

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 E: Failure of a satellite during the ninety-day bringing into use period

Background Information: WRC-12 introduced the additional provisions No. **11.44.2** and No. **11.44B** in the Radio Regulations (RR) in order to better define the bringing into use of a frequency assignment to a space station in the geostationary satellite orbit. According to RR No. **11.44B**, "*A frequency assignment to a space station in the geostationary-satellite orbit shall be considered as having been brought into use when a space station in the geostationary-satellite orbit with the capability of transmitting or receiving that frequency assignment has been deployed and maintained at the notified orbital position for a continuous period of ninety days ...*". However, the current provisions regarding the bringing into use do not address a possible scenario of a satellite failure during the above-mentioned period of ninety days. WRC-12 discussed the issue of a satellite failure, especially that of a newly launched satellite, during the ninety-day bringing into use period that renders the satellite technically incapable of operating in a given frequency band. WRC-12 invited the ITU-R to study the issue, as a matter of urgency, to determine what regulatory changes, if any, should be made to the RR under WRC-15 agenda item 7 to address this issue. Furthermore, WRC-12 decided that in case of such failure, the notifying administration may submit the case to the Radio Regulations Board (RRB) for its consideration and decision on a case-by-case basis.

Methods E1 and E2 in the [draft]¹ Conference Preparatory Meeting (CPM) Report propose to allow a frequency assignment to be considered as having been brought into use in accordance with RR No. **11.44B**, in cases for which a frequency assignment could not be brought into use due to a failure of a satellite during the ninety-day bringing into use period. Method E2 would, additionally, allow a frequency assignment to be considered as having been brought back into use in accordance with RR No. **11.49.1**, in cases for which a suspended frequency assignment could not be brought back into use due to a failure during the ninety-day period of bringing a frequency assignment back into use under No. **11.49.1**. However, after consideration of the discussions within the ITU-R of this issue, it would be better to continue to apply the current procedures in the Radio Regulations since the failure of any satellite during a 90-day BIU or bringing back into use (BBIU) period is considered to be extremely rare. In the case of a newly-launched or on-orbit satellite failure during the 90-day BIU or BBIU period, Administrations already have the possibility of petitioning the RRB for relief under the current procedures. If not successful at the RRB, then Administrations may petition a WRC. There is no regulatory difference between a newly launched satellite or an on-orbit satellite, and any provisions in the RR concerning BIU should apply equally to both cases. Additionally, Methods E1 and E2 in the [draft] CPM text, if adopted, could encourage abuse by unintentionally sanctioning the movement of aging and older satellites from one orbital location to another for the purpose of bringing into use orbital slots without worry about potential satellite failure.

¹ Reference to "draft" CPM Report/text will be removed upon finalization of the Report to WRC-15

Since there have not been any demonstrable events of a satellite failure during the BIU period, it is premature and unnecessary to modify the current regulatory procedures. Therefore, the United States, in accordance with Method E3 in the [draft] CPM text, proposes No Change to Article 11 of the Radio Regulations for this Issue under WRC-15 agenda item 7.

Proposal:

NOC USA/AI 7/1

ARTICLE 11

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

Reason: There have not been any demonstrable events of a satellite failure during the BIU period so it is premature and unnecessary to modify the current regulatory procedures.