PUBLIC NOTICE

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DA 04-3580
November 15, 2004

THE FCC'S ADVISORY COMMITTEE FOR THE 2007 WORLD RADIOCOMMUNICATION CONFERENCE PROPOSES PRELIMINARY VIEWS ON WRC-07 ISSUES

IB Docket No. 04-286

On November 10, 2004, the World Radiocommunication Conference Advisory Committee (WRC-07 Advisory Committee) adopted preliminary views on a number of issues that the 2007 World Radiocommunication Conference (WRC-07) will address. The WRC-07 Advisory Committee was established by the Commission in January 2004 to assist it in the development of proposals for WRC-07. To that end, the WRC-07 Advisory Committee has forwarded the recommendations it has developed since the beginning of the year to the Commission for consideration. We have attached to this Public Notice the WRC-07 Advisory Committee's latest recommendations, which are in the form of "preliminary views". We appreciate the substantial amount of work that the WRC-07 Advisory Committee has put into developing its recommendations. This Public Notice requests comments on all of these preliminary views.

Based upon our initial review of the recommendations forwarded to the Commission, the International Bureau in coordination with other Commission Bureaus and Offices tentatively concludes that we can generally support the preliminary views recommended by the WRC-07 Advisory Committee. We seek comment on the recommendations that appear in all of the WRC-07 Advisory Committee documents.

In addition, the National Telecommunications and Information Administration (NTIA) has provided to the Commission a preliminary view that was developed by the Executive Branch Agencies. We also request comment on this preliminary view.

The comments provided will assist the FCC in its upcoming consultations with the U.S. Department of State and NTIA in the development of U.S. preliminary views. Once agreed by these agencies of the U.S. Government, preliminary views will be used by U.S. delegations at bilateral, regional and international meetings to stimulate discussion and to attempt to achieve common proposals with other countries on the WRC-07 issues. The proposed preliminary views that are attached to this Public Notice may evolve in the course of interagency discussions as we approach WRC-07 and, therefore, do not constitute a final U.S. Government position on any issue.

The complete text of these preliminary views and proposals is also available in the FCC's Reference Information Center, Room CY-A257, 445 12th Street, SW, Washington, DC 20554 or by accessing the FCC's WRC-07 world wide web site at: http://www.fcc.gov/wrc-07. To comment on the preliminary

views and proposals, please submit an original and one copy of your comment to Alexander Roytblat, FCC WRC-07 Director, Federal Communications Commission, Room 6-A865, 445 12th Street, SW, Washington, DC 20554. Comments should refer to IB Docket No. 04-286 and to specific preliminary views by document number. Parties preferring to e-mail their comments should address their comments to: wrc07@fcc.gov. The deadline for comments on the proposed preliminary views is November 24, 2004. It is necessary that comments be received by November 24, 2004 to support the formulation of the U.S. positions in time for the meeting of the Inter-American Telecommunication Commission, Permanent Consultative Committee II, WRC-07 Working Group that is scheduled to begin on December 6, 2004.

I. Recommendations on draft preliminary views by the Advisory Committee for the 2007 World Radiocommunication Conference:

INFORMAL WORKING GROUP 1 (IWG-1)
Terrestrial and Space Science Services

Document WAC/031(10.11.04):

IWG-1 Modifications to RCS Draft Preliminary View for WRC-07

Radio Conference Subcommittee (RCS)
Preparation for ITU Radiocommunication Conferences

DRAFT PRELIMINARY VIEW FOR WRC-07

WRC-2007 Agenda Item 1.20: to consider the results of studies, and proposals for regulatory measures, if appropriate, regarding the protection of the Earth exploration-satellite service (passive) from unwanted emissions of active services in accordance with Resolution **738 (WRC–03)**.

ISSUE: Compatibility between~~Protection of~~ the Earth exploration-satellite (passive) service and the~~from unwanted emissions from~~ active services, in the band pairs identified in the Table in Resolution **738** while taking account of all concerned services.

BACKGROUND: The 2003 World Radiocommunication Conference considered studies pertaining to the protection of the Earth exploration-satellite (passive) service from unwanted emissions under Agenda Item 1.8.2 and developed Resolution **738** to address the issue. The WRC also included the issue on the agenda for WRC–07, which is provided in Resolution **802**.

Resolution **738** calls for continued studies of compatibility between the Earth exploration-satellite (passive) service and unwanted emissions from active services in seven pairs of active and passive service frequency bands identified in the Table in the resolution. The active services involved include the fixed, mobile, radiolocation, fixed-satellite, inter-satellite and space research services.

Two other fixed service bands, 31–31.3 GHz and 51.4–52.6 GHz, are to be evaluated for the impact of imposing specified limits for unwanted emissions in adjacent EESS (passive) bands for Regions 2 and 3. The impact on fixed-service systems in these bands in Region 1 has been documented in Recommendation ITU–R SM.1633.

WRC–07 will review the results of the studies, in order to consider regulatory measures, if appropriate, to ensure the protection of EESS (passive) operating in the adjacent bands indicated in the Table, and taking into account the impact on all concerned services.. The U.S. EESS (passive) community believes that Resolution **738** contains all the EESS (passive) bands that need to be considered.

In addressing Agenda Item 1.8.2 at WRC–03, the United States took the position that existing ITU–R regulations and Recommendations provide sufficient protection to the Earth exploration-satellite (passive) service, and that additional regulatory measures are not necessary.

The Radiocommunications Bureau makes no examination regarding unwanted emissions

U.S. VIEW:

- The United States supports the use of existing ITU–R regulations and updating Recommendation ITU–R SM.1633 or developing additional Recommendations as the preferred means of ensuring compatibility between ~~to provide protection to~~ the EESS (passive) and active services in specified bands.

- Acceptable solutions to this agenda item should provide adequate protection for EESS passive sensors, should not place an undue burden on the active services, should not require the involvement of the Radiocommunication Bureau and should not put an undue regulatory burden on administrations.

- Including hard limits in the Radio Regulations for unwanted emissions from active services operating in the bands in the Table in Resolution **738 (WRC-03)** would be inconsistent with the second view above.

INFORMAL WORKING GROUP 3 (IWG-3)

IMT-2000 and 2.5 GHz Sharing Issues

Document WAC/017(10.11.04):

DRAFT PRELIMINARY VIEWS ON WRC-07

WRC-07 Agenda Item 1.9: to review the technical, operational and regulatory provisions applicable to the use of the band 2 500-2 690 MHz by space services in order to facilitate sharing with current and future terrestrial services without placing undue constraint on the services to which the band is allocated;

ISSUE: Matters related to the use of the bands 2500 - 2690 MHz by terrestrial and space services.

BACKGROUND: The band 2500-2690 MHz is allocated for sharing by both terrestrial and satellite services. The terrestrial services include the Mobile and the Fixed Services (including IMT-2000). Both Services have been rapidly evolving to encompass high speed mobile internet access requiring sensitive receiving equipment some of which are highly susceptible to interference.

The 2500-2690 MHz band is also allocated to the satellite services which include MSS, BSS (including GSO and non-GSO), and FSS. At WRC-03, the issue of sharing between terrestrial services and NGSO BSS(Sound) in certain Region 3 countries was resolved with the revision of pfd limits for NGSO BSS(Sound) per Resolution 539. GSO BSS(Sound) limits within these countries were also tightened for systems for which complete Appendix **4** coordination information has been received after 1 June 2005. Other than for these Region 3 countries, the BSS limits remained the same as given in Table 21-4 of the Radio Regulations. WRC-03 recognized the difficulty of sharing between the terrestrial and satellite services and caused the ITU-R to form Joint Task Group 6-8-9 to study the issues related to sharing.

In general, co-frequency sharing between the mobile-satellite service (MSS) and terrestrial services has been found to be difficult in the ITU-R studies. The sharing between the terrestrial services and the MSS poses risks of harmful interference to both systems. In addition, it will require large separation distance between terrestrial stations and MSS earth stations in order to avoid harmful interference to both stations. Recommendation M.2041 studied the feasibility of sharing between MSS and MS for IMT-2000 and highlighted the incompatibility between these two services on a co-frequency basis.

Both BSS and FSS are also allocated to the 2500-2690 MHz band and are subject to the limits in Table 21-4. Within Region 2 any satellite service launched may overlap many other Region 2 countries and have the effect of interfering with existing and planned terrestrial services within that band.

Administrations in Region 2 are planning for implementation of terrestrial services in the 2500-2690 MHz band (See WP-8F questionnaire to administrations and summary in attached Annex). In the United States there are no allocations to space services in this band.

UNITED STATES VIEW:

1. The United States supports the ongoing studies on sharing between satellite and terrestrial services in the 2500 – 2690 MHz band being conducted in JTG 6-8-9 with the view that adequate protection from satellite interference must be secured for its existing and future terrestrial systems.

2. Recognizing that implementations of satellite services by any Region 2 country will affect terrestrial services within other Region 2 countries and that administrations in Region 2 plan to implement terrestrial services in the band 2500 - 2690 MHz, the United States is of the view that allocations to satellite services in the band 2500 - 2690 MHz in Region 2 may prove disruptive to terrestrial deployments.

3. The United States is of the view that studies should focus on the effects of interference on terrestrial systems by space services.

4. Since administrations in Region 2 have no plans to implement MSS systems in the band 2500 – 2690 MHz, the United States is of the view that primary allocations to MSS in the band 2500 – 2690 MHz in Region 2 are no longer required.

5. The United States supports NOC to RR Footnotes 5.417A and 5.418 as adopted by WRC-03 relating to non-GSO and GSO BSS (sound) systems in the band 2605-2655 MHz.

Annex 1

Summary of responses to the questionnaire

How is the band 2 500-2 690 MHz presently allocated and used in your country?

UAE Doc. 8F/184	It is allocated and extensively used by fixed and mobile services.
Brazil Doc. 8F/177	a) 2 500-2 520: Fixed (RR 5.409 and 5.411 apply), mobile and mobile satellite - Earth to space (RR 5.403 and 5.351A apply)[1]; b) 2 520-2 655: Fixed (RR 5.409 and 5.411 apply) and mobile[2];

[1] RR 5.407 and 5.414 apply for the entire band.

[2] RR 5.339 and 5.403 apply for the entire band.

	c) 2 655-2 670: Fixed (RR 5.409 and 5.411 apply) and mobile[3]; d) 2 670-2 690: Fixed (RR 5.409 and 5.411 apply), mobile and mobile satellite – space to Earth (Note 5.351A applies)[4]. However, the band is primarily used for the multipoint multichannel distribution service, a modality of pay-TV service, which is a fixed service[5]. On a secondary basis, the band is used for TV broadcasting relay systems and electronic news gathering.
Mexico Doc. 8F/167	The 2 500-2 690 MHz band is currently attributed and licensed for MMDS and MDS (restricted TV and wireless Internet access) services.
Cameroon Doc. 8F/160	The band 2 500-2 690 MHz is currently heavily used for the fixed service by short range microwave links for inter-switch connections in the main cities (Douala, Yaoundé).
Japan Doc. 8F/136	The band 2 500-2 535 MHz and 2 655-2 690 MHz is used for MSS, downlink and uplink respectively. The band 2 605-2 655 MHz is planned to be used for BSS.
Korea Doc. 8F/133	Wireless CATV is allocated in this band and satellite DMB services are also allocated in parts of the band of Wireless CATV as results of prior WRCs. According to obligation of the wireless CATV, the bands allocated to satellite DMB services should be available whenever the services begin to be deployed. Several parts of the band 2 500-2 690 MHz are now utilized for supporting broadcasting services on a license basis.
USA Doc. 8F/122	In the United States, the 2 500-2 690 MHz band is allocated to the fixed and mobile (except aeronautical mobile) services on a primary basis. In addition, the 2 655-2 690 MHz band is allocated to the earth exploration-satellite (passive), radio astronomy, and space research (passive) services, all on a secondary basis. All other allocations to satellite services have been removed from the U.S. allocations table for this band. The band is presently being used by operators providing four kinds of basic service offerings: (1) downstream analog video; (2) downstream digital video; (3) downstream digital data; and (4) downstream/ upstream digital data. Operators have deployed or sought to deploy three alternative kinds of system configurations: high powered video stations, high power fixed two-way systems and low power, cellularized two-way systems.

3 RR 5.149 and 5.420 apply for the entire band.

4 RR 5.149, 5.419 and 5.420 apply for the entire band.

5 Note should be give to the fact that this situation is shared by many countries in the Region 2.

Canada Doc. 8F/118	In Canada, the entire band 2 500-2 690 MHz has primary allocations to the fixed and mobile services and in addition, an allocation to the broadcasting service in the upper portion of the band (2 596-2 686 MHz). The lower portion of the band (2 500-2 596 MHz) is used for multipoint communications systems (MCS) to advance local distribution of telecommunications services. The upper portion (2 596-2 686 MHz) is used for multipoint distribution system (MDS) to support local broadcasting distribution undertakings. There are currently no operators authorized in the mobile service.
China Doc. 8F/115	The band 2 535-2 599 MHz has been used for MMDS system.
CEPT Doc. 8F/110	The band 2 500-2 690 MHz is currently allocated in CEPT to the fixed and mobile services for a variety of applications such as ENG/OB (programme-making), Wireless Local Loop, Point to Point Systems, etc.
Sultanate of Oman	Part of the band is allocated so far to fixed and broadcasting satellite.
State of Qatar	The band 2 500-2 690 MHz is allocated to fixed services.

Does your Administration have any future plans to change the allocations and future use of the band 2 500-2 690 MHz? If so, in what time frame?

UAE Doc. 8F/184	No plans.
Brazil Doc. 8F/177	The Brazilian Administration has, so far, no plan for introducing IMT-2000 on this band. However, once the long term prospects for the MMDS and the further regulation for the use of this band is established by ITU (i.e. FDD and TDD distribution on the band), Brazil understands that worldwide this band has potential for supporting the rapid development of IMT-2000 and beyond, making easier to obtain the scale needed for it.
Mexico Doc. 8F/167	Mexico has not defined the time frame when the attribution of this band could be changed. It will depend on the market conditions as well as the introduction of new services and technologies. As of today, Mexico considers that the planned IMT-2000 capacity in other identified bands is enough in the long term.
Cameroon Doc 8F/160	No modification of the attributions in this band is envisaged for the moment.
Japan Doc. 8F/136	Japan has no plan to change the "Frequency Assignment Plan". It has already been assigned to the mobile service.
Korea Doc. 8F/133	No. There is no announcement of Administration to change the allocation of the band 2 500-2 690 MHz up to now.
USA Doc. 8F/122	There are no plans to make any further allocation changes to the 2 500-2 690 MHz band in the U.S. at this time. In early 2003, the U.S. Federal Communications Commission (FCC) instituted a rulemaking proceeding for this band by issuing a Notice of Proposed Rulemaking to "facilitate the provision of fixed and mobile broadband access, educational and other advanced services" in this band. It is expected that an Order(s) will be released sometime during the first half of 2004, which will contain sharing criteria and modified rules for use of this band, along with a

	revised frequency arrangement.
Canada Doc. 8F/118	The entire band 2 500-2 690 MHz is allocated to both the fixed and mobile service with an additional allocation to broadcasting in the upper portion as specified in response to question 1. There are no allocation changes being considered. Current users of the band are authorized to provide fixed and broadcasting services. Canada has announced that it will conduct a public consultation in the 2004 time frame to address licensing issues in the band including the use of mobile.
China Doc. 8F/115	Currently no plan to change the allocation.
CEPT Doc. 8F/110	In most CEPT countries existing systems will be phased out so that the spectrum will be available for UMTS/IMT-2000 by 1 January 2008.
Sultanate of Oman	There are no plans but dependent on market demand.
State of Qatar	No future plan to change the allocation. The band 2 400-2 700 MHz has already assigned to MMDS. MMDS system: Stands for multipoint multi-channel distribution system or microwave multi-channel distribution system.

INFORMAL WORKING GROUP 4 (IWG-4)

Broadcasting and Amateur Issues

Document WAC/032(10.11.04):

DRAFT PRELIMINARY VIEWS ON WRC-07

Agenda Item 1.6: *to consider additional allocations for the aeronautical mobile (R) service in parts of the bands between 108 MHz and 6 GHz, in accordance with Resolution **414 (WRC-03)** and, to study current satellite frequency allocations, that will support the modernization of civil aviation telecommunication systems, taking into account Resolution **415 (WRC-03)**;*

NOTE: **IWG-4** is responsible for Resolution **414** portion of AI 1.6.
IWG-2 is responsible for Resolution **415** portion of AI 1.6

This IWG-4 Preliminary View addresses Resolution **414** only.

ISSUES & EFFORTS: Resolution 414 of this agenda item addresses several issues and efforts:

1. **ISSUE**: That the current aeronautical mobile band 117.975-137 MHz will become saturated in some areas of the world and will no longer be able to support increasing and/or new requirements.

2. **ISSUE:** That any allocation changes in the band 108-117.975 MHz shall place no additional constraints on the broadcasting service or cause harmful interference to stations of the broadcasting service operating in the band 87-108 MHz in the U.S. RR 5.43 does not apply to systems identified in recognizing (d) of Resolution 413.

3. **EFFORT:** That Res. **114 (Rev.WRC-03)** and Res. **413 (WRC-03),** call for compatibility studies in the relevant aeronautical bands.

4. **EFFORT:** To determine if additional allocations for aeronautical mobile (route) service (AM(R)S) are necessary and/or should be made in the frequency range 108 MHz to 6 GHz:

    a. to consider adding AM(R)S allocations to existing aeronautical bands; and

    b. if step a. is not sufficient, to consider adding AM(R)S allocations to bands that are not currently used by aviation.

5. **EFFORT:** To specifically consider how to accommodate the requirements for aeronautical systems in the band 5 091-5 150 MHz.

BACKGROUND: Efforts addressed in Res. 414 in this agenda item are:

1. To investigate the bands currently available for use by aeronautical systems in the frequency range between 108 MHz and 6 GHz in order to determine whether additional allocations to the aeronautical mobile (R) service are required and can be accommodated in these bands without placing undue constraints to services to which the frequency bands are currently allocated;

2. To further investigate, in case the first step above would not lead to satisfactory results, also the frequency bands currently not available for use by aeronautical systems, subject to not constraining the existing and planned use of such bands, taking account of existing use and future requirements in these bands;

3. To investigate how to accommodate the requirements for aeronautical systems in the band 5 091-5 150 MHz,

DISCUSSION:

1. At WRC-03 an additional allocation (5.197A) for the 108-117.975 MHz ARNS band was enacted. That allocation, for AM(R)S limited to systems that transmit navigational information in support of air navigation and surveillance functions in accordance with recognized international aviation standards, required that such use be in accordance with Resolution 413 (WRC-03). Resolution 413 addressed the need for studies between aeronautical and broadcast services to address compatibility issues that might arise from the introduction of new systems in either service.

2. WRC-03 identified the need for studies to consider how to accommodate the requirements for aeronautical systems in the band 5 091-5 150 MHz. Although this might be considered a subset of the first effort, as most proposed applications for this frequency band would fit under AM(R)S, the scope of this effort is broader in that aeronautical fixed links are also being considered to allow transmission of aeronautical sensor data on the airport property without requiring costly underground cable installation.

U.S. VIEWS: <u>With regard to Resolution 414 (WRC-03)</u>:

1. The U.S. views that current aviation communication bands are severely congested. In addition, recent experience has shown that evolving technology for navigation and surveillance functions may necessitate allocations that are more encompassing than simply the aeronautical radionavigation service (ARNS). As a result, the U.S. anticipates supporting the addition of AM(R)S allocations in some frequency bands depending on the results of ITU-R studies. The U.S. view is also to maintain compatibility with services in adjacent bands. In particular, the U.S. is of the view that any allocation changes in the 108-117.975 MHz band must be compatible with terrestrial broadcasting systems and place no additional constraints on the broadcasting service in the band 87-108 MHz in the United States.

2. In case the first step above would not lead to satisfactory results, the U.S. supports further investigation of frequency bands currently not available for use by aeronautical systems, subject

to not constraining the existing and planned use of such bands, taking account of existing use and future requirements in these bands.

3. The U.S. views that investigation may be necessary to determine how to accommodate the requirements for aeronautical systems in the band 5 091-5 150 MHz, including the possibility of fixed service links limited to aeronautical applications at airports. In this regard the United States will seek to ensure that the operations of the existing FSS consistent with 5.444A are taken into account. (November 1, 2004)

INFORMAL WORKING GROUP 5 (IWG-5)

Regulatory Issues

Document WAC/034(10.11.04):

DRAFT PRELIMINARY VIEWS ON WRC-07

WRC-07 Agenda Item 1.1: requests from administrations to delete their country footnotes or to have their country name deleted from footnotes, if no longer required, in accordance with Resolution **26 (Rev.WRC-97)**

ISSUE: Deletion of country footnotes or country names from existing country footnotes to the Table of Frequency Allocations in Article **5** of the Radio Regulations.

BACKGROUND: Resolution **26 (Rev.WRC-97)** urges administrations to review footnotes periodically and to propose the deletion of their country footnotes or of their country names from footnotes, as appropriate. In exceptional cases, the resolution provides that proposals for new footnotes or modifications of existing footnotes can be considered if they concern corrections of obvious omissions, inconsistencies, ambiguities or editorial error.

In addition to the usual deletion of names from country footnotes called for under Resolution **26 (Rev.WRC-97)** and standing agenda item 1.1, WRC-03 and other recent conferences have permitted consideration of proposals for the addition of country names to existing footnotes submitted by a firm deadline during the Conference. Such proposals were accepted only under the express condition that no objections were received from affected countries.

U.S. VIEW: In dealing with this agenda item, WRC-07 should continue to follow the precepts of Resolution **26 (Rev.WRC-97**), which encourages countries to delete their names from country footnotes, and should adopt the approach used for this agenda item at WRC-03 and previous conferences. (6.28.04)

Document WAC/035(10.11.04):

DRAFT PRELIMINARY VIEWS ON WRC-07

WRC-07 Agenda Item 1.12: 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 (WRC-03).

ISSUE: "Rationalization and Clarification of Articles 9 and 11"
In addition to Resolution 86 (WRC-03) itself, WRC-03 adopted Resolution 88 that addresses potential rationalization and clarification of Articles 9 and 11 of the Radio Regulations. Resolution 88 suggests that rationalization of Articles 9 and 11 could be considered under Resolution 86 at a future competent Conference. An initial issue with respect to Resolution 88 is whether specific problems that have arisen in application of Articles 9 and 11 should be addressed on case-by-case basis, or whether a more comprehensive overhaul of the Articles should be undertaken.

BACKGROUND: Since the early 1990's, the ITU has seen many proposals to modify the Radio Regulations. Some of the efforts have been more extensive and far-reaching than others. For example, the VGE, or Voluntary Group of Experts, was established with the intent of simplifying the Radio Regulations. The result was a new "simplified" set of regulations adopted at WRC-95, which were designated with an "S" proceeding the Article and Appendix numbers (e.g., in the 1998 Edition of the Radio Regulations). That effort resulted in significant changes to the Radio Regulations (replacement of Article 14 with No. 9.21, incorporation of Resolution 46 into Article 9, etc). While these changes were well-intended, the new provisions resulted in extensive Rules of Procedures that were subsequently developed. This process demonstrates that many new regulations may require detailed new interpretations. It would be expected that any extensive revisions to Articles 9 and 11 adopted by future conferences, would similarly require such detailed Rules of Procedure to be developed, despite an intention to adopt clear regulations. In accordance with No. 13.0.1, the Radio Regulations Board would then submit the necessary modifications to the Radio Regulations to a subsequent WRC to alleviate the difficulties or inconsistencies that the current Rules of Procedure address.

The process of developing any extensive revisions to Articles 9 and 11, and then the process of developing associated Rules of Procedure, will leave administrations and operators with uncertainty on how to successfully apply the coordination and notification processes to implement satellite networks and may also require transition procedures. Such uncertainty, particularly over the span of years, could undermine the industry. Satellite operators need a stable regulatory environment in which to implement systems. Further, extensive changes to rationalize the Radio Regulations could lead to many unintended substantive changes. Changes to the Radio Regulations are safer and easier for Administrations to review and analyze when proposed on a case-by-case basis, with supporting justification for each change. In this way, any untoward consequences of a particular change can be more readily identified.

Another issue the ITU has been struggling with is how to manage the extensive development of satellite networks and their associated filings at the ITU-BR. Such developments have put a strain on the application of the Radio Regulations by the BR, which has the

responsibility for the processing and examination of the advance publications, coordination requests and notifications of satellite networks. Additional extensive revisions to the Radio Regulations will increase the administrative and financial burden on ITU and BR resources, as software will need to be modified or developed to process filings according to the new provisions and new Rules of Procedures will need to be developed, etc. No doubt any further "rationalization" of the Regulations would further complicate the Satellite Cost Recovery program as there would be a transition period of time in which the staff would need to learn how to apply the "rationalized" procedures.

In summary, there appear to be few benefits and many potential detriments to a wholesale "rationalization" of Articles 9 and 11 of the Radio Regulations even with minimal substantive revisions.

U.S. Views:

The U.S. supports selective modification of the Radio Regulations to remedy specific issues that have arisen with application of Articles 9 and 11, and is opposed to an extensive revision of those Articles. Administrations and satellite operators need a stable regulatory process in order to successfully implement and operate satellite networks.

II. A Draft Preliminary View* approved by the National Telecommunications and Information Administration:

Donald Abelson
Chief, International Bureau
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Mr. Abelson:

The National Telecommunications and Information Administration on, behalf of the Executive Branch Agencies, wishes to bring to your attention an additional approved draft preliminary Executive Branch view considering federal agency inputs toward the development of the U.S. Preliminary Views for WRC-2007. The enclosed draft preliminary view addresses agenda item 1.20.

The enclosure is forwarded for review by the Commission. Jim Vorhies of my staff is the primary contact for NTIA.

Sincerely

Original Signed September 30, 2004
Fredrick R. Wentland
Associate Administrator
Office of Spectrum Management

Enclosure

* Note: The Advisory Committee for the 2007 World Radiocommunication Conference recommended modifications to the draft preliminary view approved by NTIA. The advisory committee's recommendation appears in Section I of this public notice under Informal Working Group 1.

DRAFT PRELIMINARY VIEW FOR WRC-07

WRC-2007 Agenda Item 1.20: to consider the results of studies, and proposals for regulatory measures, if appropriate, regarding the protection of the Earth exploration-satellite service (passive) from unwanted emissions of active services in accordance with Resolution **738 (WRC–03)**.

ISSUE: Protection of the Earth exploration-satellite (passive) service from unwanted emissions from active services, in the band pairs identified in the Table in Resolution **738**

BACKGROUND: The 2003 World Radiocommunication Conference considered studies pertaining to the protection of the Earth exploration-satellite (passive) service from unwanted emissions under Agenda Item 1.8.2 and developed Resolution **738** to address the issue. The WRC also included the issue on the agenda for WRC–07, which is provided in Resolution **802**.

Resolution **738** calls for continued studies of compatibility between the Earth exploration-satellite (passive) service and unwanted emissions from active services in seven pairs of active and passive service frequency bands identified in the Table in the resolution. The active services involved include the fixed, mobile, radiolocation, fixed-satellite, inter-satellite and space research services.

Two other fixed service bands, 31–31.3 GHz and 51.4–52.6 GHz, are to be evaluated for the impact of imposing specified limits for unwanted emissions in adjacent EESS (passive) bands for Regions 2 and 3. The impact on fixed-service systems in these bands in Region 1 has been documented in Recommendation ITU–R SM.1633.

WRC–07 will review the results of the studies, in order to consider regulatory measures, if appropriate, to ensure the protection of EESS (passive) operating in the adjacent bands. The U.S. EESS (passive) community believes that Resolution **738** contains all the EESS (passive) bands that need to be considered.

In addressing Agenda Item 1.8.2 at WRC–03, the United States took the position that existing ITU–R regulations and Recommendations provide sufficient protection to the Earth exploration-satellite (passive) service, and that additional regulatory measures are not necessary.

U.S. VIEW:

- The United States supports the use of existing ITU–R regulations and updating Recommendation ITU–R SM.1633 or developing additional Recommendations as the preferred means to provide protection to the EESS (passive).
- Acceptable solutions to this agenda item should provide adequate protection for EESS passive sensors, should not place an undue burden on the active services, should not require the involvement of the Radiocommunication Bureau and should not put an undue regulatory burden on administrations.
