



PUBLIC NOTICE

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International Bureau Satellite Division Information: Clarification of 47 C.F.R. § 25.140(b)(2) Space Station Application Interference Analysis

The Commission requires all applications for space station licenses to be substantially complete when they are filed. Applications that are not substantially complete are returned to the applicant without further processing.¹ The Commission's Part 25 Rules set forth various information requirements that applicants must provide in their space station applications.² Applicants requesting launch and operating authority for space stations operating in the Fixed-Satellite Service (FSS) must provide, among other things, an interference analysis demonstrating that the proposed FSS satellite system will be compatible with the Commission's two-degree orbital spacing environment.³ Specifically, Section 25.140(b)(2) states that each applicant must provide an interference analysis demonstrating the compatibility of its proposed system two degrees from **any** authorized space station. Historically, applicants have submitted interference analyses based on other authorized or proposed systems or based on the technical data of the applicant's own satellite in cases where there are no licensed or proposed satellites within two degrees of the applicant's proposed orbital location. On December 3, 2003 the International Bureau, Satellite Division, issued a Public Notice providing guidance on the types of technical information that must be included in an interference analysis.⁴ In this Public Notice, we provide further guidance on the "adjacent" satellites on which an interference analysis must be based.

¹ See e.g., Amendment of the Commission's Space Station Licensing Rules and Policies, *First Report and Order and Further Notice of Proposed Rulemaking*, IB Docket No. 02-34, 18 FCC Rcd 10760, 10852 (para. 244) (2003), (*First Space Station Reform Order*), citing Amendment of the Commission's Space Station Licensing Rules and Policies, *Notice of Proposed Rulemaking*, IB Docket No. 02-34, 17 FCC Rcd 3847, 3875 (para. 84) (2002).

² See 47 C.F.R. Part 25.

³ See 47 C.F.R. § 25.140; Licensing of Space Stations in the Domestic Fixed-Satellite Service and Related Revisions of Part 25 of the Rules and Regulations, *Report and Order*, CC Docket No. 81-704, FCC 83-184, 54 Rad. Reg. 2d 577 (released Aug. 16, 1983); *summary printed in* Licensing Space Stations in the Domestic Fixed-Satellite Service, 48 F.R. 40233 (Sept. 6, 1983) (*Two Degree Spacing Order*).

⁴ International Bureau, Satellite Division Information: Clarification of 47 C.F.R. § 25.140(b)(2), Space Station Application Interference Analysis, *Public Notice*, SPB-195, 18 FCC Rcd 25099 (2003) (*December 3 Public Notice*).

We clarify that the interference analysis required by Section 25.140(b)(2) must demonstrate the proposed satellite's two degree compatibility with currently authorized stations. Where there are no currently authorized stations within two degrees of the applicant's proposed station, the applicant must demonstrate the compatibility of its system with a proposed station at an assumed two degree separation. In situations where there are no authorized or proposed stations within two degrees of the applicant's requested orbit location, the applicant must submit an interference analysis, with an assumed two degree separation, using either: (1) the technical characteristics of authorized or proposed satellites located more than two degrees away that meet U.S. two-degree compliance rules; or (2) the technical characteristics of the applicant's own satellite.

Parties seeking to file applications requesting launch and operating authority for geostationary satellite orbit space stations operating in an FSS frequency band are advised to carefully review Section 25.140 of the Commission's Rules, the *Two-Degree Spacing Order*, the *December 3 Public Notice*, and the guidance provided in this Public Notice. Any geostationary satellite orbit space station applications for operation in any FSS frequency band received after the date of this public notice that do not contain an interference analysis meeting the requirements specified in the *December 3 Public Notice* and this Public Notice will be dismissed as defective. Applications filed prior to this Public Notice that do not meet these requirements may be subject to a Commission letter requesting that the applicant provide supplemental information on the interference analysis. Failure to respond in a timely manner to the request for supplemental information may result in the dismissal of the application pursuant to Sections 25.112(c) and 25.152(b) of the Commission's rules.⁵

For further information, contact Robert Nelson at 202-418-2341.

⁵ See also *First Space Station Reform Order*, 18 FCC Rcd at 10760 (para. 244).