

UNITED STATES OF AMERICA

DRAFT 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)*

Issue 3A: Application of RR Nos. 11.41 and 11.42 in respect of satellite networks (Provisional / definitive recording of frequency assignments)

Background Information: In its report to the 2007 World Radiocommunications Conference (Document 4, Addendum 2, Section 3.1.3.3), the Radiocommunications Bureau (BR) considered the case of recording provisional assignments under No. **11.41**. The BR indicated that there were insufficient “indications as what would be the course of action, by the Bureau, if harmful interference is reported, during the four-month period of simultaneous operation.”

The BR’s initial proposal suggested that: “[i]f the interference is not eliminated by the end of the four-month period envisaged for simultaneous operation, the Bureau cancels the “incoming” assignment (i.e. the one recorded under No. **11.41**) and informs the concerned administration accordingly.”

The BR proposal may provide excessive control to the administration claiming interference, since there is no requirement for that administration to present proof of harmful interference. In the case of actual harmful interference, it may take considerable time to establish the source of interference which could result in automatic cancellation of particular frequency assignments without definitively establishing that those frequency assignments were the cause of the unresolved interference complaint. However, removing any type of “penalty” for a provisional assignment causing harmful interference to the assignment which was the basis of the unfavourable finding under No. **11.32A** could lead to administrations purposefully not completing difficult coordinations with networks having date priority and already recorded in the MIFR.

For the case where complaints of interference are received after the four-month period, the BR’s initial proposal suggested that: “For a complaint received beyond the four month period indicated in No. **11.41**, it requests the administration responsible for the “incoming” assignment (i.e. the one recorded under No. **11.41**) to eliminate the harmful interference immediately under No. **11.42**. The matter is thereafter dealt with in accordance with the procedures set forth in Article **15** of the Radio Regulations.”

So, summarizing the BR proposal, if an interference complaint is received against a new assignment within the first four months of operations of the new assignment and the interference is not eliminated within the 4 months, the BR would cancel the new assignment. If an interference complaint is received after the first four months, the BR would ask the

administration responsible for the provisionally recorded assignments to eliminate the interference immediately and then apply the procedures of Article 15. It would seem that there should be no difference in treatment applied to situations where the interference complaints occur within or outside the four-month period. However, if the harmful interference is not resolved, then the provisional assignment should be cancelled by the BR and the concerned administration informed accordingly.

Proposal:

ARTICLE 11

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

Section II – Examination of notices and recording of frequency assignments in the Master Register

**NOC
11.41**

Reasons: Changes are not required to this provision.

11.42 Should harmful interference be caused by an assignment recorded under No. 11.41 to any recorded assignment which was the basis of the unfavourable finding, the station using the frequency assignment recorded under No. 11.41 shall, upon receipt of a detailed report of harmful interference using to the maximum extent possible the format prescribed in Appendix 10 of the Radio Regulations, immediately eliminate this harmful interference. Administrations involved shall cooperate in the resolution of the harmful interference and may request assistance from the Bureau, as necessary.

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Reasons: Changes clarify that complaints of harmful interference should be based on a detailed report of the interference event.

ADD

11.42bis In respect of satellite networks, if the Bureau is informed that the harmful interference reported under No. 11.41 is resolved and the two assignments have been in use for at least four months without any complaint of harmful interference, the Bureau shall change the provisional entry recorded under No. 11.41 to definitive. If, after cooperation between the concerned administrations and the assistance of the Bureau, the harmful interference is not resolved, the Bureau shall cancel the provisional entry recorded under No. 11.41, subject to confirmation by the Board, and shall inform the administrations concerned. Until the cancellation is confirmed by the Board, the Bureau shall maintain the provisional assignment in the MIFR.

Reasons: New provision explicitly states that if harmful interference is not resolved the BR shall cancel the provisional entry. However, cancellation depends on confirmation by the Board and does not go into force until such confirmation occurs.
