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INTERNATIONAL TELECOMMUNICATION UNION

Radiocommunication Bureau

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Circular-letter
CR/48

16 February 1996

To Administrations of Members of the ITU

Subject: Rules of procedure

Reference: Nos. 1001 and 1001.1 of the Radio Regulations
Circular-letter CR/32 of 5 December 1994
Circular-letter CR/39 of 3 July 1995
Circular-letter CR/46 of 24 November 1995

To the Director-General

In accordance with the provisions of No. 95 of the ITU Constitution, the Radio Regulations Board, at its Fourth Meeting held from 15-19 January 1996, has approved and/or revised the following Rules of Procedure:

- Part A1, Article 30, revised Rule of Procedure concerning RR2674
- Part A1, Appendix 30, § 4.3.1.1, add new paragraph 4
- Part A1, Appendix 30A, § 4.2.1.1, add new paragraph 3
- Part A1, new Rules of Procedure concerning the application of Resolution 23 (WRC-95)
- Part A1, revised Rules of Procedure concerning the application of Resolution 46 (rev. WRC-95)

Attached to the present Circular-letter, you will find the texts concerning the above-listed Rules of Procedure.

Yours faithfully,

Robert W. Jones
Director, Radiocommunication Bureau

Annexes: 4

Distribution:

- Administrations of Members of the ITU
- Members of the Radio Regulations Board
- Chairmen and Vice-Chairmen of Radiocommunication Study Groups and
- Special Committee on Regulatory/Procedural Matters

Rules concerning

ARTICLE 30 of the Radio Regulations

2674

1. RR2674 refers to the radiation from a space station over the territory of other countries and consequently it relates mainly to the question of "coverage area" and not "service area". WRC-95 when discussing the application of this provision (see paragraph 4.3 of Resolution 531 (formerly Res.GT-PLN-1 of WRC-95) indicated that an agreement under RR2674 should be sought from administrations included in the "service area" of a BSS space station. It was also stated that this agreement, which is a separate agreement from the one required under Article 4 of Appendix 30, should be sought either directly from the administrations concerned or through the publication required under the Plan modification procedure.

2. On the basis of paragraphs 5.3.1 and 4.3 of the Annex to Resolution 531, the Board decided that, for the application of RR2674 within the procedures of Article 4 of Appendix 30, the Bureau shall apply the following procedure:

2.1 When examining, for data completeness, the information related to a BSS space station, received by the Bureau, after 18 November 1995, for application in the Plan modification procedure in accordance with Article 4 of Appendix 30 (Annex 2 data) whose service area exceeds the territory of the notifying Administration, the Bureau shall require that the service area be defined in terms of other administrations (country/territory symbols) included in the service area. The notifying administration should therefore indicate whether a special (separate) agreement has been obtained from these administrations relating to the inclusion of their territories in the service area.

2.2 The Special Sections published by the Bureau in application of Article 4 of Appendix 30 (AP30/E.. series) shall contain an indication of the agreements already obtained under RR2674, or those not yet obtained with a request for such agreement. The expiry period for comment relating to the inclusion or otherwise of the territory in the service area will be the same four months which is required for comments of administrations concerning technical compatibility with the proposed plan modification procedures.

2.3 If no comment is received either by the notifying administration or through the Bureau within the four-month period mentioned in 2.2 above, it is understood that there is no objection to the inclusion of the territory in the planned service area.

2.4 In case of a disagreement on the inclusion of a territory in the service area, the Bureau shall modify the service area by excluding the test points (see item 6 of Annex 2 to Appendix 30) situated on the territory of the objecting administrations from the service area of the proposed Plan modification. In these cases, the reception of the emission of the BSS space station is not entitled to be protected within the territory excluded from the service area.

Thereafter, the administration initiating the BSS project is entitled to bring it into use after successful completion of the relevant Plan modification procedure.

2.5 When a Plan modification request is submitted by a notifying administration on behalf of a group of named administrations or when the submission concerns a sub-regional or multinational system (and in which case the notification contains the list of country members on behalf of which the communication has been made), it is understood that the agreement of inclusion of the territory in the service area has been given.

Rules concerning

Appendix 30 to the Radio Regulations

Part A1	AP30	page 2	rev. <u>1</u>
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4.3.1.1

NOC 1. - 3.

ADD 4. In determining those affected administrations of Regions 1 and 3 whose former assignments do not reflect the current administrative and geographical situation^{*)} the Bureau shall follow the instructions included in paragraph 5.3.3^{**)} of the Annex to Resolution 531. In cases submitted under Article 4 of Appendix 30 processed after 18 November 1995, the Bureau shall identify affected beams relating to the above mentioned former territories and will include the new territories/administrations deriving from the former territory /administration which are situated inside the identified beam area and are likely to be affected in assuming that there was at least one affected test point in the territory of each of the new territories /countries. The Bureau therefore will include these new territories/administrations in the list of affected administrations to be published in the relevant Special Section of its weekly circular.

^{*)} The Bureau has reviewed territories/administrations which have administratively or geographically changed with respect to their situation at the time of 1977 and 1988 Conferences and identified the former Caroline Islands, Ethiopia, the Soviet Union, Czechoslovakia and Yugoslavia, to be considered under this item.

^{**)} Paragraph 5.3.3 states: "In cases where the Bureau identifies a new case of excess of interference into an assignment to an administration in the Plan which has administratively or geographically changed with respect to its situation at the time of the Conferences, the Bureau will have to include in the list of affected administrations the name(s) of the new Member(s) in the territory of which the affected test point(s) is (are) located."

Rules concerning

Appendix 30A to the Radio Regulations

Part A1	AP30A	page 1/2	rev. <u>1</u>
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4.2.1.1

NOC 1. and 2.

ADD 3. In determining those affected administrations of Regions 1 and 3 whose former assignments do not reflect the current administrative and geographical situation ^{*)} the Bureau shall follow the instructions included in paragraph 5.3.3 ^{**)} of the Annex to Resolution 531. In cases submitted under Article 4 of Appendix 30A processed after 18 November 1995, the Bureau shall identify affected beams relating to the above mentioned former territories and will include the new territories/administrations deriving from the former territory /administration which are situated inside the identified beam area and are likely to be affected in assuming that there was at least one affected test point in the territory of each of the new territories /countries. The Bureau therefore will include these new territories/administrations in the list of affected administrations to be published in the relevant Special Section of its weekly circular.

^{*)} The Bureau has reviewed territories/administrations which have administratively or geographically changed with respect to their situation at the time of the 1977 and 1988 Conferences and identified the former Caroline Islands, Ethiopia, the Soviet Union, Czechoslovakia and Yugoslavia, to be considered under this item.

^{**)} Paragraph 5.3.3 states: "In cases where the Bureau identifies a new case of excess of interference into an assignment to an administration in the Plan which has administratively or geographically changed with respect to its situation at the time of the Conferences, the Bureau will have to include in the list of affected administrations the name(s) of the new Member(s) in the territory of which the affected test point(s) is (are) located."

Rules concerning RESOLUTION 23 (WRC-95)

1. INTRODUCTION

The WRC-95 adopted Resolution 23 (formerly Resolution PLEN-6) on provisions applicable to the frequency assignments in the non-planned bands below 28 000 kHz which stipulates that “*with effect from 18 November 1995, the Bureau shall not examine with respect to Nos. 1241-1245 of the Radio Regulations, and shall not apply the related provisions to, frequency assignment notices in the non-planned bands below 28 000 kHz, including those received prior to 18 November 1995 and whose treatment was not completed by that date*”. The present rule contains:

- the Board’s understanding of the applicability of the Resolution to different services in different frequency bands;
- the consequential changes in the application of various steps of the procedures referred to in Article 12 of the Radio Regulations as a consequence of the requirements of Resolution 23.

2. APPLICATION OF RESOLUTION 23 TO DIFFERENT SERVICES/ FREQUENCY BANDS

2.1 No examination of the probability of harmful interference is to be performed in any of the non-planned bands below 28 000 kHz (for the planned bands see paragraphs 2.4 and 2.5 below). However, the Conference did not suspend the provisions Nos. 1275-1304 of Article 12 of the Radio Regulations. Therefore, the Board understands that the reference to RR1241/1242 in No. 1279 of the Radio Regulations implies that the Bureau will continue to perform the examinations of the probability of harmful interference in the context of the notices submitted under RR1218.

2.2 As the Conference did not suspend the provisions of the current Article 14 of the Radio Regulations, the Board understands that, in the application of the provisions of RR1616 to a frequency assignment in the services whose use, in the bands below 28 MHz, is governed by a footnote referring to Article 14, the Bureau will have to perform the standard technical examination (probability of harmful interference) in accordance with the current rules in Section B5.

2.3 The relevant frequency assignments in the case of Resolution 339 (formerly Article 14A) will have to be examined from the point of view of the probability of harmful interference with respect to assignments to stations of other services to which the band 517.5 - 518.5 kHz is allocated, at the coordination stage. However, in the light of the provisions of Resolution 23, the Board considers that the provisions of No. 1241 should not be applied in this specific case and the Bureau shall not examine the relevant notices, from the point of view of the probability of causing harmful interference, at the notification stage.

2.4 The provisions of sub-sections IIB and IIC of Article 12 of the Radio Regulations are not affected by Resolution 23.

2.5 Concerning the bands and services that are subject to regional agreements, the Board understands that the examinations of the notices submitted under Article 12 of the Radio Regulations will be limited to the extent provided by those agreements.

2.6 As WRC-95 did not introduce any change in Resolution 300, and in view of the fact that in Resolution 300 there is no mention of RR1241/1242, the Board considers that the Bureau will continue to perform the examinations of notices to stations using frequencies for NBDP telegraphy and data transmission systems in the HF bands allocated exclusively to the maritime mobile service (bands referred to in RR4202/4207), as required by *resolves 1.5* of that Resolution, in accordance with the current practices.

3. CONSEQUENTIAL CHANGES IN THE APPLICATION OF VARIOUS STEPS OF THE PROCEDURES REFERRED TO IN ARTICLE 12 OF THE RADIO REGULATIONS

3.1 As the examinations under Nos. 1241-1245 of the Radio Regulations are suspended by Resolution 23, the following procedures (steps of the procedure of Article 12) that make reference to the results of the examinations under Nos. 1241-1245 are also suspended with effect from 18 November 1995, in relation to new frequency assignment notices in the non-planned bands below 28 000 kHz,:

- Nos. 1249 - 1251, dealing with recording as a result of favourable findings with respect to the examinations of the probability of harmful interference, including the description of the notion of “qualified favourable finding”;
- Nos. 1252 - 1265 and 1269 - 1273, dealing with the course of action as a result of unfavourable finding with respect to the probability of harmful interference;
- Nos. 1306 - 1307, specifying the conditions for recording of notices, dealing with changes in the basic characteristics of the MIFR assignment, as a result of the findings formulated pursuant to the examinations with respect to the probability of harmful interference;
- No. 1309, dealing with the definition of a resubmitted notice;
- Nos. 1388 - 1390, specifying the conditions for recording dates, in different columns of the Master Register, pursuant to different findings resulting from the examinations with respect to the probability of harmful interference;
- Nos. 1422 and 1424, specifying the possibility of reviewing the findings related to the examinations under Nos. 1241 or 1242.

3.2 The following procedures (steps of procedure of Article 12) that make reference to the provisions of Nos. 1241-1245 will continue to be applied by the Bureau, even after 18 November 1995, in relation to those frequency assignment notices in the non-planned bands below 28 000 kHz which were recorded in the Master Register prior to 18 November 1995:

- Nos. 1421 - 1428, dealing with a review of an unfavourable finding under No. 1241 or No. 1242, in the case of a deletion or modification of a recorded frequency assignment which had been the reason for formulating the said unfavourable finding, or where no report of harmful interference has been received in the period specified in the Master Register.
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Rules concerning

RESOLUTION 46 (Rev. WRC-95)

Introduction

WARC-95 revised Resolution 46 on "the interim procedures for the coordination and notification of frequency assignments of satellite networks in certain space services and the other services to which certain bands are allocated". The Resolution contains provisions applicable to geostationary and non-geostationary satellite networks and stations of terrestrial services. In reviewing Resolution 46 (WARC-92), WRC-95 amended the Resolution itself as well as the Annex thereto (referred to now as Annex 1) to extend the scope of its application to the newly-allocated frequency bands (non-GSO MSS, non-GSO MSS feeder links operating in the FSS bands and non-GSO FSS). Annex 1 also includes procedures to cover the required coordination of the earth stations operating in the opposite direction of transmission as well as the Bureau's actions relating to requests for assistance and the case of non-reply to the request for coordination/agreement. WRC-95 also added a new technical annex (Annex 2 to Resolution 46) to include thresholds to trigger coordination and maximum limits (power, PFD and/or FDP (Fractional Degradation in Performance)) for immediate application as of 18.11.1995. The implementation of the procedures of Resolution 46 are further regulated through other Resolutions (Resolutions 47, 118 and 120).

The present rule contains:

- the Board's understanding of the applicability of the Resolution to different services;
- the Board's understanding of the date of entry into force of some of the footnotes of Article 8 of the Radio Regulations which are associated to the application of Resolution 46;
- the structure and data of publications in special sections under Resolution 46; and
- the rules of application of Resolution 46 to those cases which were already in one of the phases of the coordination procedures defined by Article 11 of the Radio Regulations before the entry into force of the Resolution.

1. Application of Resolution 46 to different services/frequency bands

1.1 Resolution 46 does not specifically define the services to which the interim procedure described in Annex 1 to the Resolution applies. In the footnote to the title of the Resolution a reference is made to the frequency bands to which the procedure is applied indicating that the "Resolution shall apply only to the frequency bands for which a specific reference is made to this Resolution in the footnotes to the Table of the Frequency Allocations".

1.2 Administrations found some difficulties in applying the procedure contained in the Resolution 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.

1.3 While recognising the difficulties of harmonising the text of the footnotes to Article 8 introduced by WARC-92 and WRC-95 on the one hand and the text of the Resolution 46 with respect to the services to which the Resolution is applicable on the other hand, the Board concluded that the procedure is applicable to all other space and terrestrial services having allocations of equal rights with respect to those satellite services mentioned in the specific footnotes to which Resolution 46 applies. The frequency bands are those to which, in a footnote, reference is made to the Resolution in the Table

of Frequency Allocations¹. Table I of the present document 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 the procedure of Resolution 46 shall also apply. This application is subject to the same conditions as those 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 2 to Resolution 46 are exceeded.

1.4 The conclusion included in paragraph 1.3 above was based on the Board's understanding of the major regulatory principles governing the use of frequencies between services of equal rights and on the decisions of WARC-92 on the subject. Attachment 1 of the present rule contains a detailed explanation of the Board's considerations.

2. Frequency allocation matters

2.1 The revised provisions of the Radio Regulations concerning new or modified frequency allocations (including any new or modified conditions applying to existing allocations) related to the revised Resolution 46 as contained in the Final Acts of WRC-95 enter into force on 1 January 1997 (or later in 2000 or 2005). The interim procedure itself, however, entered into force on 18 November 1995. The Board studied the relationship between the date of implementation of the procedure and the date of entry into force of those allocations the associated footnote of which includes a reference to the procedure of Resolution 46. The Board's conclusions are as follows.

2.2 WRC-95, in its Resolution 47 instructed the Bureau to apply the provisions of Resolution 46 as of 18 November 1995 to those bands in which the Resolution is mentioned even though the footnotes to the Table of Frequency Allocations are not in force until later. 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 I of the present document contains an indication of the dates of entry into force of the allocations concerned with the application of Resolution 46.

2.3 The conformity of the frequency assignments, in a coordination request (Section II of Resolution 46), with the Table of Frequency Allocations is considered through the examinations under paragraph 2.7.1 (with respect to the conformity with RR1503) and the Findings of the Bureau will reflect the status of the assignment *vis-à-vis* the allocation. The Board decided that the following categories of Regulatory Finding shall be formulated regarding the dates concerned:

a) the RR1503 Finding is favourable if, at the date of receipt by the Bureau of the coordination request (Section II of Resolution 46), the allocation concerned is in force;

b) the RR1503 Finding is unfavourable if, at the date of receipt by the Bureau of the coordination request (Section II of Resolution 46), the allocation concerned is not in force and will not come into force before the planned date of putting the assignment into service;

c) the RR1503 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 (Section II of Resolution 46), the allocation concerned is not in force but will come into force before the planned date of putting the assignment into service. This Finding will permit the network in question to be taken into account for the application of paragraph 2.5.1 of Section II of Resolution 46.

3. Publication of Special Sections under Resolution 46

3.1 For the different phases of the procedure described in Annex 1 to Resolution 46, the following types of special sections will be published:

- RS46/A/... (Section I, §.1.3, publication of advance information);

¹ Or reference to S9.11bis, as used for the same purpose in footnotes of the Final Acts of WRC-95.

- RS46/B/... (Section I, §.1.6, report on the application of the advance publication procedure);
- RS46/C/... (Section II, §.2.7.2, publication of request for coordination);
- RS46/D/... (Section II, 2.17, report on the application of the coordination procedure).

3.2 In the case of simultaneous application of Article 11 and Resolution 46, and whenever this is possible, joint AR11/.. and RS46/..publications will be made.

3.3 It should be noted that, while for the geostationary networks this Resolution applies in addition to Article 11, for non-geostationary systems Resolution 46 replaces Article 11 (paragraph "resolves 2" of the Resolution refers). Consequently, in the bands concerned with the Resolution, non-geostationary space networks will no longer be published in AR11/A... special sections. These networks will be included solely in the RS46/ publication series.

4. Application of the procedure for "existing" networks

4.1 As at the date of implementation of Resolution 46 (WRC-95), some satellite systems using the bands to which WRC-95 decided to extend the application of this Resolution to the non-GSO utilisation but for which an allocation existed already to the fixed-satellite service, were already in the advance publication phase of Article 11, the Board decided in this respect that the already published AR11/A special sections (advance information published in the Article 11 procedure) should be considered valid for the application of Section I of Annex 1 to Resolution 46. The missing orbital information for non-GSO systems additionally required by paragraph A.3 of Resolution 46 should be published in the forthcoming RS46/C publication. A coordination request should be subsequently accepted and published (RS46/C) on the basis of the above mentioned AR11/A publication.

4.2 It was also noted that, on 18 November 1995, in the frequency bands 18.9 - 19.6 GHz and 28.7 - 29.4 GHz to which Resolution 46 was applied by WRC-95, some GSO systems were already under the coordination (Article 11) or the MIFR recording (Article 13) procedures (complete AP3 information had been received by the Bureau) and some non-GSO systems were under the MIFR recording procedure (complete AP3 information had been received by the Bureau for Article 13). On the basis of the arguments included in the Board's understanding of the various Resolutions and Radio Regulatory provisions applicable to the cases (see Attachment 2 to the present Rules of Procedure), it is understood that these networks are not subject to the application of paragraphs 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 13, after the date of 18 November 1995, the provisions of paragraphs 5.1.1 and 5.1.3 of Resolution 46 will not apply with respect to them and that GSO networks already under coordination on 18 November 1995 will not be published in a RS46/C type special section. On the other hand, however, these GSO networks under coordination or coordinated as well as GSO and non-GSO cases notified to the Bureau under Article 13 before 18 November 1995 will be taken into account in the Resolution 46 coordination process effected by other administrations requesting this coordination after 18 November 1995, in application of the provisions of 2.5.1 to 2.5.4 of Annex 1 to Resolution 46.

4.3 One of the new frequency bands allocated by WRC-95 to MSS feeder links (FSS allocation limited to this use in the space-to-Earth direction) is the band 6700 - 7075 MHz. The band had already been allocated to the FSS (Earth-to-space) and a portion of the band (6725 - 7025 MHz) is used through the application of the Appendix 30B (allotment) plan. From the establishment of maximum PFD limits to be observed by non-GSO MSS feeder links at the GSO and within a sector of +/- 5° included in the provisions of A.2.2.2 of Annex 2 to Resolution 46 and S22.5bis (for the protection of emissions in the Earth-to-space direction received by GSO space stations), the Board understands that, when applying Resolution 46 to MSS feeder links, Appendix 30B entries (Part A allotments, Part B or List assignments) in the band 6725 - 7025 MHz or other GSO receiving space stations (operating in the Earth-to-space direction) in the bands 6700 - 6725 MHz and 7025 - 7075 MHz, shall not be taken into account under the provisions of 2.5.1 to 2.5.4 of Annex 1 to Resolution 46.

5. Notice forms to be used

In addition to the data included in Appendices 4 or 3, Resolution 46 requires the notification of additional orbital parameters and other data-items. These elements have to be included in the publications mentioned in paragraph 3 above. When submitting the data for the purpose of Resolution 46, notice forms AP4 and AP3 will be used and the additional data elements will be provided in the accompanying letter until the Bureau develops new notice forms including these items.

6. Identification of terrestrial stations under paragraph 2.8.2

The revised provisions of paragraphs 2.1 and 2.2 stipulate that an administration responsible for a GSO or non-GSO network shall effect coordination with other administrations whose terrestrial stations might affect or be affected by the proposed space station assignment. For the examination of the related coordination request, the provisions of paragraph 2.8.2 should thus be read in the context of the provisions of paragraphs 2.1 and 2.2. This means that, for the purpose of this examination, all those terrestrial stations (planned or existing) should be identified in relation with the satellite network for which coordination has been sought for both the transmitting and the receiving space station for which paragraphs 2.5.1, 2.5.5 and 2.5.6 are applicable. This approach confirms the practice already applied before WRC-95.

TABLE I

Applicability of Resolution 46 for Space Services *)

Frequency band MHz	Footnote RR/S5. series	Space services in the Res.46 footnote		Other space services to which Res.46 applies equally	Date of entry into force of allocation if later than 17.11.95
137 - 137.025 137.175- 137.825	RR599A/ S5.208	MOBILE- SATELLITE	↓	SPACE OPER. METEO-SATELLITE SPACE RESEARCH	
137.025-137.175 137.825-138	RR599A S5.208	mobile-satellite	↓	---	
148-149.9	RR608A/ S5.219	MSS,	↑		
149.9-150.05	RR608B/ S5.220	LMSS	↑	---	(secondary until 1.1.1997)
312-315	RR641A/ S5.255	mss	↑	---	
387-390	RR641A/ S5.255	mss	↓	---	
399.9-400.05	S5.220	LMSS	↑	---	1.1.1997
400.15-401	RR647B/ S5.264	MSS	↓	METEO-SATELLITE SPACE RESEARCH	
455-456	S5.271A	MSS (R2)	↑	---	1.1.1997
459-460	S5.271A	MSS (R2)	↑	---	1.1.1997
1492-1525	RR723C/ S5.348	MSS (R2, except USA)	↓	---	
1525-1530	RR726D/ S5.354	MSS(or SUBSET)	↓	SPACE OPERATION	
1525-1530	RR726D/ S5.354	lmss(R1)	↓	earth exploration	
1530-1535	RR726D/ S5.354	MSS(or SUBSET)	↓	SPACE OPERATION	
1533-1535	RR726D/ S5.354	lmss	↓	earth exploration	
1535-1550	RR726D/ S5.354	MSS(or SUBSET)	↓	---	
1535-1544	RR726D/ S5.354	lmss	↓	---	
1550-1559	RR726D/ S5.354	MSS(or SUBSET)	↓	---	
1610-1626.5	RR731E/ S5.364	MSS, RDSS (R2+RR733B)	↑	---	
1610-1626.5	RR731E/ S5.364	rdss (R1, R3)	↑	---	
1613.8-1626.5	RR731F /S5.365	mss	↓	---	
1626.5-1660.5	RR726D/ S5.354	MSS(or SUBSET)	↑	---	
1626.5-1631.5	RR726D/ S5.354	lmss (R1)	↑	---	
1634.5-1645.5	RR726D/ S5.354	lmss	↑	---	
1675-1700	RR735A/ S5.377	MSS (R2)	↑	---	
1700-1710	RR735A/ S5.377	MSS (R2)	↑	SP. RESEARCH (S5.384)	

Frequency band MHz	Footnote RR/S5. series	Space services in the Res.46 footnote		Other space services to which Res.46 applies equally	Date of entry into force of allocation if later than 17.11.95
1980 - 2010	RR746B/ S5.389A	MSS	↑	---	1.1.2000 (1980-1990 MHz: 2005 in R2)
2010 - 2025	S5.389C	MSS (R2)	↑	---	1.1.2005 (1.1.2000 in CAN, USA)
2160-2170	RR746B/ S5.389C	MSS (R2)	↓	---	1.1.2005 (1.1.2000 in CAN, USA)
2170-2200	RR746B/ S5.389A	MSS	↓	---	1.1.2000
2483.5-2500	RR753F/ S5.402	MSS RDSS(R2+S5.400)	↓	---	
2483.5-2500	RR753F/ S5.402	rdss (R1&R3)	↓	---	
2500 -2520	RR760A/ S5.414 RR754/ S5.403	MSS	↓	FIXED SATELLITE (R2&3), RDSS (S5.404)	01.01.2005 (until 2005: Art.14: MSS (-AMSS))
2520 -2535	RR754/ S5.403	MSS (-AMSS)	↓	BROADCASTING-SATELLITE, FIXED SATELLITE (R2&3)	
2655-2670	RR766/ S5.420	MSS (-AMSS)	↑	BROADCASTING-SATELLITE, FIXED SATELLITE (R2&3)	
2670-2690	RR764A/ S5.419 RR766/ S5.420	MSS	↑	FIXED SATELLITE (R2&3),	01.01.2005 (until 2005: Art.14: MSS (-AMSS))
5091-5150	S5.444A	FSS (limited to non-GSO MSS feeder link)	↑	---	18.11.1995 (see Res.114)
5150 - 5250	S5.447A S5.447C	FSS (limited to non-GSO MSS feeder link)	↑	---	1.1.1997
5150 - 5216	S5.447B	FSS (limited to non-GSO MSS feeder link)	↓	---	1.1.1997
6700 - 7075	S5.458D	FSS (limited to non-GSO MSS feeder link)	↓	FSS (GSO and non-GSO FSS) (see para 4.3 of RoP RS46)	1.1.1997
15.4 - 15.7 GHz	S5.511A	FSS (limited to non-GSO MSS feeder link)	↓	---	1.1.1997
15.45-15.65	S5.511C	FSS (limited to non-GSO MSS feeder link)	↑	---	18.11.95 (see Res.117)
18.9 - 19.3 GHz	S5.523D	non-GSO FSS	↓	FSS (GSO) (see para 4.2 of RoP RS46)	(Res.118)
19.3 - 19.6 GHz	S5.523A S5.523B	FSS (GSO and non-GSO MSS feeder link)	↓ ↑	--- (see para 4.2 of RoP RS46)	(Res.120)
28.7 - 29.1 GHz	S5.523D	non-GSO FSS	↑	FSS (GSO) (see para 4.2 of RoP RS46)	(Res.118)
29.1 - 29.4 GHz	S5.535A	FSS (GSO and non-GSO MSS feeder link)	↑	(see para 4.2 of RoP RS46)	(Res.120)

*) Note: MSS: MOBILE-SATELLITE SERVICE
FSS: FIXED-SATELLITE SERVICE
LMSS: LAND MOBILE-SATELLITE SERVICE
RDSS: RADIODETERMINATION-SATELLITE SERVICE
AMSS: AERONAUTICAL MOBILE-SATELLITE SERVICE
(lower-case letters show secondary allocations.)

ATTACHMENT 1

EXPLANATION OF THE BOARD'S CONSIDERATIONS

on the Application of Resolution 46 to different services/frequency bands

1. Resolution 46 does not specifically define the services to which the interim procedure described in Annex 1 to the Resolution applies. In the footnote to the title of the Resolution a reference is made to the frequency bands to which the procedure is applied indicating that the "Resolution shall apply only to the frequency bands for which a specific reference is made to this Resolution in the footnotes to the Table of Frequency Allocations". In the "resolves" part of the resolution three categories of services (i.e. terrestrial, geostationary and non-geostationary space services) are designated for the application of the procedure without further indication of the specific services. In the footnotes in Article 8 (S5) the mobile-satellite and radiodetermination-satellite services as well as the fixed-satellite service (including non-GSO MSS feeder links) are specifically indicated.²
2. Administrations found some difficulties of applicability for certain categories of services and requested the Board's opinion on this question. The dilemma of the administrations was to know whether, in addition to the space services specifically mentioned in the new footnotes, the procedure was applicable or not to the other terrestrial and space services not specifically mentioned in the appropriate footnotes.
3. In its considerations, the Board noted that, when Committee 5 of WARC-92 discussed the above problem (Doc. 265: Summary Record of the Ninth Meeting, paragraphs 1.24, 1.25 and 1.26), "the Chairman drew attention to the title of the Resolution and observed that as soon as an allocation was made, the procedure would apply to all other services in the relevant band."
4. The Board also noted that paragraph 2.5 of the Annex of Resolution 46 explicitly states that the coordination procedure of a station should cover assignments of the same service or another service to which the band is allocated with equal rights or a higher category of allocation. When studying the applicability of the Resolution to the other space services which are not specifically mentioned in the new footnotes, the Board had to take into account the major regulatory principle of frequency usage by services of equal rights. In order to treat on equal footing all the services of co-equal allocation the coordination procedures should be equally applied. In fact, and supposing to the contrary, that the Resolution would not apply to those space services which are not specifically mentioned in the footnotes, an unresolvable conflict would arise between the otherwise equal allocation type services which are, on one hand, those non-geostationary satellite services to which the Resolution would not apply (which, in application of RR1515, would have a direct access to the MIFR without previous coordination) and, on the other hand, those satellite services (GSO or non-GSO) to which the Resolution applies (undergoing the coordination procedure of Resolution 46 by which they should guarantee the protection of the networks recorded in the MIFR). Such a position would lead to a de facto downgrading of the coequal allocations made by WARC-92 and WRC-95 to the mobile-satellite and radiodetermination-satellite services and other non-GSO applications by WRC-95 and to an uncontrollable interference

² The following footnotes include a reference to Resolution 46 (S9.11bis):

RR599A/S5.208, RR608A/S5.219, RR608B/S5.220, RR641A/S5.255, RR647B/S5.264, --/S5.271A, RR723C/S5.348, RR726D/S5.354, RR731E/S5.364, RR731F/S5.365, RR735A/S5.377, --/S5.389A, --/S5.389C, RR746B/S5.389, RR753F/S5.402, RR754/S5.403, RR760A/S5.414, RR764A/S5.419, RR766/S5.420, --/S5.444A, --/S5.447A, --/S5.447B, --S5.447C, --/S5.458D, --/S5.511A, --/S5.511C, --/S5.523A, --/S5.523B, --S5.535A.

situation between the above service categories. The Board considered that such a general downgrading was not the intention of the Conference, while some examples were found when downgrading of the mobile-satellite service was explicitly expressed by some specific footnotes.

5. On the basis of the arguments expressed in paragraphs 3 and 4, **the Board concluded that, in the specific frequency bands, designated by the footnotes making reference to Resolution 46, the procedures of the Resolution apply to all the space and terrestrial services having allocations of equal rights in the bands.**

ATTACHMENT 2

EXPLANATION OF THE BOARD'S CONSIDERATIONS

on the Application of the procedure of Resolution 46 to “existing” networks

1. The Board noted that Resolution 46 does not contain provisions for the application of the Resolution to those “existing” non-GSO or GSO FSS systems which were already under coordination (Article 11, Section II) or MIFR recording (Article 13) procedures on 17 November 1995 (complete AP3 information had been received by the Bureau) in those frequency bands in which a frequency allocation already existed for the FSS before WRC-95 made new or modified allocations for non-GSO applications. The Conference dealt, nevertheless, with this problem in establishing some Resolutions (Resolution 118 (ex-PLN-1) and Resolution 120 (ex-PLN-4) by which the ongoing status of the networks of the above categories are regulated. In these Resolutions and in the relevant footnotes, the application of Resolution 46 and the waiving, if applicable, of the mandatory observance of provision RR2613 was understood as being parallel measures, the application of Resolution 46 and of RR2613 being mutually exclusive. An example of the description of the complex situation is footnote S5.523A³.

2. The frequency bands concerned are the following:

- 18.9 - 19.3 GHz
- 19.3 - 19.6 GHz
- 28.7 - 29.1 GHz
- 29.1 - 29.4 GHz

3. Resolutions 118 and 120

The provisions of these Resolutions relevant to the application of the procedure of Resolution 46 to the “existing” networks are “resolves 3”⁴ of Resolution 118 and “resolves 4”⁵ of Resolution 120. The reading of “resolves 1”⁶ of each of the Resolutions in the context of resolves 3 and 4 above indicates for the Board that those “existing” networks will continue to be regulated by the provisions of Articles 11 and 13 and not by Resolution 46. Consequently, the Board’s understanding is that these “existing” networks are not subject to the application of paragraphs 2.1 and 2.2 of Annex 1 to Resolution 46 (to “effect coordination” under Resolution 46). Nevertheless, they will be taken into account in Resolution 46 coordinations effected by other administrations requesting this coordination after 18.11.1995 when the provisions of 2.5.1 to 2.5.4 of Resolution 46 are applied. This Rule is applicable in the frequency bands: 18.9 - 19.6 GHz and 28.7 - 29.4 GHz.

³ “S5.523A: The use of the band 19.3 - 19.6 GHz (space-to-Earth) by GSO FSS systems and by the feeder links for non-GSO systems in the MSS is subject to the application of the provisions of S9.11bis, but not subject to the provisions of No. S22.2 [RR2613]. The use of this band for other non-GSO FSS systems is not subject to the provisions of S9.11bis and shall continue to be subject to Articles 11 and 13 procedures and to the provisions of No.S22.2 [RR2613].”

⁴ “*resolves 3* that the respective status of satellite systems communicated to the Bureau prior to 18 November 1995 shall be that derived from the application of Articles 11 and 13 of the Radio Regulations.”

⁵ “*resolves 4* that in the bands 19.3-19.6 and 29.1-29.4 GHz, No. S22.2 [RR2613] of the Radio Regulations shall continue to apply between feeder links of non-GSO MSS networks and GSO FSS networks for which complete AP/3 coordination information or notification information is considered as having been received by the Bureau prior to 18 November 1995.”

⁶ *resolves 1*: states that as of 18 November 1995, Resolution 46 shall be applied in the bands