

Ms. Mindel De La Torre
Chief of the International Bureau
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Ms. De La Torre:

The National Telecommunications and Information Administration (NTIA), on behalf of the Executive Branch agencies, approves the release of the Executive Branch proposal for WRC-15 which addresses agenda item 7 (Issue H). This agenda item proposes no change to Article 11 of the Radio Regulation.

NTIA considered the federal agencies' input toward the development of U.S. proposals for WRC-15. NTIA forwards this package for your consideration and review by your WRC-15 Advisory Committee. Mr. Charles Glass is the primary contact from my staff.

Sincerely,

(Original Signed February 12, 2015)

Paige R. Atkins
Associate Administrator
Office of Spectrum Management

UNITED STATES OF AMERICA

PROPOSALS FOR THE WORK OF THE CONFERENCE

Agenda Item 7: *to consider possible changes, and other options, in response to Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference, an advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks, in accordance with Resolution 86 (Rev. WRC-07) to facilitate rational efficient, and economical use of radio frequencies and any associated orbits, including the geostationary-satellite orbit*

Issue H: Using one space station to bring frequency assignments at different orbital locations into use within a short period of time

Background Information: No. **11.44B** and No. **11.49** of the Radio Regulations were revised at WRC-12 in order to clarify issues regarding the bringing into use, or resumption of use after a suspension, of frequency assignments associated with satellite networks.

While adopting these revised provisions WRC-12 recognized that the issue of using one space station to bring frequency assignments at different orbital locations into use within a short period of time was not the intent of these revised provisions. WRC-12 also noted, “There are legitimate reasons why an administration or operator may need to move a spacecraft from one orbital position to a new orbital position, and care should be taken not to constrain the legitimate use of fleet manoeuvres and management.” In its plenary meeting, WRC-12 also requested the BR, until ITU-R studies are completed, to query to administrations as to the last previous orbital location/frequency assignments brought into use with that satellite and make such information available, where an administration brings into use frequency assignments at a given orbital location using an already in-orbit satellite.

The current draft CPM text for the subject issue includes examples of some cases where a single satellite is used to bring into use (BIU) frequency assignments at multiple orbital locations within a short period of time. However, several of these examples mix this issue with that of a satellite failure during the BIU process, whereas others include some examples that could be argued are actually legitimate cases of fleet management by a satellite operator. These examples are used to conclude that the only “justifiable” reason for using one space station to bring into use frequency assignments at multiple locations is a satellite failure. Methods in the draft CPM text then attempt to address this issue with a proposal for a regulatory provision to prevent “abuse”.

In practice, multiple examples exist of cases where a single satellite may be required to bring into use frequency assignments at different locations in a short period of time. While a satellite failure is one example, there are other examples that do not involve satellite failure. These cases include where the timing of events may change the evaluation of whether a case is considered “justifiable” or not. What does seem to emerge from consideration of all of the cases in the draft CPM text is that the possibility for misuse of the BIU and suspension provisions only seems to arise for cases of an in-orbit satellite bringing into use frequency assignments at multiple orbital locations within a short period of time, while at the same time leaving one or more of the previously occupied orbital locations vacant for some period of time. However, even under these circumstances, there do appear to be cases where such actions could be justified as reflected in the draft CPM text. As such, it is not possible to construct specific regulatory provisions to address the case of a single satellite bringing into use frequency assignments at multiple orbital locations within a short period of time. At best, it may be possible to require Administrations, in

certain cases, to provide additional information when declaring that frequency assignments have been brought into use using an in-orbit satellite.

Therefore, the United States supports Method H2, no change to Article **11** of the Radio Regulations, as the Radiocommunication Bureau can already query an administration in those cases where an in-orbit satellite is used to BIU an orbital location.

Proposals:

NOC USA/AI 7/1

ARTICLE 11

**Notification and recording of frequency
assignments^{1, 2, 3, 4, 5, 6, 7} (WRC-07)**

Reasons: It is not possible to address unjustifiable cases of satellite hopping without potentially constraining the legitimate use of satellite fleet manoeuvres and management.