

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)	
Petition For Rule Making)	
concerning the modification of the)	RM-11351
Commission's Rules to incorporate)	Report No. 2796
certain results of WRC-03)	

**COMMENTS OF HISPAMAR SATELLITES ON THE PETITION FOR
RULEMAKING SUBMITTED BY HISPASAT CONCERNING THE
MODIFICATION OF THE COMMISSION'S RULES TO INCORPORATE
CERTAIN RESULTS OF WRC-03**

HISPAMAR SATELLITES¹ is pleased to submit its opinion on the Petition for Rulemaking contained on Report No. 2796.

The demand for fixed satellite Ku-band applications in the United States is expected to grow in the near future. However, the supply is not completely following this demand, which is mostly driven by new technologies, as for example High Definition TV and technologies that better serve government applications, such as UAV (Unmanned Aerial Vehicles). There could be a near shortage of Ku-band capacity in the United States market.

The imbalance between the FSS bandwidth available for uplink (earth to satellite) and downlink (satellite to earth) was not yet properly resolved despite all the efforts that took place since the WARC-92. A 750 MHz spectrum is available for the Ku-band downlink and only a 500 MHz spectrum is available for the Ku-band uplink spectrum. To solve this

¹ HISPAMAR SATELLITES is a Brazilian company operating communication satellites of which AMAZONAS-1 satellite is included in the Federal Communications Commission's Permitted Space Station List ("Permitted List")



situation, the ITU Radio Regulation applied to the 13.75 – 14.0 GHz bandwidth was amended according to the decisions which were taken at the WRC-03 held in Geneva. In particular, the footnotes Nos. 5.502 and 5.503 were revised to reflect new sharing rules established between the Fixed Satellite Service (FSS) and Radio Location Service (RLS), allowing implementation of Fixed Service Satellite earth stations as small as 1.2 m. Despite that fact, today only 4.5 m earth stations are generally permitted under the FCC rules and the results from WRC-03 were not yet implemented in the U. S.

HISPAMAR SATELLITES in supporting the HISPASAT petition, respectfully request that the United States administration implement the results of WRC-03 concerning the sharing rules established for the 13.75 – 14.0 GHz which entered into force as of 1st January 2005 as an International Treaty, signed by, among other countries, the United States. It is to be reminded that the U.S. had an active participation in ITU-R Study Groups to adopt a Recommendation on that regard which contains the necessary methods to ensure the protection of the Radiolocation Service (RLS).

HISPAMAR SATELLITES believes that the adoption of the amended rules established for the 13.75 – 14.0 GHz band at the WRC-03 will contribute for a more efficient spectrum utilization in the United States without interference risks and will also contribute to improve the current demand – supply scenario for the Ku-band FSS market.

This adoption will also promote the satellite industry as it will increase the production of equipment that utilizes the 13.75 – 14.0 GHz bandwidth to supply the existing demand for such terminals. Also, satellite manufacturers will be encouraged to invest in future payloads adopting the 13.75 – 14.0 GHz band. The current rules for the 13.75 – 14.0



GHz FSS bandwidth do not encourage neither earth station equipment manufacturers nor the satellite manufacturers to invest on greater utilization of this bandwidth. The satellite users will also benefit from this adoption as there will be more technical solutions available for their applications.

HISPAMAR SATELLITES hereby supports the HISPASAT petition to implement the results of the WRC-03 related to the use of the 13.75-14 GHz band.

Respectfully submitted,

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