



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

Report No. SPB-228

DA 08-1887
August 11, 2008

INTERNATIONAL BUREAU LIFTS FREEZE ON FILING 17/24 GHZ BSS APPLICATIONS

On May 4, 2007, the Commission imposed a freeze on the filing of new applications for the 17/24 GHz Broadcasting-Satellite Service (BSS).¹ The freeze applied to any application for authority to provide 17/24 GHz BSS using the 17.3-17.8 GHz (space-to-Earth) and 24.75-25.25 GHz (Earth-to-space) frequency bands. The freeze was limited to applications for new U.S.-licensed space stations and to new requests for market access by non-U.S.-licensed space stations. The freeze expressly excluded the 17/24 GHz BSS applications pending as of May 4, 2007. The Commission imposed the freeze until a date and time designated by the International Bureau after the then-pending applicants had an opportunity to file amendments to conform their applications to the rules adopted in the *17/24 GHz BSS Report and Order* as modified by the *17/24 GHz BSS Reconsideration Order*.²

The International Bureau's Satellite Division recently released a Public Notice accepting for filing the pending 17/24 GHz BSS applications as amended.³ Accordingly, we will lift the freeze on the filing of applications for new U.S.-licensed space stations or new requests for market

¹ Establishment of Policies and Service Rules for the Broadcasting-Satellite Service at the 17.3-17.7 GHz Frequency Band and at the 17.7-17.8 GHz Frequency Band Internationally, and at the 24.75-25.25 GHz Frequency Band for Fixed Satellite Services Providing Feeder Links to the Broadcasting-Satellite Service and for the Satellite Services Operating Bi-directionally in the 17.3-17.8 GHz Frequency Band, *Report and Order and Further Notice of Proposed Rulemaking*, 22 FCC Rcd 8842, 8902 (para. 147), 8920 (paras. 204-205) (2007) (*17/24 GHz BSS Report and Order*), as modified by Establishment of Policies and Service Rules for the Broadcasting-Satellite Service at the 17.3-17.7 GHz Frequency Band and at the 17.7-17.8 GHz Frequency Band Internationally, and at the 24.75-25.25 GHz Frequency Band for Fixed Satellite Services Providing Feeder links to the Broadcasting-Satellite Service and for the Satellite Services Operating Bi-directionally in the 17.3-17.8 GHz Frequency Band, *Order on Reconsideration*, 22 FCC Rcd 17951, 17964 (para 39) (2007) (*17/24 GHz BSS Reconsideration Order*).

² *17/24 GHz BSS Report and Order*, 22 FCC Rcd at 8902 (para 147) and *17/24 GHz BSS Reconsideration Order*, 22 FCC Rcd at 17964 (para 39). We note that there is currently an open *Further Notice* in this docket and any grants would be subject to the rules adopted in this proceeding.

³ Policy Branch Information, Satellite Space Applications Accepted for Filing, *Public Notice*, Report No. SAT-00535 (rel. July 2, 2008); Policy Branch Information, Satellite Space Applications Accepted for Filing, *Public Notice*, Report No. SAT-00537 (rel. July 11, 2008) (corrections).

access by non-U.S.-licensed space stations in the 17/24 GHz BSS, effective Thursday, August 14, 2008 at 10:00 a.m. (EDT). All applications filed after the freeze is lifted will be processed under the first-come, first-served licensing approach for geostationary satellite orbit (GSO)-like⁴ space station applications.⁵ The Commission will grant a 17/24 GHz BSS application if the applicant is legally, technically and otherwise qualified, the proposed system complies with all applicable rules, regulations and policies, the proposed system is not technically incompatible with a previously-authorized space station or with a space station proposed in a previously-filed application, and the grant will serve the public interest, convenience, and necessity.⁶ If a 17/24 GHz BSS application is not acceptable for filing, it will be returned and the next 17/24 GHz application in the queue seeking to operate at the same Appendix F location,⁷ or its associated offsets, will be processed.

For further information contact Andrea Kelly, Chief, Policy Branch, Satellite Division, International Bureau at (202) 418-7877.

-FCC-

⁴ “GSO-like space station” is defined as a geostationary satellite orbit space station designed to communicate with earth stations with directional antennas. 47 C.F.R. § 25.158(a).

⁵ If any of the currently pending 17/24 GHz BSS applications are amended to request a new orbital location and/or to make other “major” changes, it will be considered a newly filed application and will lose its status relative to applications already in the processing queue. See *17/24 GHz BSS Reconsideration Order 22 FCC Rcd at 17964* n. 73 (citing 47 C.F.R. § 25.116(d)); International Bureau Establishes Deadline for Amendments to Pending 17/24 GHz BSS Applications, *Public Notice*, Report No. SPB-223, DA 07-4895, n. 10 (rel. Dec. 5, 2007).

⁶ 47 C.F.R. §§ 25.156, 25.158. EchoStar Satellite, LLC, *Order*, DA 05-1955 (rel. July 6, 2005) (denying an application that would conflict with a previously licensed space station).

⁷ *17/24 GHz BSS Report and Order*, Appendix F also found at *17/24 GHz BSS Reconsideration Order*, 22 FCC Rcd at 17972, Appendix B.