

## UNITED STATES OF AMERICA

### DRAFT PROPOSAL FOR WRC-11

**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)

**ISSUE:** Application of Nos. 9.51 and 9.52 with respect to coordination under No. 9.7

**BACKGROUND:** For sake of discussion assume that the coordination request of a network of administration A has been published and that administration B has been identified by the Bureau under No. **9.7** as one of the administrations with which coordination has to be effected.

Then, according No. **9.51**, administration B, within four months of the publication of the coordination request, shall “either inform the requesting administration of its agreement or act under No. **9.52**”, with the latter meaning that administration B will express its disagreement, i.e. the need for coordination.

In the vast majority of cases, administrations respond in accordance with No. **9.52** without providing any reasons for their disagreement. It is certainly the easiest and safest way to proceed.

It follows from the above that the required formal answer under Nos. **9.51** or **9.52** has lost its value in the framework of GSO to GSO coordination. An improvement to this aspect of the process can be realized by lifting the mandatory nature of this requirement for coordination requests made under No. **9.7** (GSO vs. GSO).

In an improved process, after the coordination request of a satellite network of administration A is published together with the initial list of administrations and corresponding provisional list of satellite networks with which coordination has to be effected, administrations would review this list. In case an administration wants to add or remove itself and/or a network, then it would send this request to the Bureau, as well as to administration A, within four months of the date of publication of the coordination request. However, if an administration agrees with the initial list of administrations and provisional list of corresponding networks published by the Bureau, no action would be required. In particular, an administration already included in the list would not be removed from the final list due to lack of response under No.**9.52** as such lack of a response would be understood by the Bureau to mean that this administration believes that coordination with one or more of its networks is required. Removing the requirement to respond under No. **9.52** will eliminate a significant amount of

correspondence that in most cases does not contribute in any way to expedite coordination process.

**U.S. PROPOSAL:** In view of the above the United States proposes that changes to Article 9 of the Radio Regulations be introduced in order to allow that: (1) if an administration, in respect to a coordination request from another administration, is not in a position to give its agreement under No. **9.51** then this administration would not need to respond to such a request; and (2) the lack of such a response would be understood by the Bureau to mean that this administration believes that coordination with one or more of its networks is required.

## Annex 2

### Proposed Modifications to Some Provisions of the Radio Regulations

#### MOD

**9.51** Following its action under No. **9.50**, the administration with which coordination was sought under Nos. **9.7** to **9.7B** shall, within four months of the date of publication of the BR IFIC under No. **9.38** or its addenda published under No. **9.42**, respectively, either inform the requesting administration and the Bureau of its agreement or act under No. **9.52**.

*Reason: To explicitly state that different 4-month windows apply to the original publication and each of its addenda published within or just after the first 4-month period.*

#### MOD

**9.52** If an administration, following its action under No. **9.50**, does not agree to the request for coordination, it shall, within four months of the date of publication of the BR IFIC under No. **9.38**, or of the date of dispatch of the coordination data under No. **9.29**, inform the requesting administration of its disagreement and shall provide information concerning its own assignments upon which that disagreement is based. It shall also make such suggestions as it is able to offer with a view to satisfactory resolution of the matter. A copy of that information shall be sent to the Bureau.<sup>24A</sup> Where the information relates to terrestrial stations or earth stations operating in the opposite direction of transmission within the coordination area of an earth station, only that information relating to existing radiocommunication stations or to those to be brought into use within the next three months for terrestrial stations, or three years for earth stations, shall be treated as notifications under Nos. **11.2** or **11.9**.

*Reason: To indicate that the following footnote is added:*

#### ADD

<sup>24A</sup> **9.52.1** In the case of coordination requests under No. 9.7, an affected administration not responding under Nos. 9.51 or 9.52 within four months of the date of publication of the BR IFIC made under No. 9.38 shall continue to be regarded as an affected administration. The fact that this administration did not reply under No.9.52 will be considered as a confirmation – for its part – of the BR publication and will not change its status under No. 9.36 nor the list of its networks established under No. 9.36.2.

*Reason:* This footnote to No. 9.52 lifts the mandatory nature of making comments under No. 9.52 for the coordination category of No. 9.7 (GSO/GSO). A non-reply will be understood as a confirmation of the BR IFIC publication made under No. 9.38, with respect to the list of affected administrations (No. 9.36) and the list of satellite networks compiled under No. 9.36.2.

## **MOD**

**9.60** If, within the same four-month period specified in Nos. **9.51** or **9.51A**, an administration with which coordination is sought under Nos. **9.7A** ~~to or~~ **9.7B** ~~and or~~ **9.15** to **9.19** fails to reply or to give a decision under Nos. **9.51** or **9.51A** or, following its disagreement under No. **9.52**, fails to provide information concerning its own assignments on which its disagreement is based, the requesting administration may seek the assistance of the Bureau. The administration initiating the coordination under No. 9.7 may also request the assistance of the Bureau when this administration considers that any of the affected administrations is not willing to participate in the coordination process or does not want to cooperate in the resolution of the problems in the manner foreseen under No. 9.53.

*Reason:* As the new provision footnote No. 9.52.1 above proposes to lift the mandatory nature of No. 9.52 for the coordination category of No. 9.7 (GSO/GSO), this category has to be excluded from the current formulation of No. 9.60. However, the possibility for the initiating administration to ask the Bureau's assistance in case of difficulties should be maintained.

## **MOD**

**9.62** If the administration concerned ~~still~~ fails to respond within thirty days of the Bureau's action under No. **9.61**, the provisions of Nos. **9.48** and **9.49** shall apply.

*Reason:* The word "still" is not applicable to the situation addressed in the last sentence of the modified No. 9.60.