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INTERNATIONAL TELECOMMUNICATION UNION

Radiocommunication Bureau

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Circular Letter
CR/60

29 November 1996

To Administrations of Members of the ITU

Subject: Rules of Procedure

References: Numbers. 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
Circular-letter CR/48 of 16 February 1996
Circular-letter CR/59 of 10 October 1996

To the Director-General

Dear Sir,

In accordance with the provisions of No. 95 of the ITU Constitution, the Radio Regulations Board, at its Seventh Meeting held from 18 - 22 November 1996, has approved and/or revised the following Rules of Procedure:

- Part A1, Article 30, revised;
- Part A1, Appendix 30, § 4.3.5, paragraph 2 revised;
- Part A1, Appendix 30A, § 4.2.5, paragraph 2 revised and § 4.2.6 added;
- Part A1, Appendix 30B, § 6.12, revised;
- Part A1, Resolution 46, revised.

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: 5

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

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Annex 1

Rules (Rev.2) concerning

ARTICLE 30 of the RR

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-PLEN-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 and those of Resolution 33, 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 or coordination procedures in accordance with either Article 4 of Appendix 30 (Annex 2 data) or Section B (paragraph 3.2.1) of Resolution 33, 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 therefor indicate whether a special (separate) agreement has been obtained from these administration 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) or of Resolution 33 (RS33/C.. series) shall contain the indication of the agreements already obtained under RR2674 or 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 4 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 cases where the service area is not described by test points (as in the Resolution 33 applications), the exclusion of the territory of the objecting administrations from the service area shall be effected by graphical means to be implemented in the BR's Space Network System (SNS). 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 or the application of Resolution 33 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.

2.6 For cases not covered by Rule 2.1 above, the previous version of this same Rule of Procedure (Edition, 1994, PartA1, AR30, rev.-) applies. Nevertheless, for submissions received before 18.11.95, but not yet processed and published, the Bureau shall add the following Note in the relevant Special Section of the WIC:

“Note by the Bureau:

Attention of the Administrations is drawn to the provisions of RR2674 under which they may wish to comment with respect to the inclusion or otherwise of their territory in the service area of the satellite network which is published in this Special Section. The expiry date for such comments will be the same four months as indicated on page [...] of this publication.”

Annex 2

Revision of Rules of Procedure concerning **Appendix 30**

4.3.5 of AP30

MOD

2. This provision states that modifications to that Plan involving additions under paragraph 4.1.b shall lapse if the assignment is not brought into service by the date indicated. The provision does not contain any possibility for administrations to extend this date within a specified period as is done in RR1550. Moreover, there is no mention about the modifications submitted under paragraph 4.1.a of Article 4 of this Appendix which should logically be treated in the same manner. The Board, therefore decided that:
 - 2.1 Modifications and/or additions to the Plans submitted under paragraphs 4.1.a and 4.1.b of Article 4 of Appendix 30 shall lapse if the assignment is not brought into use by the notified date on which they are to be brought into use. In cases where a modification made under paragraph 4.1.a is consequently suppressed from the Plan, the original plan entry which was concerned with the lapsing modification shall be restored.
 - 2.2 For modifications and/or additions to the Plans, the postponement of the date of bringing into use of any assignment beyond the original date shall not exceed by more than three years . In any case, the new date of bringing into use shall not exceed maximum 8 years from the date of receipt of complete Annex 2 data by the Bureau whether or not the Annex 2 data is received for both Appendices 30 and 30A together or separately.
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Annex 3

Revision of Rules of Procedure concerning **Appendix 30A**

MOD

4.2.5 of AP30A

2. Paragraph 4.3.5 of Appendix 30 states that modifications to that Plan involving additions under paragraph 4.1 b) shall lapse if the assignment is not brought into use by the date on which they are to be brought into use. Provision 4.2.5 of Appendix 30A, however, does not provide for similar situation. The provision does not contain any possibility for administrations to extend the initial date of bringing into use within a specified period as is done in RR1550. Moreover, there is no mention about the modifications submitted under paragraph 4.1.a of Article 4 of this Appendix which should logically be treated in the same manner. The Board therefore decided that, similarly to the cases foreseen by provision 4.3.5 of Appendix 30,:
- 2.1 Modifications and/or additions to the Plans submitted under paragraphs 4.1.a) and 4.1.b) of Article 4 of Appendix 30A shall lapse if the assignment is not brought into use by the notified date on which they are to be brought into use. In cases where a modification made under paragraph 4.1.a is consequently suppressed from the Plan, the original plan entry which was concerned with the lapsing modification shall be restored.
- 2.2 For modifications and/or additions to the Plans, the postponement of the date of bringing into use of any assignment beyond the original date shall not exceed by more than three years . In any case, the new date of bringing into use shall not exceed maximum 8 years from the date of receipt of complete Annex 2 data by the Bureau whether or not the Annex 2 data is received for both Appendices 30 and 30A together or separately.

ADD

4.2.6 of AP30A

See comments under Rules of Procedure concerning paragraph 4.2.5 above.

Annex 4

Revision of Rules of Procedure concerning **Appendix 30B**

MOD

6.12 of AP30B

Compatibility examinations

1. The footnote to the provisions of paragraph 6.27 makes reference to the case of an apparent incompatibility between two assignments in Part B when, nevertheless, an agreement exists between the administrations concerned. Such agreements may be concluded for assignments in Part A as well. These examples raise the question of calculating the aggregate carrier-to-interference ratio in case of coordinated (agreed) frequency usage. The Board decided that for such cases the coordinated assignments shall be included in the calculations of the aggregate C/I and the C/I value so calculated will further be considered as the reference situation of interference which was accepted by the administrations. It should be noted that over-protection of networks may result after the acceptance of relatively low level of C/I (i.e. high levels of interference) during a specific coordination if the network were to be subsequently protected according to the criteria contained in Annex 4 of Appendix 30B against other networks submitted later for the application of the procedures of the Plan. To deal with this possible inequity, the Board decided that such assignments/allotments will be protected in subsequent examinations by the Bureau using the new aggregate and/or single entry C/I values, as the case may be (resulting from the accepted higher levels of interference) rather than using the C/I criteria contained in Annex 4 of Appendix 30B (i.e., 26 and 30 dB for aggregate and single entry cases, respectively).

Annex 5

Rules (Rev.4) 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 as Annex 1 now) 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 of 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 Res.46 are further regulated through other Resolutions (Res.47, 118 and Res.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 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 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 Res. 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 Res. 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 Res. 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 Res. 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 for the network in question to be taken into account for the application of paragraph 2.5.1 of Section II, Res. 46.

3. Publication of Special Sections under Resolution 46

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

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);
- 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 Res. 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 formal 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 will not apply with respect to them and that GSO networks already under coordination on 18 November 1995 will not be published by the Bureau in a RS46/C type special section. However, in order not to have networks implemented without coordination and to follow up "resolves 5" of Resolution 118, the administrations which have communicated their satellite systems in the bands 18.9 - 19.3 GHz and 28.7 - 29.1 GHz to the Bureau prior to the date of 18 November 1995, shall make every effort to reach agreement on coordination of their respective systems. To reach coordination agreements, the administrations concerned could be guided in their efforts by the relevant provisions of Resolution 46 and the relevant ITU-R Recommendations. The Bureau is requested to assist administrations in their efforts to reach coordination agreements.

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 provisions of 2.5.1 to 2.5.4 of Annex 1 to Res.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 Res.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 Res.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 the 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	S5.286A	MSS (R2)	↑	---	1.1.1997
459-460	S5.286A	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)	↓	SPACE RESEARCH S5.392A (RUS)	1.1.2005 (1.1.2000 in CAN, USA)
2170-2200	RR746B/ S5.389A	MSS	↓	SPACE RESEARCH S5.392A (RUS)	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)	↑	AMSS (S5.367)	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	S5.458B	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 GHz	S5.511C	FSS (limited to non- GSO MSS feeder link)	↑	---	18.11.95 (see Res.117)
18.9 - 19.3 GHz	S5.523A	non-GSO FSS	↓	FSS (GSO) (see para 4.2 of RoP RS46)	(Res.118)
19.3 - 19.6 GHz	S5.523D S5.523B	FSS (GSO and non- GSO MSS feeder link)	↓ ↑	--- (see para 4.2 of RoP RS46)	(Res.120)
28.7 - 29.1 GHz	S5.523A	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
(small 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 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

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, --/S5.286A, 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, --/S5.458B, --/S5.511A, --/S5.511C, --/S5.523A, --/S5.523B, --/S5.523D, --S5.535A.

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 (Rev.1)

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, on 18.11.95, were already under the procedures governing coordination (Article 11, Section II) or MIFR recording (Article 13) for which 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. The Conference, in Resolutions 118 and 120, regulated the status of the networks of the above categories.
2. The understanding of the provisions of Resolution 118 is as follows:
 - 2.1 “*resolves 1*” identifies the scope of application of Resolution 46 (WRC-95) i.e. after 18.11.95, it applies in the concerned frequency bands to all GSO and non-GSO satellite networks/systems;
 - 2.2 “*resolves 3*” governs the respective status of GSO and non-GSO networks communicated *) to the Bureau before 18.11.95.
3. The reading of “*resolves 3*” can lead to two different understandings of “*resolves 1*”:
 - 3.1 If “*resolves 1*” is read independently from “*resolves 3*”, GSO and non-GSO satellite networks which were communicated *) to the Bureau before 18.11.95 would be governed by Resolution 46 after 18.11.95, i.e. there would be a retroactive application of Resolution 46 to the operators of GSO and non-GSO networks/systems communicated to the BR before 18.11.95, which could be in contradiction with “*resolves 3*”.
 - 3.2 If “*resolves 1*” is read in the context of “*resolves 3*”, GSO and non-GSO satellite networks which were communicated *) to the Bureau before 18.11.95 would continue to be governed by Articles 11 and 13 and not by Resolution 46, i.e. there would be no retroactive application of Resolution 46. The relation (their respective “status”) between GSO and non-GSO satellite networks/systems would remain unchanged.
4. On the basis of the above and taking into account “*resolves 5*”, the Board decided to base its considerations and the resulting Rules of Procedure on the second alternative (para 3.2 above). 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 Res.46).
5. Furthermore, recognizing the exhortation in “*resolves 5*”, the Board decided to reflect this thought in paragraph 4.2 of the Rules of Procedure.

*) The expression “communicated to the Bureau” is understood to be as: AP3 coordination or notification information, as required, received by the Bureau.