1A, there was no evidence of continued operation or the deployment and maintenance of an operational satellite at the orbital position in question.

10.3 **Ms Zoller, Mr Koffi and Mr Magenta** concurred with the Chairman, noting that the Bureau had applied the provisions of the Radio Regulations correctly.

10.4 The Board **agreed** to conclude as follows:

“The Board carefully considered the submission in Document RRB14-2/6.

The Board considered that the Bureau applied correctly the provisions of No. 13.6 of the Radio Regulations. The Board agreed with the analysis of the Bureau and, given the information provided, decided to cancel the frequency assignments of the INDOSTAR-1A satellite network under No. 13.6.”

11 Request by the Bureau for a decision by the Radio Regulations Board to cancel frequency assignments in the bands 402.65-402.85, 2552-2588 and 2592-2628 MHz of the INSAT-2(83) satellite network under No. 13.6 of the Radio Regulations (Documents RRB14-2/8 and RRB14-2/17)

11.1 **Mr Matas (SSD/SPR)** introduced Document RRB14-2/8, in which the Bureau requested the Board to cancel the frequency assignments in the bands 402.65-402.85, 2552-2588 and 2592-2628 MHz of the INSAT-2(83) satellite network under No. 13.6 of the Radio Regulations. He also drew attention to Document RRB14-2/17, containing a letter from the Administration of India dated 9 July 2014. As indicated in Document RRB14-2/17, the Administration of India agreed that the frequency assignments in the band 402.65-402.85 MHz could be cancelled but stated that the frequency assignments in the bands 2552-2588 and 2592-2628 MHz were in use for “strategic governmental purposes” and hence should be maintained.

11.2 **Mr Strelets**, supported by **Mr Ebadi**, said that the Bureau had clearly acted correctly under No. 13.6. He understood the statement by the Administration of India that the frequency assignments in the bands 2552-2588 and 2592-2628 MHz were for “strategic governmental purposes” to mean that they were being used under Article 48 of the Constitution (CS48). In accordance with the decision of WRC-12, administrations did not need to confirm the use of their frequency assignments under CS48. The Board should therefore cancel the frequency assignments in the band 402.65-402.85 MHz but maintain those in the bands 2552-2588 and 2592-2628 MHz.

11.3 **Mr Bessi** agreed that the Bureau had acted correctly in applying No. 13.6. Should the Board understand the mention of “strategic governmental purposes” as meaning that an administration was invoking CS48 or should the Board require the administration to make explicit reference to that provision? He asked whether any similar case had arisen in the past.

11.4 **Mr Magenta** seconded the comments made by Mr Bessi. He considered that the Administration of India should have made an explicit reference to CS48 but could nevertheless agree to accept India's request.

11.5 **Ms Zoller** said that the Board should consider the matter carefully, given that the S-band filings were for television and sound broadcasting, which by definition were intended for the general public.

11.6 **Mr Žilinskas** asked whether the response by the Indian Administration in Document RRB14-2/17 satisfied the Bureau. He recalled a previous case before the Board when the administration concerned had not explicitly mentioned CS48 and the Board had not acceded to its request. In his view, the Board needed full information in order to be able to take consistent decisions.

11.7 **Mr Koffi** said that the frequency assignments in the band 402.65-402.85 MHz should be cancelled and he could accept India's request to maintain the frequency assignments in the bands 2552-2588 and 2592-2628 MHz. He nevertheless wondered why India had not informed the Bureau earlier that the latter bands were used for governmental purposes.

11.8 **Mr Ito** endorsed the comments made by Mr Koffi and Mr Žilinskas. The Board had dealt with a similar case before, and had cancelled the frequency assignments. In the present case, the Board was not sure that India's statement that the frequency assignments were used for strategic governmental purposes was intended to be understood as a claim that CS48 should apply. He suggested asking the Administration of India to clarify that understanding.

11.9 **Chief SSD** explained that, when an administration replied that its frequency assignments were being used for strategic governmental purposes, the general practice of the Bureau in applying No. 13.6 of the Radio Regulations was to accept that CS48 prevailed and to refrain from seeking any further information about the satellite networks concerned. That practice had been brought to the attention of WRC-12 in the report of the Director, but the conference had not taken any clear decision. The Bureau's practice would similarly be brought to the attention of WRC-15 through the Director's report, and the Bureau would ask how it should respond to such situations in applying No. 13.6. Furthermore, if an administration made an explicit or implicit reference to CS48, the Bureau did not go into the matter of which services were being provided. In the specific case before the Board at the present meeting, on question to the Administration of India could be why it had taken so long to inform the Bureau that the frequency assignments in the bands 2552-2588 and 2592-2628 MHz were being used for strategic governmental purposes.

11.10 **Mr Ebadi** endorsed the comments made by Chief SSD. There were no provisions relating to the broadcasting-satellite service that prevented its use to provide strategic governmental services. Indeed, CS48 could cover any application; it was up to the administration. He agreed with the Bureau that the ambiguity related to CS48 should be brought to the attention of WRC-15. As Mr Ito and Mr Žilinskas had suggested, the Administration of India could be asked whether its request to maintain certain frequency assignments fell under the umbrella of CS48. If the reply was in the affirmative, then no further information would be requested. If the reply was negative, then the Bureau could request further information.

11.11 The **Chairman** suggested that the Board conclude as follows:

"The Board carefully considered the submissions in Documents RRB14-2/8 and RRB14-2/17.

The Board considered that the Bureau applied correctly the provisions of No. 13.6 of the Radio Regulations. The Board agreed with the analysis of the Bureau and noted the request from the Administration of India to cancel the frequency assignments in the bands 402.65-402.85 in application of No. 13.6. However, given the information provided by the Administration of India that the frequency assignments in the bands 2552-2588 and 2592-

2628 MHz are in use for strategic governmental purposes, which the Board understands fall under the umbrella of Article 48 of the Constitution, the Board decided to retain the frequency assignments in the bands 2552-2588 and 2592-2628 MHz of the INSAT-2(83) satellite network.

The Board also decided to bring the issue of application of Article 48 of the Constitution to the attention of WRC-15 through the Report of the Director.”

11.12 It was so agreed.

12 Submission by the Administration of the Russian Federation on the restoration of frequency assignments to the WSDRN-M and CSDRN-M satellite networks (Document RRB14-2/18)

12.1 Ms Glaude (SSD/SNP) introduced Document RRB14-2/18, containing a request by the Administration of the Russian Federation dated 8 July 2014 for reinstatement of the frequency assignments to the WSDRN-M and CSDRN-M satellite networks. In Annex 1 to its letter of 8 July, the Russian Federation outlined its understanding of the sequence of events and application of the relevant Radio Regulations in regard to the submission of WSDRN-M, and the network’s subsequent cancellation by the Bureau on the grounds that the modifications submitted by the Russian Federation could not be taken into account because they had been submitted after expiry of the eight-year regulatory period. She noted that the network had been published in Part A of the special section in April 2010, had been brought into use at 16° W by satellite Luch-5B on 2 November 2012, and had been in service since then. On 28 November 2013, i.e. one month before expiry of the deadline for bringing into use, the Russian Administration had submitted requests for the network’s entry in the List and Master Register along with the dates of bringing into use. On 29 April 2014, it had submitted a request for modification for the network. On 13 May 2014 the Bureau had published the network’s cancellation on the grounds that, with the parameters submitted for the network, one allotment still remained affected. The Russian Federation requested the reinstatement of the network in view of the fact that it had been brought into service, reinstatement would have no negative consequences for other administrations, and such a decision would ensure that the real use of the spectrum was reflected in the Master Register.

12.2 In Annex 2, the Russian Federation outlined its understanding of the sequence of events and application of the relevant Radio Regulations in regard to the submission of the CSDRN-M satellite network, and its subsequent cancellation by the Bureau. She noted that the network had been published in Part A of the special section in April 2010, and had been brought into use by satellite Luch-5A at 95° E from 26 June 2012 to 10 November 2012, i.e. for a period of over 3 months. Prior to expiry of the eight-year regulatory period, the Russian Federation had duly informed the Bureau of the network’s bringing into use, and its suspension, and had submitted its Resolution 49 information, which had been published by the Bureau, as well as a request for the network’s entry in the List and Master Register along with the dates of bringing into use. However, since the Russian Federation had failed to satisfactorily confirm the date of bringing into use under No. 11.44B (in its version applicable as from 1 January 2013), the Bureau had cancelled the network and published the cancellation in BR IFIC 2769/13.05.2014. The Russian Federation had subsequently informed the Bureau that new satellite Luch-5V had been launched to orbital position 95° E on 28 April 2014, and was consequently requesting the network’s reinstatement on the grounds that it had been deployed and was in use, reinstatement would have no negative consequences for other administrations, and such a decision would ensure that the real use of the spectrum was reflected in the Master Register.

12.3 In response to a question by Mr Bessi, she said that, as recognized by the Russian Federation, the modification it had requested for WSDRN-M had been to rectify an error in its earlier submission for the network.

12.4 **Mr Garg** said that the Russian Federation had taken all the necessary steps to avoid causing interference to other networks, and the Board should therefore reinstate the networks as they involved extremely important data-relay systems for manned space missions. **Mr Magenta** supported Mr Garg.

12.5 **Ms Zoller** said that the case before the Board obviously involved real systems that were extremely important in terms of ensuring safety of life in space missions. The fundamental problem appeared to lie with the sequence and timing of submissions made to the Bureau. She asked whether everything would have been in order regarding the networks if the sequence and timing had been correct.

12.6 **Ms Glaude (SSD/SNP)** said that network WSDRN-M had received an unfavourable finding because an allotment had still remained affected by the network with the parameters notified when the Russian Federation's submission had been examined by the Bureau. Regarding network CSDRN-M, the submission under Article 8 of Appendix 30B had been rejected on the grounds that when it had been received the network had not been in service then or in the preceding three to four months.

12.7 **Mr Nurmatov** agreed with Ms Zoller on the importance of the networks involved to ensuring safety of life in manned space flights. There were no commercial interests at stake. An error had been made in the submissions, as recognized by the Russian Federation, and the Board should accept that and agree to reinstate the networks.

12.8 **Mr Terán** said that the Board should accede to the requests for various reasons: the networks had been brought into use and were in service; an error had been made in the submissions but had subsequently been corrected; the Russian Federation undertook to maintain interference at tolerable levels; and the networks involved systems of great importance to safety of life in manned space missions.

12.9 **Mr Ebadí** agreed that the Board could accede to the requests for the reasons given by previous speakers.

12.10 **Mr Bessi** said that to his understanding the networks concerned would have been in order had certain genuine errors not been made. He too could agree to reinstate them for the reasons given by previous speakers.

12.11 **Mr Ito** said that the rather unusual request before the Board, involving an oversight in regard to licensing, should be treated as an exceptional case, and on that understanding could be acceded to for the reasons given by previous speakers. The administration concerned should be tactfully advised not to repeat such errors.

12.12 **Mr Koffi** agreed that the Board could accede to the requests for the reasons already voiced by Board members.

12.13 **Mr Žilinskas** said that the submission before the Board involved two different cases, one of which (WSDRN-M) appeared to involve a genuine error on the part of the notifying administration as referred to in the fax from the Russian Federation dated 29 April 2014. Had that specific error been the reason for the Bureau's rejection of the filing? The networks were obviously of considerable importance, but the Board must come up with solid reasons for reinstating them, lest it be accused of having different rules for different administrations.

12.14 **Ms Zoller** suggested that the modifications submitted by the Russian Federation after the eight-year regulatory period could be construed as additional information or clarification of initial information submitted within the relevant time-frames, as called for by certain provisions of the Radio Regulations. Viewed as such, acceptance of the modifications might be seen as being perfectly in line with the spirit of the Radio Regulations.

12.15 **Ms Glaude (SSD/SNP)** said that the Russian Federation's request of 29 April 2014 for the correction of certain data had been received well after the thirty-day period for the submission of complementary information and, in line with the Bureau's consistent approach to such submissions, had been regarded as a major modification and been given a new date of receipt.

12.16 The **Chairman** suggested that the Board consider concluding as follows. It would accede to the request for reinstatement of WSDRN-M on the grounds that the initial submission had been made on time and only the modification had been received beyond the regulatory time period. And it would accede to reinstatement of CSDRN-M, as a special case, based on the fact that a real network was in operation providing very important services and there were no consequences for other networks. It would urge the Russian Federation to avoid repeating such errors in the future.

12.17 **Mr Bessi** said that the Board could not base its decision on the matter being a special case, but must base it on the information available: namely, that real, duly notified networks had been submitted in conformity with the Radio Regulations, and would have been receivable but for an error made, which meant that unfortunately they had not been received within the applicable time-frames. The fact that a genuine error had been made constituted the grounds on which the Board deemed it could accede to the requests.

12.18 **Chief SSD** warned that the Board might be setting a dangerous precedent if it accepted the Russian Federation's request concerning CSDRN-M. The frequency assignments to that network had been notified (Part B) on 22 November 2013, i.e. one month before expiry of the eight-year regulatory period, but had been brought into service several months later, on 28 April 2014, i.e. beyond expiry of the eight-year period. At the time, however, the Russian Federation had reported an earlier date of bringing into use in 2012, for which it had requested suspension, but the request for suspension could not be deemed valid because the frequency assignments had not yet been notified. He stressed the need to ensure that all provisions of the Radio Regulations, particularly those relating to bringing into use, continuity of operation and suspension, were applied correctly. If the Board reinstated the CSDRN-M network, it must recognize that such reinstatement went beyond the provisions of the Radio Regulations.

12.19 **Ms Zoller** said that she could agree to accede to the Russian Federation's request regarding WSDRN-M, for the reasons already given. She was less prepared to straightforwardly accede to the request regarding CSDRN-M, since use of a network could not be suspended if it had not been notified. The Board needed to ensure that it did not set a dangerous precedent, and that the sequence of events pertaining to CSDRN-M was in conformity with the Radio Regulations. If it was not, the case should be submitted to the WRC for decision.

12.20 **Mr Žilinskas** supported Ms Zoller. He could readily accept the Russian Federation's request with regard to WSDRN-M, on the grounds of a technical error having been made in its submission. Regarding CSDRN-M, he recalled that in the past the Board had refused to grant a one-day extension of a regulatory time-frame, so it could not grant an extension in the present case without having very good reasons for doing so.

12.21 **Mr Garg** said that most colleagues appeared to agree that the requests before the Board related to a special case, because they involved the safety of manned space missions. To his mind, that was the basic reason for acceding to the requests, and reference to "special case" in the reasons given for the Board's decision would ensure that it could not be taken as a legal precedent. He nevertheless would have no problem in taking separate decisions on the two cases.

12.22 **Mr Bessi** asked what would happen to the CSDRN-M frequency assignments between their date of suppression and consideration of the case by WRC-15 if the Board decided against their reinstatement. Would they remain in the database, or would they no longer be taken into account at all?

12.23 **Mr Žilinskas** considered that the frequency assignments to CSDRN-M should be reinstated on the clear understanding that their reinstatement would be subject to a decision by WRC-15. Such had been the Board's approach when handling some difficult cases in the past.

12.24 **Mr Magenta** said that the Board should refer to the case as being "of a particular nature" in view of the systems it involved, rather than being "special". The Board should accede to the request, but refer the matter to the WRC for final decision.

12.25 **Chief SSD** pointed out that the systems concerned did not relate to "safety" within the specific meaning of certain provisions of the Radio Regulations, but to a straightforward application of Appendix 30B. Regarding the case of WSDRN-M, he highlighted the fact that the network had received an unfavourable finding based on the information submitted within the eight-year regulatory period. The modification submitted by the notifying administration after expiry of the eight-year period could not be considered as a clarification of information submitted within the regulatory time-frame (such clarification was subject to a thirty-day deadline), but had to be seen as a modification with its own date of receipt. The Bureau often received such modifications, and treated them all in the same way. The modification regarding WSDRN-M had been received beyond all relevant deadlines under Appendices 30A/30B and the procedures applicable to the non-Plan services.

12.26 **Mr Bessi** noted that the modification in question involved a reduction of power, making it unnecessary for the network to coordinate with another administration identified by the Bureau as being affected.

12.27 **Chief SSD** said that the modification requested allowed the Russian Federation to secure the agreement of another administration entering the Plan. Although the modification in question had its own date of receipt, it should have no effect in terms of increasing coordination requirements for the network because no other networks had entered the scene between the network's original Part B date of receipt and that of the modification.

12.28 The **Director** noted that any decision taken to reinstate the WSDRN-M network should refer to the need to implement the procedures under § 6.17 of Article 6 of Appendix 30B.

12.29 **Mr Žilinskas** stressed that any decision to reinstate CSDRN-M must be subject to endorsement of the Board's decision by WRC-15.

12.30 The **Chairman** suggested, in the light of the discussions, that the Board conclude as follows:

"The Board carefully considered the submission in Document RRB14-2/18.

The Board considered that the Bureau applied correctly the provisions of the Radio Regulations. The Board however, given the information provided by the Administration of the Russian Federation that the networks are in operation, providing safety of life services for manned space flights and the international space station, and should not cause harmful interference to other networks, decided to reinstate the frequency assignments of the WSDRN-M and CSDRN-M satellite networks.

The Board also noted, with regard to the frequency assignments of the WSDRN-M satellite network, that the procedures under § 6.17 of Article 6 of Appendix 30B of the Radio Regulations should be applied.

Concerning the reinstatement of the frequency assignments of the CSDRN-M satellite network, the Board also decided to bring this relaxation of No. 11.44B of the Radio Regulations for this important network to the attention of WRC-15, through the Report of the Director, for endorsement of this decision by the Conference."

12.31 It was so **agreed**.

13 Submission by the Administration of Luxembourg concerning modification of an assignment in the Appendices 30 and 30A Regions 1 and 3 List (Documents RRB14-2/12 and RRB14-2/DELAYED/6)

13.1 **Mr Griffin (SSD/SNP)** introduced Document RRB14-2/12, containing a submission by the Administration of Luxembourg concerning modification of an assignment in the Appendices 30 and 30A Regions 1 and 3 List. The Administration of Luxembourg suggested that a general solution might be found to the specific case it presented, perhaps through a rule of procedure. He also drew attention to Document RRB14-2/DELAYED/6, submitted by the Administration of Monaco, supporting the submission by the Administration of Luxembourg and requesting the Board to expand the scope of its consideration to include Appendix 30B.

13.2 **Mr Ebadi** said that the Administration of Luxembourg had submitted an interesting concept but he was not in favour of developing a rule of procedure, which might create other problems in such a complex area. Perhaps § 5.2.1 *d*) of Article 5 of Appendices 30 and 30A might be used to resolve the case.

13.3 **Mr Griffin (SSD/SNP)** said that § 5.2.1 *d*) of Article 5 of Appendices 30 and 30A allowed certain parameters to be modified at the notification stage but that the proposal by the Administration of Luxembourg was different. The concept was that, by modifying characteristics in the List, it would be possible to free spectrum for others. For example, an assignment in the List might be using more spectrum than needed, so by modifying the characteristics (such as reducing power or reducing service area) others could be allowed to enter the List.

13.4 **Mr Ito** agreed with Mr Ebadi that the Administration of Luxembourg had submitted an interesting concept. But Appendices 30 and 30A had been created assuming that characteristics would not be frequently changed. Of course, if antenna patterns or beams could be changed without adversely affecting other administrations, it would be highly beneficial to make spectrum available. The overall equivalent protection margin was, however, precisely defined for the Appendix 30 Plan, so the Bureau would have to recalculate everything and it would not be evident which neighbouring assignments would be affected. There were also other potential consequences. In his view, such an important topic should be taken up by the WRC.

13.5 **Mr Bessi** also noted the importance of the topic. The conference had created the concept of the List for Appendices 30, 30A and 30B, and in order to avoid frequent changes to the reference situation the Radio Regulations did not provide for modifications to be introduced into the List. There was therefore no basis for a rule of procedure, and he agreed that the matter should be taken up by the WRC.

13.6 **Mr Strelets** said that the proposal by the Administration of Luxembourg merited attention because it would enhance the efficiency of spectrum use and would align the List with actual spectrum use. The Radio Regulations assumed that assignments were entered into the List, notified under Article 5, and then brought into use for a period of 15 years. If the 15-year period was disregarded, then in his view it would be possible for the Bureau to draft a useful rule of procedure.

13.7 **Mr Garg** recognized that there were no regulatory provisions upon which to base a rule of procedure but considered that, in transmitting the matter to the conference, the Board might propose a modification to Article 4 of Appendices 30 and 30A, possibly along the lines suggested by Mr Strelets.

13.8 **Mr Ebadi**, referring to Nos. 13.0.1 and 13.0.2 of the Radio Regulations, observed that there were no difficulties or inconsistencies in applying Article 4 of Appendices 30 and 30A in the case before the Board, therefore there was no need for a rule of procedure. If the view was that the Radio Regulations ought to be changed, then the matter should be brought before the WRC. **Mr Magenta** and **Mr Bessi** supported that view, the latter suggesting that the matter could be brought to the attention of WRC-15 through the report of the Director.

13.9 **Mr Koffi** agreed with Mr Bessi. It was the responsibility of the conference to modify the provisions of the Radio Regulations. The matter should be submitted to the WRC, perhaps with a possible solution.

13.10 **Mr Žilinskas** agreed with Mr Strelets that the approach suggested by the Administration of Luxembourg would increase the efficiency of spectrum use. He supported the opinion expressed by Mr Bessi and others that the matter should be reported to the WRC and that the conference should take a decision.

13.11 The **Director** suggested that, in view of the technical and regulatory difficulties, it would be helpful if the matter were brought to the attention of ITU-R Working Party 4A and the Special Committee.

13.12 The **Chairman** suggested that the Board conclude on the matter as follows:

“The Board carefully considered the submission in Document RRB14-2/12, taking Document RRB14-2/DELAYED/6 for information.

The Board carefully examined the issue and recognized its relevance to the efficient use of the spectrum. Nevertheless, the Board concluded that, in accordance with No. 13.0.1 of the Radio Regulations, it was not necessary to develop a new Rule of Procedure.

The Board also decided to advise the Administration of Luxembourg to bring the issue to the attention of ITU-R Working Party 4A and the Special Committee for appropriate technical and regulatory consideration, as well as WRC-15.

The Board further decided to bring the matter to the attention of WRC-15 through the Report of the Director.”

13.13 It was so **agreed**.

14 **Report by the Working Group on the Rules of Procedure (Document RRB12-1/4(Rev.10))**

14.1 The Board **noted** the following report by Mr Ebadi, Chairman of the Working Group on the Rules of Procedure:

“The Working Group on Rules of Procedure (RoPs) considered the ‘List of Proposed Rules of Procedure’ contained in Document RRB12-1/4(Rev.10) as well as the proposed draft RoP on No. 11.44B of the Radio Regulations contained in Document RRB14-2/INFO/1. The Working Group agreed to update Document RRB12-1/4(Rev.10) to reflect the RoPs approved at the 66th meeting and to add appropriate references to the draft RoPs related to Nos. 11.44B and 11.50 of the Radio Regulations.”

14.2 **Mr Ebadi** also indicated other areas of Document RRB12-1/4(Rev.10) that might be amended, in particular to take account of studies under way in different ITU-R forums and to indicate the meetings at which given rules might be taken up by the Board.

14.3 **Ms Zoller** commended Mr Ebadi for all the work he had done on the rules of procedure. She also recalled that the Board had to review all rules of procedure with a view to submitting suggestions to the WRC as to how the Radio Regulations might be modified to alleviate any problems or inconsistencies the Board had encountered. If it followed its past practice, the Board could use the table in Document RRB12-1/4 as a basis for such work, recognizing that any rule of procedure reflecting a practice of the Bureau would presumably not fall within that framework.

14.4 The **Chairman** proposed that the Board work towards converting Document RRB12-1/4 into the kind of document referred to by Ms Zoller, and envisage working on it at its 67th and 68th meetings.

14.5 Regarding rules of procedure to be developed by the Bureau to reflect its practices (minutes of the 8th Plenary Meeting of WRC-12), **Mr Ebadi** said that the Bureau should be given flexibility in view of the fact that it was ultimately responsible for maintenance of the MIFR and the Board should not burden it with superfluous requirements.

14.6 **Mr Strelets** pointed out that Document RRB12-1/4 was a living document, subject to updating until the last Board meeting before WRC-15. The **Chairman** endorsed those comments.

14.7 **Ms Zoller** drew attention to Addendum 3 to WRC-12 Document 4, in which the Director had reported on the Board's activities to WRC-12, including the Board's review of the Rules of Procedure. The Board needed to know when it might see drafts of the corresponding sections of the Director's report to WRC-15, and to what extent the Board was expected to provide or review text.

14.8 The **Director** said that the Board might expect to see a first draft of such text at its 67th meeting.

15 Draft rule of procedure on No. 11.44B of the Radio Regulations (Document RRB14-2/INFO/1)

15.1 **Chief SSD** said that Document RRB14-2/INFO/1 brought together in a single document elements that had been presented to the Board at its previous two meetings. It began by explaining the links between the different provisions involved, the reasons for which the rules of procedure had been prepared and the links between the different stages, for example notification, date of notification and date of bringing into use. It went on to present different scenarios (illustrated by diagrams), along with proposed modifications to the Rules of Procedure.

15.2 **Mr Strelets** observed that Case 3 included a sentence ("However the notified date of bringing into use of the assignment shall be considered not in conformity with the requirement of No. 11.44B") that might give rise to serious complications given that any number of reasons could cause a launch date to be changed – weather conditions, carrier readiness, co-passenger load, and so on. Moreover, the term "notified orbital position" was ambiguous. He understood it to mean the orbital position notified by the administration at some stage of the submission process – such as API, Resolution 49 or coordination request – whereas the Bureau understood it to be the orbital position notified as contained in the MIFR. The term must be clearly defined, perhaps even with the advice of the ITU Legal Adviser, since nowhere was it defined in the Radio Regulations. Given that fundamental lack of agreement, he proposed to have no rule of procedure. Administrations at WRC-12 had seen no objection to approving No. 11.44B as it now stood, and if difficulties actually arose in applying it, they could be reported to the WRC in the Director's report. After all, the WRC was to convene relatively soon.

15.3 The **Director** said that the draft rules under consideration addressed action to be taken at the notification stage. Surely "notified orbital position" must mean the entry in the notification form submitted under Article 11. It was unlikely that the Legal Adviser would be able to help much in the present case.

15.4 **Mr Ebadi** said that he preferred not to call for the opinion of the Legal Adviser. After all, legal opinions often differed.

15.5 **Mr Bessi** said that he would prefer to delete *ADD 6 alternative* in Document RRB14-2/INFO/1. The Board should send out the draft rule of procedure for final comments by administrations, and take a final decision on it at the 67th meeting.

15.6 **Mr Ito** drew attention to the following, alternative text which he wished to propose for the draft rule in Document RRB14-2/INFO/1, to replace the texts under Case 3 and cater for cases of administrations failing to comply with No. 11.44B:

“For any frequency assignment, if a notifying administration fails to inform the Bureau within 120 days after its DBIU, the recorded date of bringing into use will be established at 120 days before the date of receipt of the ‘information*’ sent to the Bureau.

* Because of the difference in the process of notification for the planned bands, the word ‘information*’ above should read ‘information of the DBIU as specified in the notification’ in the case of Appendix 30, 30A and 30B.”

His proposed text was intended to remove the ambiguity in applying No. 11.44B, and was simpler and far shorter than the texts in Document RRB14-2/INFO/1. He asked the Bureau to comment on it.

15.7 **Chief SSD** said that the text of ADD 6 in Document RRB14-2/INFO/1 was intended to cover various different situations involving a date of bringing into use more than 120 days prior to notification. Mr Ito’s text did not cover all situations, nor did it indicate how administrations were to submit information on bringing into use to the Bureau for non-Plan services. In the Bureau’s view, it should be made clear that information regarding bringing into use should be submitted as part of notification material, for both the Plan and non-Plan services.

15.8 **Mr Ito** concurred with the Bureau; his text had been intended to provide some flexibility, recognizing that No. 11.44B as adopted by WRC-12 empowered the Bureau to freely use No. 13.6 to check bringing into use. Previously, that course of action had been open to the Bureau only after notification. If his text was not precise enough, he would withdraw it.

15.9 **Ms Zoller** said that the Board did not have sufficient time to discuss the draft rule at the present meeting, but should decide whether or not to recirculate it to administrations for comment with a view to discussing it again at the 67th meeting. Regarding the meaning of “notified orbital position”, it could only mean the data element specifically required for the geographical longitude on the GSO belt, when an administration submitted a notice.

15.10 The **Chairman** suggested that the Board agree to recirculate the rule of procedure to administrations for comment, and invited members to decide which version to recirculate.

15.11 **Mr Strelets** said that he could agree to send Mr Ito’s text out to administrations for comment. He still had a problem, however, with the assertion in the Bureau’s note to *ADD 6 alternative* that the text was not in conformity with the Radio Regulations.

15.12 **Mr Ebadi** said that if the Bureau had a problem with Mr Ito’s text he could agree to recirculate the Bureau’s texts in Document RRB14-2/INFO/1.

15.13 **Chief SSD** confirmed that if the Board chose to recirculate *ADD 6 alternative*, the Bureau would indeed want to include a note to the effect that it was not in conformity with No. 11.44B, item A.2.a of Appendix 4 or the rule of procedure on No. 11.44. Moreover, the Bureau did not have the necessary tools to implement that text. Ultimately, however, it was up to the Board to choose which texts to recirculate, with or without the Bureau’s note. *ADD 6 alternative* had been drafted by the Bureau to accommodate certain comments submitted by administrations. If the texts were recirculated, it would obviously be without the diagrams in Document RRB14-2/INFO/1, which would remain accessible to administrations for consultation purposes.

15.14 **Mr Bessi** said that he would prefer to recirculate the Bureau’s texts, since the Board had already commented on them. He reiterated his preference for deleting *ADD 6 alternative*.

15.15 **Mr Strelets** said that *ADD 6 alternative* should be retained, but without the Bureau's note, because, although Ms Zoller's understanding of the term "notified orbital position" was perfectly correct, there remained a fundamental lack of agreement regarding the stage of the submission process at which it was submitted. The Bureau, Board members and some administrations each held their own views, but those views differed. At WRC-12 many administrations had indicated with regard to No. 11.44B that there was no link between bringing into use and system notification, and the ninety-day period had been set for other purposes. The Bureau's main task under No. 11.44B was to check the presence of a satellite at the notified orbital position. The Board could continue to discuss the matter indefinitely, unless the fundamental point of disagreement regarding submission of the notified orbital position was clarified – hence his suggestion to call for the Legal Adviser's opinion.

15.16 **Mr Ebadi** said that the Bureau's note should be included in the text recirculated to administrations, since to his understanding it was accurate and administrations should be informed accordingly.

15.17 **Mr Bessi** said that if *ADD 6 alternative* was recirculated, the Bureau's note should be included. To his mind it was accurate, and if it was not included he feared numerous administrations would submit comments pointing out what the note said.

15.18 **Ms Zoller** said that if the note was not included, the Board could deal with the question of conformity or non-conformity with the Radio Regulations when it discussed the rule again at its next meeting.

15.19 **Mr Ebadi** said that if the note was not included in the text recirculated to administrations, it should appear in the summary of decisions and minutes of the meeting.

15.20 On that understanding, it was **agreed** that the note would be deleted from the text to be recirculated, but would be reproduced in the present minutes, as follows:

"NOTE: *ADD 6 alternative* is not in conformity with WRC-12 agreed No. 11.44B, but may be considered as a temporary solution up to WRC-15, if RRB decides so."

15.21 The **Chairman** suggested that the Board conclude as follows:

"Regarding the draft Rule of Procedure on No. 11.44B of the Radio Regulations, the Board instructed the Bureau to prepare a revised version of this draft Rule of Procedure and circulate it to administrations in time for consideration at the 67th meeting.

In Document RRB14-2/INFO/1, under "*ADD 6 alternative*" on page 13, the Board noted that "*ADD 6 alternative*" may not be in conformity with WRC-12 agreed No. 11.44B, but may be considered as a temporary solution up to WRC-15."

15.22 It was so **agreed**.

16 **Consideration of issues related to Resolution 80 (Rev.WRC-07)**

16.1 **Ms Zoller** recalled that in its report on Resolution 80 (Rev. WRC-07) to WRC-12 (WRC-12 Document 11), the Board had covered various key issues which it had identified in the course of its inter-WRC activities – application of No. 13.6, leasing, considerations regarding harmful interference including jamming, the role of international monitoring, and others. Consequently, some of the issues had been addressed by WRC-12, for example the updating of No. 13.6, the question of bringing into use, and procedures for suspension. The Board should adopt the same approach in its report to WRC-15, by earmarking continuing difficulties and identifying others – for example, cases of continuing harmful interference, the effects of modifications to Articles 11 and 15, suspension under Nos. 11.49 and 11.49.1 and related rules of procedure, implementation of No. 13.6, administrations' non-receipt of correspondence as a reason for not meeting regulatory requirements, the Legal Adviser's study on *force majeure*, and leasing and the

complexities encountered in that regard. The issues identified in the Board's report under Resolution 80 went to the heart of what was hampering the efficient, effective, economic and equitable use of the spectrum and orbit, and the Board should continue to focus on such issues, in the hope that WRC-15 would take steps based on the Board's report. She would be happy to prepare a first draft of the report in time for consideration at the Board's 67th meeting, and would appreciate any help offered by Board members on specific issues, for example, input from Mr Ito on satellite leasing.

16.2 **Mr Malaguti (SGD)** said that Working Party 4A had produced draft CPM text on some of the issues mentioned by Ms Zoller, which might prove useful to the Board.

16.3 **Mr Ebadi** identified further issues that could be addressed in the Director's report to WRC-15 or in the Board's report under Resolution 80. He urged Board members to provide Ms Zoller with all relevant contributions, and commended her for her work.

16.4 **Mr Strelets** thanked Ms Zoller for having assumed the lead role on the Board's Resolution 80 report, and stressed the importance of the report in both identifying key and complex issues and in proposing solutions. The Board might indeed find useful material in the texts prepared by Working Party 4A, since the latter had set up a working group comprising 150-200 participants devoting long hours to the subject. He had a list of issues that had arisen since the last WRC, which he would send to Ms Zoller and the other Board members.

16.5 **Mr Garg** also thanked Ms Zoller, and undertook to prepare a contribution on *force majeure* for inclusion in the Board's report under Resolution 80.

16.6 The Board **agreed** to conclude as follows:

“The Board decided that the Working Group on Resolution 80 (**Rev.WRC-07**) would prepare a preliminary draft of its report to WRC-15 under Resolution 80 (**Rev.WRC-07**) for consideration at the 67th meeting. The Board agreed to work by correspondence and to continue the approach of systematically analysing the issues that the Board has faced since WRC-12 affecting fulfilment of the principles contained in Article 44 of the Constitution and No. 0.3 of the Preamble to the Radio Regulations and identifying possible solutions. The Board considered that review of the draft text prepared by Working Party 4A to the WRC-15 Conference Preparatory Meeting would benefit this work.”

17 **Confirmation of the dates of the next meeting and meeting schedule for 2015**

17.1 **Mr Strelets** suggested that the Board give thought to holding its 67th meeting as from 14 November 2014, since an interregional seminar was to be held in Geneva on 12-13 November.

17.2 **Mr Garg** wondered whether five days would be sufficient for the Board's next meeting, given the heavy agenda the meeting might face.

17.3 **Mr Ebadi** said that there would certainly be implications in terms of expenses, room availability and so on if the next meeting was held as from 14 November, and the Bureau would have to confirm the possibility. As to the schedule for 2015, the Board members newly elected by PP-14 would need to have their say, and he recalled that an informal meeting of all Board members elected by the plenipotentiary conference would probably be held at PP-14, providing an opportunity for the discussion of the schedule and other matters.

17.4 The **Chairman** recalled that the tentative schedule for 2015 took account of criteria previously agreed to by the Board, which included the need to hold meetings at regular intervals with sufficient time in between them.

17.5 **Mr Ito** said that it would be difficult to accommodate new changes to the dates of the next meeting just agreed to by members at the previous meeting.

17.6 **Ms Zoller** agreed with Mr Ito. She recalled that, in accordance with the Board's working methods (Part C of the Rules of Procedure), the Board was to decide the schedule for a given year at the last meeting of the previous year. She noted that a full extra day of meeting could be gained by commencing the meeting at 0900 hours on the first day and ending it at 1700 hours on the last day.

17.7 The Board **agreed** to conclude as follows:

“The Board confirmed the dates for the 67th meeting as 17 (starting at 0900 hours) to 21 (until 1700 hours, if necessary) November 2014.

The Board provisionally agreed to the following dates for the subsequent meetings in 2015, subject to confirmation by the next meeting:

- 68th meeting: 16-20 February 2015 or 23-27 February 2015
- 69th meeting: 1-5 June 2015 or 15-19 June 2015
- 70th meeting: 12-16 October 2015 or 19-23 October 2015.”

18 Working methods of the Board

18.1 **Mr Magenta** suggested that, at its next meeting, the Board should discuss its treatment of late submissions, perhaps based on the practice of ITU-R study groups. The Board continued to face problems, which would persist if the matter was not clarified.

18.2 The **Chairman**, referring to § 1.6 of Part C of the Rules of Procedure, said that late submissions relating to an agenda item could be considered for information, if the Board so agreed. The matter to be resolved was at what stage the Board should stop accepting late submissions. For example, a submission had been made by an administration on the penultimate day of the present meeting.

18.3 **Mr Ebadi** emphasized that all submissions should be received by the Executive Secretary. The Board should not consider any submission sent to an individual member of the Board.

18.4 **Mr Strelets** noted that in the CEPT meetings a proposal to PP-14 on the possibility of having representatives of the administrations present at Board meetings was being discussed. The Board's reliance solely on written submissions led to the risk of unequal treatment of administrations. If one administration made a submission at the last minute, then another administration would not have an opportunity to respond. If administrations were present at the meeting, then they would be treated on an equal footing. The Board's Working Group on the Rules of Procedure could propose changes to the Board's working methods, to prevent situations where administrations might find themselves in an unequal position. This could be achieved, for example, by a postponement of consideration of the issue on the agenda of the meeting at the request of an affected administration.

18.5 **Mr Ebadi** agreed that it was difficult to treat administrations fairly in regard to late submissions, because if one administration made a submission on the last day of the Board's discussion of a particular item, other administrations would not be able to respond. He suggested that Board members should continue to discuss the problem following the present meeting with a view to taking it up again at the next meeting.

18.6 The Board **agreed** to discuss at its next meeting, within the Working Group on the Rules of Procedure, possible revisions to § 1.6 of the Working Methods of the Board.

19 Approval of the summary of decisions (Document RRB14-2/19)

19.1 The summary of decisions (Document RRB14-2/19) was **approved**.

20 Closure of the meeting

20.1 The **Chairman** thanked everyone for their valuable contributions to the success of what had proved to be a long and complex meeting. He also wished success to those Board members standing for re-election to the Board at PP-14.

20.2 **Mr Koffi**, on behalf of all the Board members, commended the Chairman on his able handling of the meeting, and thanked all those who had contributed to its success, particularly the Director and his staff.

20.3 The **Chairman** thanked Mr Koffi, and closed the meeting at 1640 hours on Friday, 5 August 2014.

The Executive Secretary:
F. RANCY

The Chairman:
S.K. KIBE