



UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
INTERDEPARTMENT RADIO ADVISORY COMMITTEE
Washington, D.C. 20230

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

APR 3 2013

Dear Ms. De La Torre:

The National Telecommunications and Information Administration (NTIA) on behalf of the Executive Branch agencies, approves the release of the draft Executive Branch proposal for WRC-15 agenda items 9.2. NTIA proposes to describe the term “different category of service” as a footnote to the title of Section II– Categories of Services and Allocations in Article 5. No other changes to the radio regulations would be required under agenda item 9.2 to address inconsistencies found in applying instances of “additional allocations” or “different category of service” footnotes.

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. Dr. Darlene Drazenovich is the primary contact from my staff.

Sincerely,

Karl B. Nebbia
Associate Administrator
Office of Spectrum Management

UNITED STATES OF AMERICA
DRAFT PROPOSALS FOR THE WORK OF THE CONFERENCE

Agenda Item 9: *to consider and approve the Report of the Director of the Radiocommunication Bureau, in accordance with Article 7 of the Convention*

9.2 *on any difficulties or inconsistencies encountered in the application of the Radio Regulations*

Background Information: Agenda item 9.2 is a standing agenda item. The Director of the Radiocommunication Bureau (BR) submits a report to the World Radiocommunication Conference (WRC) outlining various difficulties or inconsistencies encountered in the application of the Radio Regulations (RR) since the previous conference under this agenda item. This agenda item invites Administrations to consider possible amendments to the RR to address these issues.

Based on a Member State's contribution to WRC-12, the Conference examined inconsistencies that exist with respect to the application of "*Additional allocation*" and "*Different category of service*" in Article 5. WRC-12 noted that numerous footnotes identified as "*Additional allocation*" do not conform to the application of Nos. 5.34 to 5.37, which is only to be applied in the case of an allocation for an area smaller than a Region, or in a particular country. The term "*Different category of service*" is applied in many footnotes without a corresponding description in Section II of Article 5.

Recognizing the complexity of these issues, WRC-12 concluded that Administrations should further examine these issues during this study cycle and requested the Director to report to WRC-15 on these issues.

There are well over 250 footnotes in Article 5, which contain additional allocations (188), alternative allocations (36), and different categories of service (42). At the last few WRCs, the Director could not specify any difficulties in applying footnote allocations containing these terms. Therefore, WRC-15 should not expend resources to examine each instance of their use. Instead, WRC-15 should clarify the appropriate use of the term, "different category of service" in section II of Article 5 of the Radio Regulations. WRC-15 and future WRCs should address any inconsistencies related to the use of these terms as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)).

Proposals:

ARTICLE 5

Frequency allocations

Section II – Categories of services and allocations

NOC USA/9.2/1

5.34 *Additional allocations*

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*additional allocation*” which may be identified by Working Parties or the Special Committee.

NOC USA/9.2/2

5.35 1) Where a band is indicated in a footnote of the Table as “also allocated” to a service in an area smaller than a Region, or in a particular country, this is an “additional” allocation, i.e. an allocation which is added in this area or in this country to the service or services which are indicated in the Table (see No. 5.36).

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*additional allocation*” which may be identified by Working Parties or the Special Committee.

NOC USA/9.2/3

5.36 2) If the footnote does not include any restriction on the service or services concerned apart from the restriction to operate only in a particular area or country, stations of this service or these services shall have equality of right to operate with stations of the other primary service or services indicated in the Table.

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*additional allocation*” which may be identified by Working Parties or the Special Committee.

NOC USA/9.2/4

5.37 3) If restrictions are imposed on an additional allocation in addition to the restriction to operate only in a particular area or country, this is indicated in the footnote of the Table.

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to

Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*additional allocation*” which may be identified by Working Parties or the Special Committee.

NOC **USA/9.2/5**

5.38 *Alternative allocations*

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*alternative allocation*” which may be identified by Working Parties or the Special Committee.

NOC **USA/9.2/6**

5.39 1) Where a band is indicated in a footnote of the Table as “allocated” to one or more services in an area smaller than a Region, or in a particular country, this is an “alternative” allocation, i.e. an allocation which replaces, in this area or in this country, the allocation indicated in the Table (see No. 5.40).

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*alternative allocation*” which may be identified by Working Parties or the Special Committee.

NOC **USA/9.2/7**

5.40 2) If the footnote does not include any restriction on stations of the service or services concerned, apart from the restriction to operate only in a particular area or country, these stations of such a service or services shall have an equality of right to operate with stations of the primary service or services, indicated in the Table, to which the band is allocated in other areas or countries.

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*alternative allocation*” which may be identified by Working Parties or the Special Committee.

NOC **USA/9.2/8**

5.41 3) If restrictions are imposed on stations of a service to which an alternative allocation is made, in addition to the restriction to operate only in a particular country or area, this is indicated in the footnote.

Reasons: To facilitate the efficient work of WRC-15 and future WRCs, Conferences, on an ad hoc basis as a part of specific agenda items, as appropriate (e.g., country footnotes pursuant to Resolution 26 (Rev. WRC-07)), should address any inconsistencies related to “*alternative allocation*” which may be identified by Working Parties or the Special Committee.

MOD USA/9.2/9

ARTICLE 5

Frequency allocations

Section II – Categories of services and allocations¹

ADD USA/9.2/10

¹ When the term “*different category of service*” is used in a footnote to the Table of Allocations in this Article, it represents a footnote allocation that is different from the service allocation(s) as specified in the Table (e.g., primary rather than secondary, or secondary rather than primary).

Reasons: The meaning of the term “*Different category of service*” in footnotes of Article 5 is obvious within the context of the footnotes; however, to clarify its application, WRC-15 should amend the title of Section II.