



Before the

FEDERAL COMMUNICATIONS COMMISSION  
445 12th St., S.W.  
Washington, D.C. 20554

In the Matter of

Petition for Rulemaking Concerning )  
Modification of the Commission's Rules to ) RM-11351  
Implement the Results of WRC-03 )  
Pertaining to FSS Use of the )  
Frequency Band 13.75-14.00 GHz )

COMMENTS AND SUPPORT OF  
THE EUROPEAN SATELLITE OPERATORS ASSOCIATION

On February 24, 2006, Jansky-Barmat Telecommunications, Inc. filed a petition for Rulemaking with the Federal Communications Commission ("FCC") on behalf of Hispasat Satellite ("Jansky-Barmat Petition") proposing modification of the relevant sections of Parts 2 and 25 of the FCC's rules to allow operation of transmit earth station antennas as small as 1.2 meters in the frequency band 13.75 – 14.00 GHz.<sup>1</sup> The European Satellite Operators' Association ("ESOA")<sup>2</sup> is pleased to provide the following views on this proposal.

In 2003, the World Radiocommunication Conference (WRC-03) held in Geneva, Switzerland amended the ITU Radio Regulations to reduce the minimum size of

<sup>1</sup> FCC Public Notice Report No. 2796, released for public comment on 1 December 2006.

<sup>2</sup> The European Satellite Operators' Association ("ESOA") represents the interests of the satellite industry with key national, European and international organisations. ESOA's goals include ensuring that satellites benefit from the appropriate political and regulatory environment to fulfil their vital role in the delivery of communications. Members of ESOA are: EADS SPACE Services, Eurasiasat, HellasSat, Hispasat, Inmarsat, SES NEW SKIES, SES Sirius, SES GLOBAL, Telenor Broadcasting Holding and Telespazio. In addition, Arianespace, EADS SPACE Services, International Space Brokers and Mansat are Supporting Members of ESOA. Further details about the ESOA can be found at [www.esoa.net](http://www.esoa.net).



satellite earth stations antennas using the band 13.75-14.00 GHz from 4.5 meters to 1.2 meters diameter. This change was carried out by the Conference taking into account technical and regulatory studies made by ITU itself that thoroughly analyzed the sharing situation, particularly between the Fixed Satellite Service ("FSS") and Radio Location Service (RLS), and arrived at the conclusion that FSS earth stations could use smaller antenna sizes than 4.5m, such as 1.2 meter antennas, in this band without interference risks.

The Jansky-Barmat Petition concerns the modification of the Commission's rules to reflect the implementation of the WRC-03 results. In the United States, there is considerable demand to install earth stations using the band 13.75-14.00 GHz for FSS. The adoption of the changes proposed in the Jansky-Barmat Petition will allow for the further development and use of FSS in the United States.

It has been more than three years since the results concerning the 13.75-14.00 GHz band came into force and became part of ITU Radio Regulations as an International Treaty signed by many countries, including the United States. It is critical now that all countries implement the ITU Radio Regulations, as amended at WRC-2003, in their national allocation tables and service rules. This supports the public interest by facilitating the efficient use of the 13.75-14.00 GHz band for much-needed satellite services, while at the same time implementing internationally-agreed measures to ensure the protection of the Radio Location Service.

In conclusion, noting the background, objectives, and concerns made by Jansky-Barmat, ESOA wishes to lend its support to the Jansky-Barmat Petition for Rulemaking and urges the Commission to implement the results of WRC-03 related to the FSS use of the 13.75-14.00 GHz band by modifying the existing FCC rules accordingly.

Respectfully submitted,

Aarti Holla-Maini  
Secretary General

Brussels, 2 January 2007