



DECISION 533

(adopted at the ninth plenary meeting)

Corrective measures related to cost recovery on GSO satellite network filings operating in the band 11.7-12.2 GHz for which No. 9.14 is directly cited in the Radio Regulations

The Council,

considering

- a) that, following the suppression of Resolution 77 and the modification of footnote No. 5.488 by WRC-03, the use of the band 11.7-12.2 GHz by GSO satellite networks in the fixed-satellite service (FSS) in Region 2 is subject as of 5 July 2003 to the application of No. 9.14;
- b) that, in terms of cost recovery for satellite network filings as defined in Council Decision 482 (modified C-02), the publication of coordination requests for GSO satellite networks in accordance with No. 9.14 falls in category 3;
- c) that the Council modified Decision 482 at its 2004 session and decided that category 2 applies to GSO satellite networks for which No. 9.14 is directly cited in the Radio Regulations and received by the Radiocommunication Bureau as from 31 December 2004,

recognizing

a discrepancy in terms of cost-recovery fees in the treatment of satellite networks that include the band 11.7-12.2 GHz for GSO satellite networks in the FSS in Region 2, based on the date of receipt by the Radiocommunication Bureau of such networks,

decides

1 that, with effect from 5 July 2003, for filings of GSO satellite networks operating in the FSS in Region 2 in the band 11.7-12.2 GHz received by the Radiocommunication Bureau on or after 5 July 2003 and up to 30 December 2004, for which No. 9.14 is directly cited in the Radio Regulations, the schedule of processing charges shown in Annex A to Decision 482 (C-04) applies; the flat fee, calculated in accordance with the fee schedule in Annex A to Decision 482 (C-04), is payable after receipt of the notice, and the additional fee (if any), calculated in accordance with the fee schedule in Annex A to Decision 482 (C-04), is payable after publication of the notice;

2 that, for uncanceled satellite network filings affected by *decides 1*, the Bureau will issue revised invoices for those filings and shall credit the responsible administration the difference in fees where payment has already been received;

3 that any credits arising from the application of *decides 2* shall be applied by the Bureau to cover cost-recovery fees for satellite filings of that administration;

4 that the affected administration has the prerogative to advise the Bureau which invoices shall have the resulting credits applied to them,

further decides to authorize the Secretary-General

to withdraw the necessary amount from the Reserve Account, should the Union's budget not be balanced at the end of the present biennium as a consequence of this decision; however, in no circumstances should the Reserve Account be reduced below 3 per cent as a result of this decision, in conformity with Decision 5 (Rev. Marrakesh, 2002).
