

## UPDATES to the

## Rules of Procedure

(Edition of 1998)

**approved by the Radio Regulations Board**

<b>Revision <sup>(1)</sup> (Circular No.)</b>	<b>Date</b>	<b>Part</b>	<b>ARS</b>	<b>Pages to be removed</b>	<b>Pages to be inserted</b>
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<sup>(1)</sup> Refer to the relevant Circular Letter noted in column 1 regarding dates of application of new or modified Rules of Procedure included in these update pages.

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**S5.340**

The comments made under the Rules of Procedure concerning No. **S4.4** apply.

**S5.351**

1 This provision permits, in derogation of the definitions contained in No. **S1.73** and **S1.79**, the use of the bands allocated to a mobile-satellite service by a station at a specified fixed point (without being a coast earth station or an aeronautical earth station).

2 The exceptional circumstances referred to in this provision cannot be evaluated by the Bureau.

3 The Board therefore concluded that assignments notified under this provision shall receive a favourable regulatory finding.

**S5.357**

The terrestrial uses authorized by this provision appear to be closely related to the operational conditions within a combined aeronautical system using space and terrestrial radiocommunications. The Bureau has no means to verify such uses and considers this provision an additional allocation to the aeronautical mobile (R) service.

**S5.364**

This provision contains two different types of e.i.r.p. density limits for transmitting mobile earth stations in the frequency band 1 610-1 626.5 MHz, namely: (i) peak e.i.r.p. density limit, and (ii) mean e.i.r.p. density limit.

The peak e.i.r.p. density limit is derived from the maximum power density of the assignment as submitted by the responsible administration.

For the second type, it is not clear whether it is spectral mean, or temporal mean, or spatial mean. The Board decided that, on the provisional basis, and until the relevant ITU-R Recommendation is available, the Bureau use a spectral mean e.i.r.p. density when apply this provision. This spectral mean e.i.r.p. will be derived from the mean power density of an assignment, which is obtained from its total power divided by its necessary bandwidth and multiplied by 4 kHz.

**S5.366**

This provision is considered an additional allocation to the aeronautical radionavigation-satellite service. The comments made under No. **S5.49** apply. However, when the Special Section is to be published it shall contain an indication that the assignment is for use on a

worldwide basis for “airborne electronic aids to air navigation and any directly associated ground-based or satellite-borne facilities”.

**S5.376**

The comments made under the Rules of Procedure concerning No. **S5.357** apply.

**S5.392**

1 The Board has noted the requirement to consider a method for the Radiocommunication Bureau to examine inter-satellite links i.e. the space to space link between geostationary space stations and the non-geostationary space stations in the frequency bands 2025-2110 MHz and 2200-2290 MHz with respect to No. **S11.32/1504**.

2 Having regard to the current lack of any appropriate criteria and calculation method, the Board has noted advice received from Radiocommunication Study Group 7 that the link between the geostationary space station and the non-geostationary space station should not be taken into account by the Bureau in its examination of the assignments under No. **S11.32/1504**. Recognizing that the only space services allocated in these two frequency bands are the space research, Earth exploration-satellite and space operation services, and that the inter-satellite systems referred to are limited to data relay satellite systems operating within the allocated services, the protection afforded to these links will be that agreed during the bilateral or multilateral coordination procedures.

3 Taking into account the above advice and the lack of criteria and calculation method, the Board concluded that, until such time as Radiocommunication Study Group 7 provides/establishes necessary criteria and a required calculation method, the Bureau, when examining the above-mentioned cases in frequency bands 2025-2110 MHz and 2200-2290 MHz with respect to their conformity to No. **S11.32/1504**, shall proceed as follows:

3.1 To give a favourable regulatory finding with respect to No. **S11.32/1504** (symbol A in Column 13A2).

3.2 To insert a symbol K in Column 13B2 with the following text:

K This frequency assignment to an inter-satellite link of a geostationary space station communicating with a non-geostationary space station is not taken into account by the Bureau in its examination under No. **S11.32/1504**.

**S5.397**

The Board has no means to identify the administrations concerned and instructed the Bureau to treat notices from France as follows:

- Complete notices from France will receive a favourable regulatory Finding under No. **S11.31**, assuming that, when the agreement of a country B is not indicated in the notice, that agreement is not required.
- If, following the publication of the assignment, country B objects to the notified use, the Bureau will modify its Finding and request France to seek the agreement of country B.

**S5.399**

1 This provision does not indicate the frequency band in which it is applicable. The Board concluded that it applies in the band 2 483.5-2 500 MHz.

2 The comments made under the Rules of Procedure concerning No. **S5.164** apply.

**S5.409**

1 In the band 2 500-2 690 MHz, four provisions are applicable:

- Number **S5.409** recommending that administrations do not develop new tropospheric scatter systems;
- Number **S5.410** permitting the use of tropospheric scatter systems in Region 1 subject to the application of the procedure of No. **S9.21**;
- Number **S5.411** recommending that administrations planning new tropospheric scatter links avoid directing the radiation towards the geostationary-satellite orbit;
- Number **S21.3** (together with No. **S21.6**) limiting the e.i.r.p. in Regions 2 and 3 in the band 2 655-2 690 MHz.

2 As indicated above, Nos. **S5.409** and **S5.411** are considered recommendations to administrations, and the Bureau has no action to take in their respect.

**S5.410**

See comments under the Rules of Procedure concerning No. **S5.409**.

**S5.411**

See comments under the Rules of Procedure concerning No. **S5.409**.

**S5.415**

1 In this footnote, the allocation “is limited to national and regional systems”. The Board concluded that a national system is a system having a service area limited to the territory of the notifying administration. As a consequence of this, the regional system to which reference is made shall be considered to be an aggregate of two or more national systems; they shall be limited to the territories of the administrations concerned and they shall be notified by one of these administrations on behalf of all the administrations concerned. The Board reached this conclusion keeping in mind No. **S5.2.1**, relating to the interpretation of the word “regional” without a capital “R”.

2 In accordance with this provision, the fixed-satellite service is limited for use by national or regional systems in the band 2 500-2 690 MHz in Region 2 and in the bands 2 500-2 535 MHz and 2 655-2 690 MHz in Region 3. Only those assignments which satisfy the following conditions shall be considered to be in conformity with the Table of Frequency Allocations:

- a) The service area for a regional system is within the Region concerned, i.e. in Region 2 only in the band 2 535-2 655 MHz or in Regions 2 and 3 in the other bands between 2 500 and 2 690 MHz.
- b) In the case of a national system, the service area is limited to the territory under the jurisdiction of the notifying administration.
- c) If the satellite network is operated within the framework of an international system to which other countries pertain, the notice must indicate that the use is limited to the region(s) concerned.

**S5.441**

1 Article **S5** defines, in the band 10.7-11.7 GHz, a bi-directional allocation for the Fixed-satellite service in Region 1. Three footnotes (**S5.441**, **S5.484** and **S5.484A**) further regulate the usage of the bands. The provisions of No. **S5.484** apply to the up-link (Earth-to-space) allocation for BSS feeder-links. Numbers **S5.441** and **S5.484A** (covering parts of the band 10.7-11.7 GHz) apply to the down-link. The following problems were noted:

1.1 the Table of Frequency Allocations defines a bi-directional allocation of the whole band 10.7-11.7 GHz for the FSS in Region 1. Number **S5.484** defines the up-link allocation for Region 1, while Nos. **S5.441**, **S5.484A** and Resolution **130 (WRC-97)** regulate the down-link use for GSO and non-GSO FSS. The sub-bands 10.7-10.95 GHz and 11.2-11.45 GHz, for the space-to-Earth direction, are, for GSO applications, covered by the provisions of Appendix No. **S30B**. The up- and down-link allocations, for GSO use, are of the same category. Non-GSO uses are under power flux-density limitations defined by Article **S22** and are subject to certain conditions as stipulated in No. **S22.2** which is referred to in Resolution **130 (WRC-97)** (*resolves* 3, 6.1.2 and 7);

1.2 the applicable Radio Regulatory Procedures for the fixed-satellite service are as follows:

a) Earth-to-space (No. **S5.484**): 10.7-11.7 GHz (Region 1): Articles **S9** and **S11** apply;

b) Space-to-Earth:

10.7-10.95 GHz and 11.2-11.45 GHz:

- for GSO use: Appendix **S30B** (and Article **S11**) apply (No. **S5.441**);
- for non-GSO: Articles **S9**, **S11** and **S22** apply.

10.95-11.2 GHz and 11.45-11.7 GHz:

- for GSO: Articles **S9** and **S11** apply;
- for non-GSO: Articles **S9**, **S11** and **S22** apply.

2 While the regulatory situation between non-GSO and GSO uses is clear, the regulatory relationship between GSO FSS uses, namely the up-link (Region 1) and the down-link (Appendix **S30B**) utilization of the spectrum is not covered by any Radio Regulatory procedure. The Board thus considered this situation as follows. Based on the general principle that the utilization of the spectrum by two internationally recognized applications (coordinated vs. planned use), with the same status, should be mutually taken into account even if the case is not covered by specific procedures and also on the basis of the existing analogies (Article 7 of Appendix **S30**, Article 7 of Appendix **S30A**, existing systems in Part B of the Appendix **S30B** Plan), the Board considering that (1) up to now the Bureau has received only one case of the bi-directional use by GSO FSS of the bands 10.7-10.95 GHz and 11.2-11.45 GHz and (2) that the complexity of the issue does not justify the establishment of a sophisticated methodology to treat this case, and thus decided that the Bureau act as follows:

2.1 Up-link FSS applications in the bands 10.7-10.95 GHz and 11.2-11.45 GHz (Article **S9**)

The FSS up-link usage (according to No. **S5.484**) should protect the continuing rights of the Appendix **S30B** Plan as well as the entries in the Appendix **S30B** List, as evolve. To this

effect the FSS up-link networks shall apply the coordination (Article **S9**) and notification (Article **S11**) procedures not only vis-à-vis other up-link FSS networks of the same direction (Earth-to-space) but also vis-à-vis the Plan and List entries of the opposite direction (space-to-Earth). To take into account the Appendix **S30B** Plan within the Article **S9** procedure, the Plan shall be considered as a coordinated usage of the spectrum. Administrations responsible for the FSS up-link shall obtain coordination agreements from those other administrations whose systems in the Plan or assignments in the List are likely to be affected. The method and criteria for the identification of the administrations to be coordinated with shall be, similar to the case of Appendix **S30A** (where the same bi-directional problem exists between planned feeder-links and other FSS), as follows:

- a) Since in the space-to-space interference scenario a receiving space station of the up-link FSS is subject to receive interference from a transmitting space station of the Appendix **S30B** FSS Plan, and since currently an agreed method for the assessment of this interference is not available to the Bureau, assignments to receiving space stations operating in the up-link FSS submitted under Articles **S9** or **S11**, shall provisionally not undergo the examination relating to compatibility with Appendix **S30B**. Therefore a note shall be included in the relevant Special Section to reflect the situation and a symbol shall be inserted in the MIFR to indicate that such assignments shall not claim protection from Appendix **S30B**.
- b) For the compatibility assessment between Earth stations (transmitting ES of the FSS up-links and the receiving ES within the Plan allotment) the principle defined in Appendix **S30A** (§ 3 of Annex 4, a modified Appendix **S7** method) will be used. The service areas defined in Appendix **S30B** will be extended by the coordination distance to form an “agreement area” within which a transmitting earth station of the FSS up-link has to be coordinated. For the calculation of the coordination distance the most up-to-date ITU-R Recommendation will be used.

2.2 Down-link FSS applications in the bands 10.7-10.95 GHz and 11.2-11.45 GHz (Appendix **S30B**, planned usage):

- a) As for the interference which is likely to be caused to FSS uplink from Appendix **S30B** downlink the same condition referred to in 2.1 a) above applies, i.e, in the examination of Appendix **S30B** Plan and List entries no account shall be taken of the FSS uplink assignments included in the MIFR with the above mentioned symbol.
- b) As for the interference which is likely to be caused to Appendix **S30B** downlink receiving earth stations from FSS uplink transmitting earth stations the same condition referred to in 2.1 b) above applies.

**S5.467**

As the title of this provision is “*Alternative allocation*”, the allocation of the band 8 400-8 500 MHz to the space research service in the United Kingdom is not limited to the direction space-to-Earth. The limitation to deep space specified in No. **S5.465** does not apply to it.

**S5.484**

See comments under the Rules of Procedure concerning No. **S5.441**.

**S5.485**

1 The wording of this provision raised the following basic question: “Is the band 11.7-12.2 GHz in Region 2 allocated to the broadcasting-satellite service?” The Board considered the following:

- a) that the provision is not titled an “additional allocation”. Some footnotes do not have such a title and the Board considered them additional allocations. However, in this case, it is not clear that the intent was to permit an additional allocation;
- b) the provision states that “transponders on space stations in the fixed-satellite service may be used additionally ... in the broadcasting-satellite service”: the use of the word “additionally”, together with the last sentence saying that “this band shall be used principally for the fixed-satellite service”, leads to the understanding that the use by the broadcasting-satellite service is not of the same nature as would be the use of a given band by a service to which the band is allocated;
- c) the provision refers to transponders, which are to be considered transmitting stations. As the procedures of Articles **S9** and **S11** and Resolution **33 (Rev.WRC-97)** apply to each assignment, each transponder shall be considered independently from the others. Consequently the provision may be interpreted in either of the following two ways:
  - a first interpretation consists in considering that some transponders will be used for the fixed-satellite service and others for the broadcasting-satellite service, and this is equivalent to a sharing of the band between two services which raises a question about the word “principally”: how many transponders would be allowed for each of the two services?
  - a second interpretation consists in considering that a given transponder of the fixed-satellite service may be used in a given period of time for broadcasting (this is not to be confused with the use of the fixed-satellite service for the transport of a video signal between two fixed points). If in such a case the provision was to be considered an additional allocation, a question arises in relation to the procedure to be applied: Should it be that of Articles **S9** and **S11** or that of Resolution **33 (Rev.WRC-97)**?

2 Keeping in mind the above comments, the Board concluded that the band 11.7-12.2 GHz is not allocated in Region 2 to the broadcasting-satellite service. Those transponders of the fixed-satellite service which are used for broadcasting-satellite purposes will be treated in accordance with Articles **S9** and **S11** (and Appendix **S30** if required to define inter-Regional sharing). When such a use is indicated in the notice, the Bureau will assume that the coordination of the network was made on the basis that for the period during which a transponder is used for broadcasting, the e.i.r.p. will not exceed the e.i.r.p. notified for the fixed-satellite service. Considering that the fixed-satellite service uses relatively low e.i.r.p., the Bureau will consider the value of 53 dBW to be a limit not to be exceeded.

#### **S5.487**

Number **S5.43** states that “a service may operate ... subject to not causing harmful interference”. This provision stipulates that “services ... shall not cause harmful interference to ...”. Despite this difference in wording, the Board is of the view that No. **S5.43** would apply in this case. This would lead to a contradiction with Articles 4, 6 and 7 of Appendix **S30**, containing procedures which lead one to consider that the fixed-satellite, the fixed and the mobile services have equality of rights with the broadcasting-satellite service. The Board considers that in this case it should be deemed when applying Appendix **S30** that the service concerned has equality of rights; however, if, despite the application of the procedures of Appendix **S30**, harmful interference is actually caused to a broadcasting-satellite station, the fixed, fixed-satellite or mobile station shall cease this interference.

#### **S5.488**

This Rule contains several decisions, which may be understood as follows:

### **1 Use of the band 12.2-12.7 GHz by the broadcasting-satellite service in Region 2**

This use shall be made in accordance with Appendix **S30**. The Plan being essentially based on national systems, only those sub-regional systems that may result from the successful application of Article 4 of Appendix **S30** will be considered to be in conformity with the Table of Frequency Allocations.

### **2 Use of the band 11.7-12.2 GHz by the fixed-satellite service in Region 2**

2.1 In this footnote, the allocation “is limited to national and sub-regional systems”. Following WRC-97, a question has arisen as to the relevance of this limitation to non-geostationary satellite systems in the fixed-satellite service (non-GSO FSS systems). Having analyzed all decisions of WRC-97 related to the use of non-GSO FSS systems in certain frequency bands and particularly Resolution **130 (WRC-97)** and Resolution **538 (WRC-97)**,

the Board is of the opinion that WRC-97 had the intention to promote the development of non-GSO satellite systems capable of providing global service. For that reason, the Board decided to instruct the Bureau to provisionally disregard, until WRC-2000, the limitation to national and sub-regional systems stipulated in the footnote when examining submissions of assignments to non-GSO FSS systems in the bands in question received after 21 November 1997 with respect to their conformity with the Table of Frequency Allocations. The Board agreed also to instruct the Bureau to continue applying this limitation in the case of GSO networks.

2.2 For GSO networks, the Board concluded that a national system is a system having a service area limited to the territory of the notifying administration. As a consequence of this, the sub-regional system to which reference is made shall be considered an aggregate of two or more national systems; it shall be limited to the territories of the administration concerned and it shall be notified by one of the participating administrations. The Board reached this conclusion keeping in mind No. **S5.22**, which defines a sub-Region, and No. **S5.2.1**, relating to the interpretation of the word “sub-regional” without a capital “R”. Therefore, only those assignments which satisfy the following conditions shall be considered to be in conformity with the Table of Frequency Allocations:

- a) the service area for a national or sub-regional system is within Region 2;
- b) in the case of a national system the service area is limited to the territory under the jurisdiction of the notifying administration;
- c) if the satellite network is operated within the framework of an international system to which countries outside Region 2 pertain, the notice must indicate that the use is limited to Region 2.

2.3 According to this provision, “the use of the band 11.7-12.2 GHz by the fixed-satellite service in Region 2 is subject to previous agreement between the administrations concerned and those having services, operating or planned to operate in accordance with the Table, which may be affected (see Articles **S9** and **S11**)”. Due to the fact, that in No. **S5.488** there is no longer any reference to No. **S9.21** (former footnote **RR839** did contain a parenthetical reference to Article 14), the Board concluded that the former Article 14 procedure is no longer required. In fact, the wording of No. **S9.21** is very specific: “for any station of a service for which the requirement to seek agreement of other administration is included in the footnote of the Table of Frequency Allocations referring to this provision” (emphasis added to indicate that there would need to be a reference to No. **S9.21** if the former Article 14 procedure were to be applied). Consequently, the replacement in the old text of the Articles 11,13 and 14 by Articles **S9** and **S11** is understood to mean that there is no longer a need for the specific procedures of No. **S9.21**, in addition to the normally applicable coordination/ agreement procedures of Article **S9**. (In all footnotes where the former Article 14 continues to apply a specific reference to No. **S9.21** has been introduced.)

The Board also understands that, in view of suspension of provisions **S9.8**, **S9.9** and **S9.17** until WRC-2000, the Bureau shall apply relevant provisions of Appendices **S30** and **S30A**, with respect to the broadcasting satellite services and their associated Feeder links as contained in these Appendices.

**S5.490**

This provision is similar to No. **S5.487**. The same rules apply.

**S5.491****Use of the band 12.2-12.5 GHz by the fixed-satellite service in Region 3**

In this footnote, the allocation “is limited to national and sub-regional systems”. Following WRC-97, a question has arisen as to the relevance of this limitation to non-geostationary satellite systems in the fixed-satellite service (non-GSO systems in the FSS). Having analyzed all decisions of WRC-97 related to the use of non-GSO FSS systems in certain frequency bands and particularly Resolution **130 (WRC-97)** and Resolution **538 (WRC-97)**, the Board is of the opinion that WRC-97 had the intention to promote the development of non-GSO satellite systems capable of providing global service. For that reason, the Board decided to instruct the Bureau to provisionally disregard, until WRC-2000, the limitation to national and sub-regional systems stipulated in the footnote when examining submissions of assignments received after 21 November 1997 with respect to their conformity with the Table of Frequency Allocations to non-GSO FSS systems in the bands in question. The Board agreed also to instruct the Bureau to continue applying this limitation in the case of GSO networks.

For GSO networks, the Board understands a national system as being a system having a service area limited to the territory of the notifying administration. As a consequence of this, the sub-regional system to which reference is made shall be considered an aggregate of two or more national systems; it shall be limited to the territories of the administration concerned and it shall be notified by one of the participating administrations. The Board reached this conclusion keeping in mind No. **S5.22**, which defines a sub-Region, and No. **S5.2.1**, relating to the interpretation of the word “sub-regional” without a capital “R”. Therefore, only those assignments which satisfy the following conditions shall be considered to be in conformity with the Table of Frequency Allocations:

- a) the service area for a national or sub-regional system is within Region 3;
- b) in the case of a national system the service area is limited to the territory under the jurisdiction of the notifying administration;
- c) in the case where a service area covers territory under the jurisdiction of other administrations it shall be limited to the territories of the administrations concerned and it shall be notified by one of the participating administrations on behalf of the other administrations;
- d) if the satellite network is operated within the framework of an international system to which countries outside Region 3 pertain, the notice must indicate that the use is limited to Region 3.

**S5.492**

1 The Board concluded that the frequency bands covered by Appendix **S30** are not allocated to the fixed satellite Service in the Regions where the broadcasting-satellite service is subject to the Plan of Appendix **S30**. Those transponders of the broadcasting-satellite

service which are also used for fixed satellite service purposes will be treated in accordance with Article 5 of Appendix **S30**. When recorded they will bear a symbol to indicate such a use. No established methodology exists to-date to carry out the compatibility analysis between the assignments that may be used in broadcasting-satellite transponders for fixed satellite service transmissions and the assignments in the Plan.

2 Earth stations receiving fixed-satellite service transmissions from the Broadcasting Satellite transponders will be treated as earth stations of the broadcasting-satellite service and are not to be notified as individual earth stations.

**S5.496**

1 The fixed and mobile (except aeronautical mobile) services in the countries listed in this provision:

- have equal rights with the fixed-satellite service in the countries of the footnote and in the relations between them, and the coordination under No. **S9.17** and No. **S9.18** shall be applied;
- shall be operated under No. **S5.43** with respect to the fixed-satellite service in the other countries of Region 1, and coordination under No. **S9.17** cannot be imposed on earth stations. The fixed and mobile stations shall apply coordination under No. **S9.18**;
- have equal rights with the services to which the band is allocated in Regions 2 and 3.

2 The comments made under the Rules of Procedure concerning No. **S5.164** apply.

**S5.498**

See comments under the Rules of Procedure concerning No. **S5.198**.

**S5.523A**

Footnote **S5.523A** obliges administrations which have communicated their GSO satellite systems in the bands 18.8-19.3 GHz and 28.6-29.1 GHz to the Bureau, prior to 18 November 1995, to “*cooperate to the maximum extent possible* to coordinate pursuant to No. **S9.11A**/Resolution **46 (Rev.WRC-97)** with non-geostationary-satellite networks for which

notification information has been received by the Bureau prior to that date, with a view to reaching results acceptable to all the parties concerned.” Since there is no basis on which the Bureau could formulate a regulatory finding in this respect, the Board decided on the following course of action:

Administration(s) responsible for the GSO satellite network, when notifying the assignments to the Bureau, shall include a statement indicating that the obligation “shall cooperate to the maximum extent possible” referred to in this provision has been fulfilled and the Bureau shall publish this information in its Weekly Circular accordingly.

The above Rule of Procedure was to be applied by administrations and the Radiocommunication Bureau as of 14 July 1998.

#### **S5.538**

For up-link power control beacons, this provision sets an e.i.r.p. limit “in the direction of adjacent satellites on the GSO”. The Board concluded that this direction is “tangential to the GSO at the position of the network under examination”.

The Board is of the opinion that the intention of this provision is to protect parts of the GSO arc adjacent to the satellite under examination in the direction “laterally tangential to the GSO at the position of the network under examination.”

#### **S5.543**

The Board concluded that this provision is an additional allocation to the earth exploration-satellite service for inter-satellite links. The use of the words “telemetry, tracking, and control purposes” leads the Board to understand that the use is limited to space operation.

#### **S5.551B, S5.551E**

1 Footnote **S5.551B** states that “The use of the band 41.5-42.5 GHz by the fixed-satellite service (space-to-Earth) is subject to Resolution **128 (WRC-97)**”. Resolution **128 (WRC-97)** indicates in its *resolves* “that administrations shall not implement fixed-satellite systems in the band 41.5-42.5 GHz until technical and operational measures have been identified and agreed within ITU-R to protect the radio astronomy service from harmful interference in the band 42.5-43.5 GHz.

Footnote **S5.551E** further refers to Resolution **134 (WRC-97)** (“Use of the band 40.5-42.5 GHz by the fixed-satellite service shall be in accordance with Resolution **134 (WRC-97)**”) which *resolves*:

“1 that the date of the provisional application of the allocation to the FSS in Regions 1 and 3 in the band 40.5-42.5 GHz is 1 January 2001;

2 that WRC-1999 should review this allocation, including the date of 1 January 2001, taking full account of the requirements of the other services to which the band is allocated and available ITU-R studies.”

2 The prohibition referred to in Resolution **128 (WRC-97)** is only related to the implementation of the Fixed Satellite Service in the band 41.5-42.5 GHz before a certain date (prior to 1 January 1999 in Region 2 and 1 January 2001 in Regions 1 and 3). Consequently, there is no restriction for administration to initiate the process of advance publication and coordination before these dates. However, until the next WRC decides on the definitive status of the allocation and the ITU-R agrees on technical and operational measures, there is no technical criteria based on which the Bureau could carry out the required regulatory and technical examination with respect to the assignments for which the request for coordination is received under Nos. **S9.30** and **S9.32**.

3 In view of the above, the Board decided that when submissions are received by the Bureau in the frequency band 41.5-42.5 GHz, the Bureau shall act as follows:

- to proceed with the process of advance publication as appropriate;
- to proceed with the coordination process indicating the results of its examination based on the criteria available at the time of the examination; once the status of the allocation becomes definitive and the technical criteria and operational measures are agreed upon, the Bureau shall take necessary actions to review the situation and revise its previous finding accordingly;

as for the notification, if the date of bringing into use is before 1 January 1999, for submissions notified for operation in Region 2 and before 1 January 2001 for those notified for operation in Regions 1 and 3, the subject Forms of Notice will be considered not receivable and shall be returned to the notifying administration.

If the date of bringing into use is after 1 January 1999 for operation in Region 2 and 1 January 2001 for operation in Regions 1 and 3, and if at the time of examination the status of allocation is not yet definitive and the technical and operational criteria are not yet agreed, the assignments in question will be recorded for information only. This situation shall be reflected in the appropriate remarks columns. Once the status of allocation becomes definitive and the technical and operational measures agreed upon, the Bureau will review its previous finding and take necessary measures, as appropriate.

**S5.554**

See comments under § 1 of the Rules of Procedure concerning No. **S5.351**.

**S5.556**

There is no allocation to radio astronomy in the bands listed in this provision. The Board concluded that the words “national arrangements” are referring to arrangements to be made in each country. These arrangements are not required to be communicated to the Bureau. Notifications of frequency assignments to radio astronomy stations in these bands will be considered by the Bureau not to be in conformity with the Table of Frequency Allocations.

**S5.565**

The bands above 275 GHz are not allocated to any service. However, the administrations may use the frequency band 275-400 GHz for experimentation with, and development of, various active and passive services. The frequency assignments notified in this frequency band will be recorded in the Master Register with favourable regulatory finding, without any examination, for information only, with reference to footnote **S5.565**.

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4.2 A notification received by the Bureau earlier than the date limits prescribed in provisions **S11.24** to **S11.26** (date limits relate to the date of bringing into use of a station or satellite network) is not receivable and shall be returned to the administration responsible for the network.

4.2*bis* One Advance Publication of Information (API) for a satellite network can be used as the basis for only one request for coordination for the satellite network. In accordance with the Rule of Procedure concerning the definition of a satellite network contained in No. **S1.112**, this coordination request would thus have only one set of orbital characteristics, e.g. those specified in Section A4 of Appendix **S4**. In the case where a further coordination request making reference to the same API is received for processing by the Bureau it is only receivable if the set of orbital characteristics included in that submission are unchanged relative to those in the earlier coordination request submission or are intended to replace that earlier set of orbital characteristics. In all other cases a new API is required as the submission then pertains to a new satellite network.

NOTE – The Rule referred to in § 4.2*bis* above applies in respect of any case where a request for coordination is received after 1 January 2000.

4.3 The Radio Regulations prescribe, in some cases, the application of multiple procedures which have to be applied, for the same stations or satellite network, in a sequential order, one after another. A typical example of such a case of multiple procedures is a geostationary satellite network to which the application of the advance publication, the coordination (in some cases more than one coordination category) and the notification procedures, in this order, are mandatory. In such cases, a notice for a particular procedure is receivable only if the previously applicable procedures have been effected. In fact, no notice for a request for coordination is receivable if the advance information was not submitted to the Bureau. Similarly no notification under Article **S11** is receivable if the advance publication and coordination request, where applicable, were not published for the satellite network.

Number **S11.30** does not refer to the need to compare the notified characteristics of a satellite network with those published in the Special Sections for advance publication and coordination. This problem necessarily requires consideration by the Bureau for appropriate decisions. The following actions shall be taken:

- a) A notification received under No. **S11.2** or **S11.9** relating to a satellite network or an earth station whose associated space station is not supported by an advance publication is not receivable and shall be returned to the notifying administration.
- b) A notification received under No. **S11.2** or **S11.9** for a satellite network which is not supported by a publication of a Special Section relating to the coordination referred to in Nos. **S9.30** and **S9.32** is not receivable and shall be returned to the notifying administration except those cases where the coordination procedure referred to in any of Nos. **S9.7** to **S9.14** and **S9.21** is not applicable. For a notification received, under No. **S11.2** or **S11.9** if the required coordination information is missing (either the name

of administrations with which coordination was required, in accordance with the corresponding Special Sections and their Addenda/modifications or the name of administrations from which agreement was to be obtained, except specific cases in which the assistance of the Bureau is requested (exchange of correspondence is not possible between administrations or indication of applicability of one of the sub-paragraphs listed in § 6 of Appendix **S5**, etc., as appropriate) the notice is considered incomplete, thus non-receivable and shall be returned to the notifying administration, if the above-mentioned information is not provided within the period referred to in § 3.3 above.

4.4 Moreover, if the required coordination with a given administration was not effected for any reason and if the assistance or action of the Bureau as specified in No. **S11.43D** with reference to relevant provisions of Article **S9** (e.g. Nos. **S9.45**, **S9.59**, **S9.60** and **S11.32A** and **S11.33**) was not sought, the notice is considered incomplete thus non-receivable and shall be returned to the notifying administration.

4.5 A notification received under No. **S11.2** or **S11.9** relating to a satellite network/system for which either the regulatory time limit (5 + 2 years, if extension is granted) has expired or the due diligence information as prescribed by Resolution **49 (WRC-97)** has not been provided, are not receivable and shall be returned to notifying administration.

5 In each case where the Bureau returns a form of notice according to the above paragraphs, the necessary justification for such an action shall be provided to the notifying administration.

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## **2 Application of No. S9.11A to different services/frequency bands**

2.1 This provision does not specifically define the services to which the coordination procedure required under Nos. **S9.12** to **S9.16** applies.

2.2 Administrations found some difficulties in applying the equivalent procedure contained in Resolution **46 (Rev.WRC-97)** now incorporated in Articles **S9**, **S11** and Appendix **S5** with respect to certain categories of services. The question was whether, in addition to the space services specifically mentioned in the footnotes (mobile-satellite and radiodetermination-satellite services as well as non-GSO MSS feeder links and non-GSO FSS), the procedure is applicable or not to the other terrestrial and space services not specifically mentioned in the appropriate footnotes.

2.3 While recognising the difficulties of harmonising the text of the footnotes to Article **S5** introduced by WARC-92, WRC-95 and WRC-97 on the one hand and the text of the provision of No. **S9.11A** (including Nos. **S9.12** to **S9.16**) and **S9.17A**, as appropriate with respect to the services to which this provision is applicable, on the other hand, the Board concluded that the procedure is applicable to all other space and terrestrial services with respect to those satellite services having allocations with equal or higher rights and mentioned in the specific footnotes to which this provision applies. The frequency bands are those to which, in a footnote, reference is made to this provision in the Table of Frequency Allocations. Table **S5-1A** of Appendix **S5** contains these frequency bands. In this Table, there is an indication of those other space services (in addition to the mobile-satellite and radiodetermination-satellite services as well as non-GSO MSS feeder links and non-GSO FSS included in the footnotes) to which this coordination procedure shall also apply. This application is subject to the same condition as that of the space services specifically mentioned in the footnotes, e.g. the coordination of space stations of the other space services (space-to-Earth), with respect to terrestrial services, is required only if the threshold values indicated in Annex 1 to Appendix **S5** are exceeded.

## **3 Frequency allocation matters**

3.1 The Board studied the relationship between the date of implementation of the new procedure and the date of entry into force of those allocations the associated footnote of which includes a reference to No. **S9.11A**. The Board's conclusions are as follows.

3.2 WRC-97, in its Resolution **54 (WRC-97)** instructed the Bureau to apply the provisions of the Resolution **46 (Rev.WRC-97)/No. S9.11A** as of 22 November 1997 to those bands in which the Resolution is mentioned even though the footnotes to the Table of Frequency Allocations are not in force until a later date. The Board understands that the earlier date of implementation of the procedure does not influence the date of entry into force of the related allocations. Table **S5-1A** of Appendix **S5** contains an indication of the dates of entry into force of the allocations concerned with the application of No. **S9.11A**.

3.3 In a coordination request the conformity of the frequency assignments, with the Table of Frequency Allocations is considered through the examinations under No. **S9.35** (with respect to the conformity with No. **S11.31**) and the Findings of the Bureau will reflect the status of the assignment with respect to the allocation. The Board decided that the following categories of No. **S11.31** Finding shall be formulated regarding the dates concerned:

- a) the Finding is favourable if, at the date of receipt by the Bureau of the coordination request, the allocation concerned is in force;
- b) the Finding is unfavourable if, at the date of receipt by the Bureau of the coordination request, the allocation concerned is not in force and will not come into force before the planned date of bringing the assignment into use;
- c) the Finding is “qualified favourable” (which will become favourable at the date of coming into force of the allocation) if, at the date of receipt by the Bureau of the coordination request, the allocation concerned is not in force but will come into force before the planned date of bringing the assignment into use. This Finding will permit the network in question to coordinate its assignments and to be taken into account in the application of No. **S9.27**.

## 4 Application of the procedure for “existing” networks

4.1 The Board noted that:

- a) As of 18 November 1995, in the frequency bands 18.9-19.6 GHz and 28.7-29.4 GHz, and on 22 November 1997, in the frequency bands, 19.6-19.7 GHz, and 29.4-29.5 GHz to which the No. **S9.11A/Resolution 46** was referred by WRC-95 and WRC-97, as appropriate, some GSO systems were already under the coordination (former Article 11 of the RR) or MIFR recording (former Article 13 of the RR) procedures (complete Appendix **S4/3** information had been received by the Bureau) and some non-GSO systems were under the MIFR recording procedure (complete Appendix **S4/3** information had been received by the Bureau under former Article 13 of the RR). On the basis of WRC-97 decisions (see **S5.523A**, **S5.523C**, **S5.523D**, **S5.523E**) these networks are not subject to the application of No. **S9.11A/§ 2.1** and **2.2** of Annex 1 to Resolution **46** (to “effect” coordination). This means that, when they are examined under the notification procedure of Article **S11**, the provisions of No. **S11.32** with respect to the application of No. **S9.11A** will not apply with respect to them and that GSO networks already under coordination on 18 November 1995 or 22 November 1997, in the appropriate bands, will not be published by the Bureau in a Special Section in the application of No. **S9.11A**. The Rules of Procedure relating to No. **S5.523A** also apply.
- b) As of 18 November 1995, in the frequency bands 18.8-18.9 GHz and 28.6-28.7 GHz, to which the No. **S9.11A/Resolution 46** was referred by WRC-97, some GSO systems were already under the coordination (former Article 11 of the RR) or MIFR recording (former Article 13 of the RR) procedures (complete Appendix **S4/3** information had been received by the Bureau before 18 November 1995) and some non-GSO systems were

under the MIFR recording procedure (complete Appendix **S4/3** information had been received by the Bureau under former Article 13 of the RR before 18 November 1995). On the basis of WRC-97 decisions (*resolves* 1 and *instructs the Radiocommunication Bureau* of Resolution **132 (WRC-97)** and No. **S5.523A**) these networks are not subject to the application of No. **S9.11A**/§ 2.1 and 2.2 of Annex 1 to Resolution **46** (to “effect” coordination). This means that, when they are examined under the notification procedure of Article **S11**, the provisions of No. **S11.32** with respect to the application of No. **S9.11A** will not apply with respect to them and that GSO networks already under coordination at that date (18 November 1995) in the above-mentioned bands, will not be published by the Bureau in a Special Section in the application of No. **S9.11A**. The Rules of Procedure relating to No. **S5.523A** also apply.

However, GSO and non-GSO systems in the frequency bands 18.8-18.9 GHz and 28.6-28.7 GHz, which were at the stage of coordination (under former Article 11 of the RR) procedure in the period between 18 November 1995 and 17 February 1996<sup>1</sup> are subject to application of § 2.1 and 2.2 of Annex 1 of Resolution **46 (Rev.WRC-95)** (to “effect” coordination). This means that, when they are examined under the notification procedure of Article **S11**, the provisions of No. **S11.32** with respect to the application of No. **S9.11A** will apply with respect to them and these networks already under coordination or under MIFR recording in that period in the above-mentioned bands, will be published by the Bureau in a Special Section in the application of No. **S9.11A/Resolution 46**.

- c) GSO networks (under coordination or coordinated under provisions other than No. **S9.11A/Resolution 46**) as well as GSO and non-GSO cases notified to the Bureau under former Article 13 of the RR before 18 November 1995 will be taken into account in the coordination process under No. **S9.11A** initiated by other administrations after 18 November 1995 or 22 November 1997, as appropriate, in application of No. **S9.27**.

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<sup>1</sup> Between 18 February 1996 and 22 November 1997, the use of this frequency was frozen by WRC-95.



## 4 Modification to characteristics of an earth station

4.1 The use of another associated space station may be one of the modifications of characteristics to an earth station. In such a case, a new coordination contour is drawn and compared with the previous one. Coordination is then required with any administration on the territory of which a coordination distance is increased. However, if the initial associated space station has been cancelled or if the coordinated frequency assignments of the earth station do not cover the newly notified assignments, this notification of the assignments of the earth station will be considered as a new notice (first notification).

4.2 Generally, the Bureau uses the same approach, i.e. an increase of the coordination distance in order to decide if there is an increase of interference.

<b>S9.28, S9.29 and S9.31</b>
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1 These provisions of the Radio Regulations establish the complete responsibility of the requesting administration for effecting the coordination of the frequency assignments to stations in the terrestrial services and to Earth stations (specific or typical) of satellite networks with respect to other Earth stations and stations of terrestrial services (see Nos. **S9.15** to **S9.19**), without any involvement of the Radiocommunication Bureau, except the cases referred to in Nos. **S9.33** and/or **S9.52**. Therefore, the Board considers these provisions as being addressed to administrations, and the Bureau has no action to take in this respect.

2 See also Rules of Procedure under No. **S11.32** (§ 4).

<b>S9.36</b>
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1 Under this provision, the Bureau “shall identify any administrations with which coordination may need to be effected”. In applying Appendix **S5** with respect to No. **S9.21**, the Bureau uses the following calculation methods and criteria<sup>2</sup>:

- space network vs. space network: Appendix **S8**;
- earth station vs. terrestrial stations (and *vice versa*): Rules of Procedure B1, B2 (derived from Appendix **S7**);
- transmitting terrestrial stations vs. receiving space stations: criteria of Article **S21**;

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<sup>2</sup> For cases not covered under this paragraph, the Bureau, in collaboration with the appropriate ITU-R Study Groups, continue to develop applicable calculation methods and criteria in the form of Rules of Procedure to be submitted to the RRB for approval.

- transmitting space stations vs. terrestrial services: pfd limits defined in Article **S21** and in Annex 1 (§ 4, 5 and 8) of Appendix **S30** (see also the Rules of Procedure concerning **S5.488**);
- fixed-satellite transmitting space stations in the band 11.7-12.2 GHz vs. Broadcasting-satellite service (inter-Regional): pfd limits defined in Annex 4 of Appendix **S30**;
- between stations of terrestrial services in some specific frequency bands: Rules of Procedure B4, B5 and B6 as appropriate.

2 For coordination requests under Nos. **S9.11** to **S9.14** and **S9.21**, it is to be noted that irrespective of the identification by the Bureau under No. **S9.36** (see footnote **S9.36.1**), any administration, even one which was not identified, may object to the published assignment under No. **S9.52** and any administration, including one identified by the Bureau, that has not commented on the proposed use within the regulatory time limit is considered to have no objection to that use in accordance with No. **S9.52C**.

#### **S9.42**

If the Bureau's calculations do not indicate that the requesting administration should be brought into coordination procedure, the matter is left for consideration by the administration initiating the coordination.

#### **S9.48**

The Board concluded that this provision applies only to those radiocommunication stations which were taken into consideration when the coordination request was either sent to the other administration as stipulated in No. **S9.29** or submitted to the Bureau in the case of application of Nos. **S9.30** and **S9.32**. Other existing assignments of the administration to which this provision is not applied remain entitled to protection. Assignments of the same administrations which are considered at a later date are also entitled to protection.

#### **S9.49**

The comments made in the Rules of Procedure concerning No. **S9.48** apply. This administration is deemed to have undertaken not to cause interference to those stations for which the agreement was requested.

## Rules concerning

### ARTICLE S13 of the RR

In reviewing Sections III and IV of Article **S13**, the Radio Regulations Board noted that modifications were introduced by WRC-97 particularly in relation to the process of considering proposed changes or additions to Rules of Procedure and the opportunity available to administrations to comment on such proposals.

Nos. **S13.14** and **S13.15** in Section III establish procedures for changes to the Rules of Procedure and a sequence for Board consideration, publication, comment by administrations and possible further review or special study. On the other hand, No. **S13.17** in Section IV also refers to preparation of draft modifications or additions to Rules of Procedure.

The Board has concluded that there is a lack of clarity in the procedures to be followed for modifications or additions to Rules of Procedure. It also had regard to the desirability for transparency in considering such proposed modifications or additions.

Accordingly, the Board decided that, until the matter may be considered by WRC-2000, the following procedures should be followed with respect to the application of Nos. **S13.14**, **S13.15** and **S13.17**:

- a)* Proposals for changes or additions to the Rules of Procedure can emerge from administrations, from the Radiocommunication Bureau, or from the Board itself. Irrespective of the source of proposals, the Board regards No. **S13.17** as requiring that the Bureau should prepare draft modifications or additions to the Rules of Procedure arising from such proposals. In the interests of transparency, the Board considers that such drafts should then be made available for a period of at least four weeks for comment by administrations.
  - b)* The Bureau, in accordance with No. **S13.14**, shall submit to the Board the final drafts of all proposed changes to the Rules of Procedure, as well as the comments received in response to the procedure in § *a)* above.
  - c)* Any need pursuant to No. **S13.15**, for a special study in relation to the Rules of Procedure submitted by an administration or identified by the Board or the Bureau, or the need for any new Rules or modification or addition to the existing Rules of Procedure shall be handled in accordance with the procedure in § *a)* and *b)* above.
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2.2.2 sixty days from the date of publication of corresponding special section of weekly circular for submissions referred to in § 1.2 above;

2.3 protect these assignments during the above periods in subsequent technical examination with the resulting single-entry or aggregate carrier-to-interference *C/I* ratios;

2.4 depending on the results of coordination or publication either transfer the corresponding assignments to the Appendix **S30B** List (agreement is reached or no comments received from administrations within sixty days) or return the notices to the responsible administration (disagreement is communicated to the Bureau directly by the administration concerned or through the notifying administration within the time limits specified in § 2.2.1 and 2.2.2 above);

2.5 update the Appendix **S30B** reference situation accordingly;

2.6 return the assignments referred to in § 1.7 above to the notifying administration.

### **6.13**

In § 6.13 the case of non-conformity with only Annex 3A is mentioned. From § 6.8 (which makes the liaison between Sections I and IA) as well as from the title of Section IA it is clear that the word “Annex 3A” should be understood as “Part A”. Consequently the Board understands that the part concerned of § 6.13 should read: “If the proposed assignment is not in conformity with Part A of the Plan, the Board...”.

### **6.14**

The provisions of § 6.14 of Section IA are applicable to an assignment which, not being in conformity with Part A of the Plan (§ 6.8), had been returned to the administration for modifications. According to these provisions the modified and resubmitted case should go back to § 6.2 of Section I of Article 6 and should be the subject of an examination of conformity with the Plan. The cases which, after the modifications, conform to Part A of the Plan are treated under Section I of Article 6. Those other cases, however, which, after the modification, are still not in conformity with Part A do not have any instruction to undergo the examination foreseen by the preamble § 6.12 of Section IA. That paragraph defines the purpose of Section IA in determining if the proposed assignment affects allotments of the Plan or assignments of the List. On the basis of the above considerations as well as of what is stated in § 6.13 *a*), the Board understands that for those resubmitted cases which are still not in conformity with the Plan a compatibility examination (using the method of Annex 4) should be effected. This examination is also to be carried out for the case of modification of the satellite position irrespective whether the other characteristics are or are not in conformity with Part A of the Plan.

## 6.16

### Application of PDA concept

1 Appendix **S30B** contains provisions inviting the Bureau, when it is requested, to assist the administration in the selection of an alternative orbital position in the process of conversion of an allotment into an assignment, or in resolving incompatibilities with existing systems or assignments of the Appendix **S30B** List, or to accommodate a sub-regional system.

2 The Bureau, to the extent practicable<sup>3</sup>, should endeavour to find appropriate orbital positions compatible with the Plan using, if necessary, the PDA concept (defined in § 5.3 and 5.4 of Appendix **S30B**).

3 In view of the difficulties of the Bureau to apply the PDA concept in its integrity, the Board decided that the Bureau shall provisionally apply the following procedures upon receipt of the request to provide the assistance to administrations under provisions of § 6.16, 6.31, 6.47 or 6.48 of Appendix **S30B**. The Bureau shall:

3.1 proceed with the compatibility analysis prescribed in Appendix **S30B** only if the orbital position for the planned system and/or new orbital positions within the PDA of other administrations are provided by the notifying administration; and

3.2 return the notice to the responsible administration if these data are not supplied. See also the Rules relating to Annex 2 of Appendix **S30B**.

### 6.16bis

One administration, in application of § 6.16 and 6.17 of Article 6 and its associated Rules of Procedure submitted to the Bureau a repositioning scheme for orbital locations of the Plan. The Bureau also received either with that submission requests for a change of orbital position of the allotment of the notifying administration and/or directly from other administrations, changes of orbital positions of allotments of other administrations, inside or outside their respective PDAs, and for changes of other allotment characteristics, e.g. use of improved transmitting and/or receiving antenna side lobes as provided in § 1.6.4 and 1.6.5 of Annex 1 to Appendix **S30B** or lower *C/I* ratios than those specified in Annexes 4 and 5 of Appendix **S30B**, or decrease of power density for up and/or down links.

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<sup>3</sup> Note by the Radiocommunication Bureau: Due to non-availability of a method to apply the PDA concept, the computer software currently available for the Appendix **S30B** applications (MSPACEG) is limited to the method of Annex 4 of Appendix **S30B** to carry out compatibility calculations between networks at fixed orbital positions. Consequently the Radiocommunication Bureau is not in a position to apply the PDA concept.

In order to process this application and similar applications, once the Bureau has received all required clarifications<sup>4</sup> it shall proceed as follows:

1 Requests for the implementation of modifications of characteristics for the allotment of the administration having made the submission and for the consequential modifications of the allotments of other administrations that are party to the agreement (i.e. those administrations which have given their agreement to the above-mentioned modifications) are considered as associated with the submission received from the administration applying the above-mentioned procedure within the framework of § 6.16 and 6.17 and their associated Rules of Procedure. The requests from the notifying administration as well as other administrations party to the agreement shall be processed concurrently

2 Should the submission under examination be carried forward (included in the Appendix **S30B** Plan and/or List), after successful application of the relevant procedure of that Appendix, the status of orbital positions within their respective PDA and other characteristics of allotments of administrations party to the agreement would be as follows:

2.1 For a notifying administration applying the procedure: PDA would be  $\pm 5^\circ$ , preferably within its initial PDA (design stage).

2.2 For other administrations whose orbital position(s) moved within their initial PDA, their new PDA is identical to that previously existing, i.e. without any change in the PDA.

2.3 For an administration whose orbital position is moved outside the initial PDA with its explicit agreement, a new PDA of  $\pm 10^\circ$  or  $\pm 5^\circ$ , according to the stage of development of the allotment in the Plan or arrangement in the List is established about the new orbital position in order to preserve the flexibility of the PDA concept enshrined in Appendix **S30B**.

2.4 New allotment characteristics, on the basis of which the agreements were obtained, become the integral part of the Plan or the Appendix **S30B** List, according to the case, i.e. new characteristics would replace the former ones.

3 Should any administration party to the agreement (administration who has given its agreement for the modification of characteristics) apply the procedure of Article 6, it shall separately submit its request under the relevant procedure of that Article. The Bureau shall process this request in the order of the date of receipt and not concurrently with the submission to which the agreement was given.

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<sup>4</sup> These clarification(s) shall be received by the Bureau within 30 days from the date of its telefax.



**6.17**

Paragraph 6.17 makes reference to the successful application of the PDA concept and, for that case it refers back the procedure to § 6.5 of Section I. There is, however, no instruction for the case of unsuccessful application of the PDA concept. In view of this, notifying Administration may, within a period of 30 days after having received the result of first examination, change or adjust the orbital position(s) previously submitted. If the results of the second examination does not show compatibility with the Plan and the List, the notice shall be returned to the notifying administration with an indication that subsequent resubmission will be considered in the order of date of receipt as appropriate.

See also comments made under the Rules of Procedure concerning § 6.16*bis*.

**6.18**

See item 5 in the comments made under the Rules of Procedure concerning § 6.12.



or aggregate carrier-to-interference *C/I* ratios for the allotments of Part A of the Plan affected as a result of the application of the first sentence of § 6.25 of Article 6 of Appendix **S30B**;

7.3 not to take into account, while performing *C/I* calculations, inter-beam interference within a multi-beam network;

7.4 calculate the interference to each assignment of these “multi-beam networks” and corresponding *C/I* ratio for their protection in subsequent calculations;

7.5 take into account in the technical examinations the interference of only one beam of “multi-beam networks” which constitutes the worst case with respect to the assignments of the Plan and Appendix **S30B** List;

7.6 apply the Annex 4 criteria for the separate up-and down-links for the case mentioned in § 5 above.

### **6.31**

See comments made under the Rules of Procedure concerning § 6.16*bis*.

### **6.38**

1 The Board’s understanding of the “intention of a group of administrations” establishing the subregional system is that this intention needs to be reflected on the notice form by a reference to the agreement by each of the administration forming the “group of administrations”. In case that any test point of the sub-regional system is situated inside the territory of an administration(s) other than those on behalf of which the sub-regional system is submitted, agreement of that administration(s) should also be provided together with the Annex 2 data.

2 See also the Rules of Procedure concerning § 2.5.

### **6.39**

The national allotment used by the subregional system needs to be suspended unless it is used in a compatible way, i.e. without affecting the Plan. This compatibility may be obtained through coordination agreements concluded between the administrations concerned. The Board’s understanding of the phrase “it can be used in a way that does not affect allotments in the Plan ...” is that the compatibility analysis will be carried out by the Bureau in accordance with the Rules relating to § 6.12.

### **6.43**

See also item 5 in the comments made under the Rules of Procedure concerning § 6.12.

**6.47**

See comments made under the Rules of Procedure concerning § 6.16.

**6.48**

See comments made under the Rules of Procedure concerning § 6.16*bis*.

**6.56**

See item 5 in the comments made under the Rules of Procedure concerning § 6.12.

**Art. 7****New allotments to new Member States of the Union****7.1****New allotment to the Plan for a new Member State of the Union**

1 Appendix **S30B** contains provisions inviting the Bureau, when it is requested, to provide an allotment to a new Member State of the Union.

2 The Bureau, to the extent practicable<sup>5</sup>, should endeavour to find appropriate orbital positions compatible with the Plan using, if necessary, the PDA concept (defined in § 5.3 and 5.4 of Article 5 of Appendix **S30B**).

3 In view of the difficulties of the Bureau to apply the PDA concept in its integrity, the Board decided that the Bureau shall provisionally apply the following procedures upon receipt of the request to find an appropriate orbital position for an allotment in Part A of the Plan for a new Member State of the Union under Article 7 of Appendix **S30B**. The Bureau shall:

3.1 study the orbit occupancy on a case by case basis, and select a few (not more than 3) likely suitable orbital positions;

3.2 using the criteria of Annex 4 of Appendix **S30B** to determine whether the new allotment at selected orbital position(s) are compatible with the allotments of the Part A, the existing networks contained in Part B of the Plan, the assignments which appear in the

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<sup>5</sup> Note by the Radiocommunication Bureau: Due to non-availability of a method to apply the PDA concept, the computer software currently available for the Appendix **S30B** applications (MSPACEG) is limited to the method of Annex 4 of Appendix **S30B** to carry out compatibility calculations between networks at fixed orbital positions. Consequently the Radiocommunication Bureau is not in a position to apply the PDA concept.