

DRAFT PROPOSAL FOR AI 7, ISSUE I

The following is a draft proposal for Agenda Item 7, Issue I (excessive filings). This proposal aligns with Method I1.4 from Sections 5/7/9.5.1.4 in the CPM Report to WRC-15.

UNITED STATES OF AMERICA

PROPOSALS FOR THE WORK OF THE CONFERENCE

Agenda Item 7: *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 (Rev.WRC-07) to facilitate rational, efficient, and economical use of radio frequencies and any associated orbits, including the geostationary-satellite orbit*

Issue I: Possible method to mitigate excessive satellite network filings issue

Background Information:

Issue I focuses on the potential issue of excessive satellite network filings from two perspectives – supposedly excessive filings at the coordination (CR/C) stage, and supposedly excessive filings at the advance publication (API) stage. The supposed problem area targeted in Issue I is not one of Administrations incorrectly applying the Radio Regulations but it is instead the observation that many Administrations with active satellite network filings (i.e. API and CR/C) do not affirmatively suppress their filings even when it becomes clear that the frequency assignments will not be brought into use prior to the end of the regulatory lifetime of the filing. There is no requirement in the Radio Regulations for Administrations to affirmatively suppress a filing at any time. Adding additional interim filing obligations on Administrations during the regulatory lifetime of the filing would substantially increase burdens and costs both for Administrations and for the Bureau without having any real impact on the availability of the orbital/spectrum resource or reducing coordination burden for Administrations actively seeking to implement their satellite network filings.

The United States agrees that Administrations should be encouraged, in keeping with guiding principles of the ITU, to either not make satellite network filings they do not intend to implement, or to relinquish filings made that they no longer intend to use or are unable to implement. The United States does not agree, however, that the establishment of mandatory mechanisms for these purposes is either necessary or justified. There is indeed real congestion in some satellite frequency bands, and identifying available orbital/spectrum resources often is a challenge. At the same time, the coordination process, as refined and being refined over the years, generally provides Administrations and operators intent on implementing their satellite network filings the opportunity to do so. The system is not perfect, but it is being improved at each WRC through refinements to Articles 9 and 11, and 13, and Appendices 30, 30A, and 30B that are designed to minimize unnecessary and artificial barriers to new entry, and to provide the BR with improved tools to ensure that the MIFR contains only networks actually in use.

To this end, the United States does not see that any revisions to the CR/C process that would add additional filing obligations during the regulatory lifetime are likely to reduce the number of filings in the ITU database. Nor are such revisions likely to ease a filing Administration's path to implementation of its planned satellite networks. The United States thus proposes no change under the CR/C component of Issue I (in keeping with Method I1.4 in Section 5/7/9.1.5.4 of the CPM Report).

With respect to the API process, the United States believes that elimination of the six-month period between API and receipt of the CR/C would provide some benefits in terms of processing of satellite network filings and reducing the number of APIs and, by association, CR/Cs submitted, by eliminating some of the inherent uncertainties in the current API and CR/C process. For this reason, the United States proposes changes to the Radio Regulations under Issue C to eliminate that gap (in keeping with Option B to Method C3 in Section 5/7/3.5.3 of the CPM Report). That proposal, under Issue C, is not reproduced here.

Proposals:

NOC USA/7/I/1

ARTICLE 9

Procedure for effecting coordination with or obtaining agreement of other administrations^{1, 2, 3, 4, 5, 6, 7, 8, 8bis} (WRC-12)

Reasons: There is no need to change the Radio Regulations specifically to address the supposed issue of excessive CR/C filings.

NOC USA/7/I/2

ARTICLE 11

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

Reasons: There is no need to change the Radio Regulations specifically to address the supposed issue of excessive CR/C filings.