For Information

RCS - 1892_2

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

APR 20 2005

Mr. Donald Abelson
Chief of the International Bureau
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Mr. Abelson:

The National Telecommunications and Information Administration (NTIA), on behalf of the Executive Branch Agencies, has approved the release of three additional draft Executive Branch proposals for WRC-07. These proposals consider the federal agency inputs toward the development of U.S. Proposals for WRC-07.

The enclosure contains draft proposals that address agenda items 1.5, 1.6 and 1.12. The proposals for agenda items 1.5 and 1.6 were drafted by your WRC-07 Advisory Committee. NTIA approved these proposals, but made minor formatting and editorial changes to the proposal for agenda item 1.6. NTIA combined the two Advisory Committee proposals for 1.5 and made some changes to the text of the original proposals. The proposal for agenda item 1.12 represents a new proposal from NTIA. All the proposals are forwarded for your consideration and review by your WRC-07 Advisory Committee. Jim Vorhies of my staff is the primary contact for NTIA.

Sincerely,

Fredrick R. Wentland
Associate Administrator
Office of Spectrum Management

Enclosure

United States of America

DRAFT PROPOSAL FOR THE WORK OF THE CONFERENCE

Agenda Item 1.5: to consider spectrum requirements and possible additional spectrum allocations for aeronautical telecommand and high bit-rate aeronautical telemetry, in accordance with Resolution **230 (WRC-03)**;

Background Information:

1. During the meeting of ITU-R Working Party 8B held in September 2004, one Administration presented a paper (Document 8B/30) which proposed the adoption of definitions for the terms "aeronautical telemetry," and "aeronautical telecommand." WP8B square-bracketed the definitions in the CPM text and agreed to carry the matter forward for resolution at the next meeting. See Chairman's Report of the 15th Meeting of Working Party 8B, Document 8B/98, Annex 6.

The United States believes definitions in Article 1 of aeronautical telemetry and aeronautical telecommand are unnecessary. Aeronautical mobile telemetry (AMT) has been treated successfully in the ITU. The effort to agree Article 1 definitions would complicate the work of the WRC. The United States also believes that a less formal approach to exploring the meaning of these terms is more appropriate than adopting formal definitions under Article 1 of the Radio Regulations. To the extent any Administration should be of the view that further clarification regarding the scope of this agenda item is needed, it would be in order that such clarification be provided via modifications to the WP8B Preliminary Draft New Report.

2. Remotely piloted aircraft, also referred to as unmanned aerial vehicles (UAVs), are envisioned by many as fulfilling a variety of civil applications, and flying in national airspace of numerous Administrations within the next decade. Vehicles such as these must be carefully tested before any such operation commences given the obvious safety implications associated with these flights.

Additional spectrum designated for aeronautical mobile telemetry pursuant to agenda item 1.5 may be utilized for the flight testing of such aircraft. Such testing is expected to occur at designated test centers on a coordinated basis with incumbent services. Such use does not include command and control of UAVs in national airspace. Consideration of the spectrum needs of UAVs operating in national airspace could be the subject of other agenda items.

Proposal:

USA/ /01 **NOC**

ARTICLE 1

(with regard to definitions for aeronautical telemetry and aeronautical telecommand pursuant to agenda item 1.5 (WRC-03)).

Reasons: Formal definitions are not necessary for resolution of this agenda item. Aeronautical mobile telemetry (AMT) has been conducted for many years internationally without special definitions for the terms "aeronautical telemetry" or "aeronautical telecommand." See No. **5.342**, No. **5.343**, No. **5.394** and No. **5.395**.

USA/ /02

The operational command and control requirements of remotely-piloted aircraft (Unmanned Aerial Vehicles, UAVs) should not be considered under agenda item 1.5.

Reasons: Agenda item 1.5 was approved for one purpose only; namely, to ensure adequate spectrum resources for flight testing in the face of extraordinary increase in telemetry data rates. Accordingly, agenda item 1.5 is not appropriate for consideration of UAVs operating in airspace under civil control.

United States of America

DRAFT PROPOSAL FOR THE WORK OF THE CONFERENCE

Agenda Item 1.6: to consider additional allocations for the aeronautical mobile (R) service in parts of the bands between 108 MHz and 6 GHz, in accordance with Resolution **414 (WRC-03)** and, to study current satellite frequency allocations that will support the modernization of civil aviation telecommunication systems, taking into account Resolution **415 (WRC-03)**;

Background Information: This proposal is concerned with Resolution **415**, Secondary Allocations for AMSS (space-to-Earth) in the 11/12 GHz bands.

With ever increasing speed, existing and new communications systems are being based on Internet related protocols and services. Access to these services with sufficient bandwidth is becoming essential for all forms of telecommunications. Communications with aircraft are not exempt from this growing dependence on Internet applications. Aircraft owners and operators are realizing that without this access aeronautical operations will be hindered from gaining the efficiencies and benefits that these types of service offer. Internet usage is fast becoming dependent on broadband connectivity. A demonstrated viable means of providing this connectivity for mobile platforms on an intercontinental basis is through satellite channels.

The availability of this broadband communications capability on board aircraft will promote the efficiency of aircraft operations and provide access to information, such as enhanced weather data, hitherto inaccessible to aircraft in flight.

The ITU-R recognized that the use of the 14.0-14.5 GHz band for Aeronautical Mobile-Satellite Service (AMSS) on a Secondary basis was compatible with current Fixed-Satellite Service (FSS) systems and was supported by studies leading up to WRC-03. Additional studies in the ITU-R also confirmed compatibility with other Services in the 14.0-14.5 GHz range. At WRC-03, the decision was made to expand the secondary MSS allocation in the 14-14.5GHz band to include AMSS (Earth-to-space). This decision has enabled the use of Internet applications by aircrews and passengers.

Related to this decision, there were discussions of a downlink that could be used with this new uplink allocation and it was concluded at the 14th Plenary Meeting that:

1. The downlink (space-to-Earth) bands associated with the secondary mobile-satellite service allocation shall be:

    - In Region 1, 10.7-11.7 GHz and 12.5-12.75 GHz;
    - In Region 2, 10.7-12.2 GHz;
    - In Region 3, 10.7-11.7 GHz and 12.2-12.75 GHz.

2. The use of the downlink (space-to-Earth) bands listed above by the aeronautical mobile-satellite service shall be under the provisions of No. **4.4**.

Studies within the ITU-R assessed compatibility of the usage of the 11/12 GHz downlink band, associated with the 14 GHz uplink band, and found that these downlink signals could co-exist with FSS systems.

The adoption of and equipage of aircraft with a new communication system is expensive and time consuming. In order to protect their investment, aircraft operators would welcome the regulatory certainty brought by an allocation for the downlink frequencies used by these new systems.

Further, to conform to the usual conventions of the Radio Regulations, it is prudent and timely now to augment the existing Fixed-Satellite Service allocations around 11/12 GHz to include a secondary AMSS allocation for the downlink.

Proposal:

USA/ /1 MOD

ARTICLE 5

Frequency allocations

Section IV – Table of Frequency Allocations

10-11.7 GHz

Allocation to services		
Region 1	**Region 2**	**Region 3**
10-10.45 FIXED MOBILE RADIOLOCATION Amateur 5.479	**10-10.45** RADIOLOCATION Amateur 5.479 5.480	**10-10.45** FIXED MOBILE RADIOLOCATION Amateur 5.479
10.45-10.5	RADIOLOCATION Amateur Amateur-satellite 5.481	
10.5-10.55 FIXED MOBILE Radiolocation	**10.5-10.55** FIXED MOBILE RADIOLOCATION	

10.55-10.6	FIXED MOBILE except aeronautical mobile Radiolocation	
10.6-10.68	EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY SPACE RESEARCH (passive) Radiolocation 5.149 5.482	
10.68-10.7	EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.483	
10.7-11.7 FIXED FIXED-SATELLITE (space-to-Earth) 5.441 5.484A (Earth-to-space) 5.484 MOBILE except aeronautical mobile Aeronautical mobile-satellite (space-to-Earth) ADD5.XX	**10.7-11.7** FIXED FIXED-SATELLITE (space-to-Earth) 5.441 5.484A MOBILE except aeronautical mobile Aeronautical mobile-satellite (space-to-Earth) ADD 5.XY	**10.7-11.7** FIXED FIXED-SATELLITE (space-to-Earth) 5.441 5.484A MOBILE except aeronautical mobile Aeronautical mobile-satellite (space-to-Earth) ADD 5.XZ

11.7-14 GHz

Allocation to services		
Region 1	**Region 2**	**Region 3**
11.7-12.5 FIXED BROADCASTING BROADCASTING-SATELLITE MOBILE except aeronautical mobile	**11.7-12.1** FIXED 5.486 FIXED-SATELLITE (space-to-Earth) 5.484A Mobile except aeronautical mobile Aeronautical mobile-satellite (space-to-Earth) ADD 5.XY 5.485 5.488	**11.7-12.2** FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE

5.487 5.487A 5.492	**12.1-12.2** FIXED-SATELLITE (space-to-Earth) 5.484A Aeronautical mobile-satellite (space-to-Earth) ADD 5.XY 5.485 5.488 5.489	5.487 5.487A 5.492
	12.2-12.7 FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE 5.487A 5.488 5.490 5.492	**12.2-12.5** FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile BROADCASTING Aeronautical mobile-satellite (space-to-Earth) ADD 5.XZ 5.484A 5.487
12.5-12.75 FIXED-SATELLITE (space-to-Earth) 5.484A (Earth-to-space) Aeronautical mobile-satellite (space-to-Earth) ADD 5.XX 5.494 5.495 5.496	**12.7-12.75** FIXED FIXED-SATELLITE (Earth-to-space) MOBILE except aeronautical mobile	**12.5-12.75** FIXED FIXED-SATELLITE (space-to-Earth) 5.484A MOBILE except aeronautical mobile BROADCASTING-SATELLITE 5.493
12.75-13.25	FIXED FIXED-SATELLITE (Earth-to-space) 5.441 MOBILE Space research (deep space) (space-to-Earth)	
13.25-13.4	EARTH EXPLORATION-SATELLITE (active) AERONAUTICAL RADIONAVIGATION 5.497 SPACE RESEARCH (active) 5.498A 5.499	
13.4-13.75	EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH 5.501A Standard frequency and time signal-satellite (Earth-to-space) 5.499 5.500 5.501 5.501B	
13.75-14	FIXED-SATELLITE (Earth-to-space) 5.484A RADIOLOCATION Earth exploration-satellite Standard frequency and time signal-satellite (Earth-to-space) Space research 5.499 5.500 5.501 5.502 5.503	

Reasons: Under agenda item 1.11 at WRC-2003, the secondary allocation at 14-14.5 GHz to the mobile-satellite service (MSS) was extended to include the aeronautical mobile-satellite service (AMSS). Also at WRC-2003, since agenda item 1.11 dealt only with the extension of the MSS allocation at 14-14.5 GHz and did not include provisions for a downlink, the 14th Plenary Meeting concluded that the AMSS the downlink bands at 12 GHz shall be used under the provisions of RR **4.4**.

Since WRC-03, there has been rapidly growing global use of the AMSS in the 14-14.5 GHz band. In order to assure the users and providers of these new aeronautical applications of continuing spectrum availability, it is necessary to allocate downlink spectrum, on a secondary basis, corresponding to the existing uplink allocation. Rather than continue to operate the downlink under RR **4.4**, it is more consistent with the structure and the common practice of the Radio Regulations to have an AMSS secondary allocation listed in the Table for the downlink at 12 GHz. Additionally, to show that the AMSS in the 12 GHz band will operate with FSS satellites, there are three new footnotes, one for each Region, to reflect the same relationship between the FSS and AMSS services that is contained in RR **5.504**A for the uplink. This new allocation would, further, provide opportunities for the users of current fixed-satellite service frequency allocations to provide this service.

USA/ /2 ADD

5.XX In Region 1, in the bands 10.95-11.2 GHz, 11.45-11.7 GHz and 12.5-12.75 GHz, space stations in the fixed-satellite service may communicate with aircraft earth stations in the secondary aeronautical mobile-satellite service. The provisions of Nos. **5.29**, **5.30** and **5.31** apply.

Reasons: Reflects regional differences in FSS allocations and is consequential to the reasons given above.

USA/ /3 ADD

5.XY In Region 2, in the bands 10.95-11.2 GHz and 11.45-12.2 GHz, space stations in the fixed-satellite service may communicate with aircraft earth stations in the secondary aeronautical mobile-satellite service. The provisions of Nos. **5.29**, **5.30** and **5.31** apply.

Reasons: Reflects regional differences in FSS allocations and is consequential to the reasons given above.

USA/ /4 ADD

5.XZ In Region 3, in the bands 10.95-11.2 GHz, 11.45-11.7 GHz and 12.2-12.75 GHz, space stations in the fixed-satellite service may communicate with aircraft earth stations in the secondary aeronautical mobile-satellite service. The provisions of Nos. **5.29**, **5.30** and **5.31** apply.

Reasons: Reflects regional differences in FSS allocations and is consequential to the reasons given above.

United States of America

DRAFT PROPOSAL FOR THE WORK OF THE CONFERENCE

Agenda Item 1.12: to consider possible changes in response to Resolution **86 (Rev. Marrakesh, 2002)** of the Plenipotentiary Conference: "Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks" in accordance with Resolution **86 (WRC-03)**;

Background Information:

1. The scope and criteria to be used for the implementation of Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference by future world radiocommunication conferences (WRCs) is established in Resolution **86 (WRC-03)**. *Resolves 5* of Resolution **86 (WRC-03)** resolves "*to consider any changes to provisions of the Radio Regulations for space services that would result in the simplification of the procedures and the work of the Bureau and/or administrations.*"

2. Administrative due diligence applicable to some satellite Radiocommunication services was first adopted by WRC-97 as a means of addressing the problem of reservation of orbit and spectrum capacity without actual use (i.e., "paper" satellites) and was contained in several provisions of the Radio Regulations and also Resolution **49**. The WRC recognized that a trial period was required in order to gain experience in the effectiveness of administrative due diligence and reports have been made to WRC-2000, WRC-03, and the Plenipotentiary Conference (Marrakesh 2002).

Administrative due diligence, in its current form, consists in disclosure of data on the implementation of a satellite network or satellite system of the fixed-satellite service, mobile-satellite service or broadcasting-satellite service with frequency assignments that are subject to coordination under Nos. **9.7**, **9.11**, **9.12**, **9.12A** and **9.13** and Resolution **33 (Rev.WRC-03)** as well as to any such satellite network not yet recorded in the Master International Frequency Register by 22 November 1997. The due diligence information include the name of the spacecraft manufacturer; the contractual date of delivery and the number of satellites procured; and the name of the launch vehicle provider and the contractual launch date.

A frequency assignment for a space station subject to Resolution **49 (Rev. WRC-03)** will no longer be taken into account for the maximum period of seven years from the date of receipt of information required under No. **9.1** of the Radio Regulations if the complete due diligence information is not provided prior to the end of the period established as the regulatory limit for bringing into use.

3. Pursuant to the requirements of Resolution **49 (Rev.WRC-03)**, Resolution **85** (Minneapolis, 1998) and Resolution **81 (WRC-2000)**, the Director of the Radiocommunication Bureau is required to report to future radiocommunication conferences on the results of the implementation of the administrative due diligence procedure. WRC-2000 was also required, under the provisions of Resolution 85 (Minneapolis, 1998) to evaluate the results of the implementation of

administrative due diligence and to inform the Plenipotentiary Conference in 2002 of its conclusions in that regard. In addition, Resolution **81 (WRC-2000)** *instructs the Director of the Radiocommunication Bureau* to report to the 2002 Plenipotentiary Conference on the results of the implementation of the administrative due diligence procedure.

4. The Director of the Radiocommunications Bureau presented the following report to WRC-03, the most recent report on the topic: (WRC-03 Conference Document No. 4. Quoted in part)

"6 Due diligence

6.1 Introduction

The Radiocommunication Bureau presents this Report on the activities it has undertaken pursuant to the requirements of Resolution **49 (Rev.WRC-2000)**, Resolution **85 (Minneapolis, 1998)** and Resolution 81 (WRC-2000). Under the provisions of these resolutions, the Director of the Radiocommunication Bureau was required to report to WRC-2000 on the results of the implementation of the administrative due diligence procedure. WRC-2000 was also required, under the provisions of Resolution **85 (Minneapolis, 1998)** to evaluate the results of the implementation of administrative due diligence and to inform the Plenipotentiary Conference in 2002 of its conclusions in that regard. Resolution **81 (WRC-2000)** provided the required report. In addition,

Resolution **81 (WRC-2000)** instructed the Director of the Radiocommunication Bureau to report to the 2002 Plenipotentiary Conference on the results of the implementation of the administrative due diligence procedure. This report is an updated version of the report submitted to PP-02 by the Bureau.

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6.3 Results of the process

Detailed information/statistics on the processing by the Bureau of Resolution 49 (Rev.WRC-2000) due diligence requests and notices are contained in Annex 2. At this stage in the implementation of Resolution **49 (Rev.WRC-2000)**, the Bureau has not encountered any administrative difficulty in applying the provisions and in gathering and publishing information except some regulatory refinements which could be made and will be reported to WRC-03, As noted above, it has involved the collection of considerable data and the application of Bureau resources (approximately 1.2 professional and 0.3 general staff per annum).

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The Bureau notes also that, in addition to publication in the IFIC, due diligence information is made available on the ITU website (for non-planned services). The Bureau has not so far received queries from any administration on the information received and published pursuant to the requirements of the Resolution.

ANNEX 2

Details of the implementation of Resolution 49 (Rev.WRC-2000)

	Res. 49 Requests (number of networks)	Number of administrations	Period of survey	Due diligence received by 31.12.2002 (number of networks)	Due diligence published by 31.12.2002 (number of networks)	Cancellation by 31.12.2002 (number of networks)
Non-planned services	1574	Over 45	[2]DBIU < 30.06.03	878	878	152*
Planned services	179**	32	DBIU < 01.06.03	42	42	2

* All satellite networks cancelled under provision No. 11.44 of the Radio Regulations (frequency assignment not brought into use within the regulatory time-frame).

** 108 reminders have been sent in accordance with *resolves* 4 and Paragraph 10 of Annex 1 to Resolution 49. 111 Special Sections (AP30/E, AP30A/E) were published to modify the date of bringing into use.

5. WRC-03 suppressed Nos. **11.44B, C, D, E, F, G, H,** and **I,** thus removing the requirement for due diligence information related to extending the notified date of bringing into use. Except for specific cases involving launch failure and assignments in the Appendix **30/30A** list, WRC-03 changed the time limit for bringing into use from five years with a possibility for a two-year extension to a straight seven years after the date of receipt of Advance Publication information.

6. WRC-2000 also adopted No. **11.44.1**, which requires that the first notice for recording of an assignment under No. **11.15** be received by the Bureau by the end of the seven-year period or the assignment will no longer be taken into account.

7. Initially, application of Resolution **49** and the relevant provisions of the Radio Regulations resulted in the cancellation of a number of satellite filings. Now that assignments must be brought into use and the first notification and complete "due diligence" information must be submitted all within the same seven-year regulatory time limit, the role of due diligence in canceling "paper" satellites is significantly diminished.

8. Resolution **49** has served its purpose. Cancellation due to failure to either bring the satellite network or system into use or submit the first notification is a sufficient means of further addressing the problem of reservation of orbit and spectrum capacity without actual use. With the decline of the backlog and in order to conserve the resources of the Bureau and administrations, the necessity for Resolution **49** is no longer supported. Noting the extra resources used by the Bureau for Resolution **49** implementation, both personnel and maintaining the Resolution **49** data base, suppressing Resolution **49** will make additional resources available in a time of a very tight budget situation for the Bureau. Further, suppressing Resolution **49** will simplify the application of Articles 9 and 11 as contemplated by *resolves 5* of Resolution **86 (WRC-03)**.

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[2] DBIU = Date of bringing into use.

Proposals:

USA/ /1 SUP

RESOLUTION 49 (REV.WRC-03)

Administrative due diligence applicable to some satellite radiocommunication services

Reasons: With the decline of the backlog and the need to simplify procedures and conserve the resources of the Bureau and administrations, due diligence information is no longer needed and Resolution **49** can be suppressed.

USA/ /2 MOD

ARTICLE 9

Procedure for effecting coordination with or obtaining agreement of other administrations [1,2,3,4,5,6,7,8] (WRC03)

Reasons: Consequential to SUP note [4] A.9.4.

USA/ /3 SUP

[4] ~~**A.9.4**Resolution **49 (Rev.WRC-2000)*** shall also be applied with respect to those satellite networks and satellite systems that are subject to it. (WRC-2000)~~

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03).**

USA/ /4 MOD

ARTICLE 11

Notification and recording of frequency assignments 1,2,3,4,5,6 (WRC03)

Reasons: Consequential to SUP Note 2 A.11.2.

USA/ /5 SUP

[32] ~~**A.11.2** Resolution **49 (Rev.WRC-2000)*** shall also be applied with respect to those satellite networks and satellite systems that are subject to it. (WRC-2000)~~

Editorial Note: footnote number 32 is in error it should read as number 2.

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03).**

USA/ /6 MOD

[19] **11.44.1** In the case of space station frequency assignments that are brought into use prior to the completion of the coordination process, ~~and for which the Resolution 49 (Rev.WRC-03) data have been submitted to the Bureau,~~ the assignment shall continue to be taken into consideration for a maximum period of seven years from the date of receipt of the relevant information under No. **9.1**. If the first notice for recording of the assignments in question under No. **11.15** has not been received by the Bureau by the end of this seven-year period, the assignments shall no longer be taken into account by the Bureau and administrations. The Bureau shall inform the notifying administration of its pending actions three months in advance.

In the case of satellite networks for which relevant advance publication information has been received prior to 22 November 1997, the corresponding period will be nine years from the date of publication of this information. (WRC-2000)

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03).**

USA/ /7 SUP

RESOLUTION 55 (WRC-2000)

Temporary procedures for improving satellite network coordination and notification procedures

Reasons: The temporary procedures are fully implemented and this resolution, which, inter alia, calls for electronic submission of due diligence information, is no longer needed.

USA/ /8 SUP

RESOLUTION 81 (WRC-2000)

Evaluation of the administrative due diligence procedure for satellite networks

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03)**.

USA/ /9 MOD

APPENDIX 30 (REV.WRC-03)

4.1.3*bis* The regulatory time-limit for bringing into use of an assignment in the List may be extended once by not more than three years due to launch failure in the following cases:

– the destruction of the satellite intended to bring the assignment into use;

– the destruction of the satellite launched to replace an already operating satellite which is intended to be relocated to bring another assignment into use; *or*

– the satellite is launched, but fails to reach its assigned orbital location.

For this extension to be granted, the launch failure must have occurred at least five years after the date of receipt of the complete Appendix **4** data. In no case shall the period of the extension of the regulatory time-limit exceed the difference in time between the three-year period and the period remaining from the date of the launch failure to the end of the regulatory time-limit[6]. In order to take advantage of this extension, the administration shall have, within one month of the launch failure or one month after 5 July 2003, whichever comes later, notified the Bureau in writing of the date of the launch ~~such~~ failure~~, and shall also provide the following information to the Bureau~~ before the end of the regulatory time-limit of § 4.1.3. (WRC-07)~~:~~

~~– date of launch failure;~~

~~– due diligence information as required in Resolution **49 (Rev.WRC-03)** for the assignment with respect to the satellite that suffered the launch failure, if that information has not already been provided.~~

~~If, within one year of the request for extension, the administration has not provided to the Bureau updated Resolution **49 (Rev.WRC-03)** information for the new satellite under procurement, the related frequency assignments shall lapse. (WRC-03)~~

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4.2.6*bis* The regulatory time-limit for bringing into use of an assignment in the Region 2 Plan obtained through application of § 4.2 may be extended once by not more than three years due to launch failure in the following cases:

– the destruction of the satellite intended to bring the assignment into use;

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[6] For a launch failure which occurred before 5 July 2003, the maximum extension of three years shall apply as from 5 July 2003. (WRC-03)

– the destruction of the satellite launched to replace an already operating satellite which is intended to be relocated to bring another assignment into use; *or*

– the satellite is launched, but fails to reach its assigned orbital location.

For this extension to be granted, the launch failure must have occurred at least five years after the date of receipt of the complete Appendix **4** data. In no case shall the period of the extension of the regulatory time-limit exceed the difference in time between the three-year period and the period remaining from the date of the launch failure to the end of the regulatory time-limit[15]. In order to take advantage of this extension, the administration shall have, within one month of the launch failure or one month after 5 July 2003, whichever comes later, notified the Bureau in writing of ~~such~~ the date of the launch failure~~, and shall also provide the following information to the Bureau~~ before the end of the regulatory time-limit of § 4.2.6. (WRC-07)~~:~~

~~date of launch failure;~~

~~due diligence information as required in Resolution **49 (Rev.WRC-03)** for the assignment with respect to the satellite that suffered the launch failure, if that information has not already been provided.~~

~~If, within one year of the request for extension, the administration has not provided to the Bureau updated Resolution **49 (Rev.WRC-03)** information for the new satellite under procurement, the related frequency assignments shall lapse. (WRC-03)~~

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03).**

USA/ /10 MOD

APPENDIX 30A (REV.WRC-03)

4.1.3*bis* The regulatory time-limit for bringing into use an assignment in the List may be extended once by not more than three years due to launch failure in the following cases:

– the destruction of the satellite intended to bring the assignment into use; *or*

– the destruction of the satellite launched to replace an already operating satellite which is intended to be relocated to bring another assignment into use; *or*

– the satellite is launched, but fails to reach its assigned orbital location.

For this extension to be granted, the launch failure must have occurred at least five years after the date of receipt of the complete Appendix **4** data. In no case shall the period of the extension of the regulatory time-limit exceed the difference in time between the three-year period and the period remaining from the date of the launch failure to the end of the regulatory time-limit[8]. In order to take advantage of this extension, the administration shall have, within one month of the launch

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[15] For a launch failure which occurred before 5 July 2003, the maximum extension of three years shall apply as from 5 July 2003. (WRC-03)

[8] For a launch failure which occurred before 5 July 2003, the maximum extension of three years shall apply as from 5 July 2003. (WRC-03)

failure or one month after 5 July 2003, whichever comes later, notified the Bureau in writing of ~~such~~ the date of the launch failure~~, and shall also provide the following information to the Bureau~~ before the end of the regulatory time-limit of § 4.1.3. (WRC-07)~~:~~

~~– date of launch failure;~~

~~– due diligence information as required in Resolution 49 (Rev.WRC-03) for the assignment with respect to the satellite that suffered the launch failure, if that information has not already been provided.~~

~~If, within one year of the request for extension, the administration has not provided to the Bureau updated Resolution 49 (Rev.WRC-03) information for the new satellite under procurement, the related frequency assignments shall lapse. (WRC-03)~~

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4.2.6*bis* The regulatory time-limit for bringing into use of an assignment in the Region 2 Plan obtained through application of § 4.2 may be extended once by no more than three years due to launch failure in the following cases:

– the destruction of the satellite intended to bring the assignment into use; *or*

– the destruction of the satellite launched to replace an already operating satellite which is intended to be relocated to bring another assignment into use; *or*

– the satellite is launched, but fails to reach its assigned orbital location.

For this extension to be granted, the launch failure must have occurred at least five years after the date of receipt of the complete Appendix **4** data. In no case shall the period of the extension of the regulatory time-limit exceed the difference in time between the three-year period and the period remaining from the date of the launch failure to the end of the regulatory time-limit[18]. In order to take advantage of this extension, the administration shall have, within one month of the launch failure or one month after 5 July 2003, whichever comes later, notified the Bureau in writing of the date of launch ~~such~~ failure~~, and shall also provide the following information to the Bureau~~ before the end of the regulatory time-limit of § 4.2.6. (WRC-07)~~:~~

~~– date of launch failure;~~

~~– due diligence information as required in Resolution 49 (Rev.WRC-03) for the assignment with respect to the satellite that suffered the launch failure, if that information has not already been provided.~~

~~If, within one year of the request for extension, the administration has not provided to the Bureau updated Resolution 49 (Rev.WRC-03) information for the new satellite under procurement, the related frequency assignments shall lapse. (WRC-03)~~

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03)**.

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[18] For a launch failure which occurred before 5 July 2003, the maximum extension of three years shall apply as from 5 July 2003. (WRC-03)

failure or one month after 5 July 2003, whichever comes later, notified the Bureau in writing of ~~such~~ the date of the launch failure~~, and shall also provide the following information to the Bureau~~ before the end of the regulatory time-limit of § 4.1.3. (WRC-07)~~:~~

~~date of launch failure;~~

~~due diligence information as required in Resolution **49 (Rev.WRC-03)** for the assignment with respect to the satellite that suffered the launch failure, if that information has not already been provided.~~

~~If, within one year of the request for extension, the administration has not provided to the Bureau updated Resolution **49 (Rev.WRC-03)** information for the new satellite under procurement, the related frequency assignments shall lapse. (WRC-03)~~

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4.2.6*bis* The regulatory time-limit for bringing into use of an assignment in the Region 2 Plan obtained through application of § 4.2 may be extended once by no more than three years due to launch failure in the following cases:

– the destruction of the satellite intended to bring the assignment into use; *or*

– the destruction of the satellite launched to replace an already operating satellite which is intended to be relocated to bring another assignment into use; *or*

– the satellite is launched, but fails to reach its assigned orbital location.

For this extension to be granted, the launch failure must have occurred at least five years after the date of receipt of the complete Appendix **4** data. In no case shall the period of the extension of the regulatory time-limit exceed the difference in time between the three-year period and the period remaining from the date of the launch failure to the end of the regulatory time-limit[18]. In order to take advantage of this extension, the administration shall have, within one month of the launch failure or one month after 5 July 2003, whichever comes later, notified the Bureau in writing of the date of launch ~~such~~ failure~~, and shall also provide the following information to the Bureau~~ before the end of the regulatory time-limit of § 4.2.6. (WRC-07)~~:~~

~~date of launch failure;~~

~~due diligence information as required in Resolution **49 (Rev.WRC-03)** for the assignment with respect to the satellite that suffered the launch failure, if that information has not already been provided.~~

~~If, within one year of the request for extension, the administration has not provided to the Bureau updated Resolution **49 (Rev.WRC-03)** information for the new satellite under procurement, the related frequency assignments shall lapse. (WRC-03)~~

Reasons: Consequential to SUP Resolution **49 (Rev. WRC-03)**.

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[18] For a launch failure which occurred before 5 July 2003, the maximum extension of three years shall apply as from 5 July 2003. (WRC-03)