

STATEMENT OF FCC COMMISSIONER MIGNON L. CLYBURN

Re: Comprehensive Review of Licensing and Operating Rules for Satellite Services, IB Docket No. 12-267

Satellite technology provides much needed communications service throughout the world and is particularly important in remote and un-served communities. It can also provide first responders with ubiquitous, reliable coverage during emergencies and natural disasters. For these reasons, the Commission seeks to revise regulations that have become outdated and impose unnecessary administrative costs on companies in order to spur greater investment and innovation.

With this Further Notice, the International Bureau continues to recommend wise proposals to update the Part 25 rules that govern satellite operations. At the top of the list is giving satellite companies the option to start the registration process with the International Telecommunications Union (ITU) before submitting a space station application to the FCC. ITU recognition is a “must” for a successful satellite network operation, and under our current rules, the International Bureau may not begin the ITU registration process for a satellite company, until that entity submits to the Commission, a detailed application for the frequency band and orbital location of its proposed space station. This application requires technical data that would not be known, until significant progress has been made in the design of a proposed satellite. In addition, it appears that the U.S. is the only administration that imposes such a restriction on ITU filings, placing our satellite companies, at a competitive disadvantage.

Even more harmful is that this enables competitors to monitor the Commission’s space station applications and submit a new filing (or modify an existing one) at the ITU before the U.S. has submitted anything. Such “claim jumping” gives foreign operators the ability to secure ITU priority over their U.S.-licensed counterparts. The proposal in the Further Notice would aptly address this concern while also safeguarding the process against “warehousing” whereby a company secures ITU registration priority rights even though it has no serious intent to build satellite services.

There are a number of other proposals will also promote the goals of efficiency and modernization. Revising the two-degree spacing policy for GSO FSS satellites will facilitate individualized coordination agreements between satellite companies. Simplifying the current fleet management rule will give providers greater flexibility in implementing satellite relocations.

I wish to thank Jose Albuquerque for his excellent presentation as well as Troy Tanner, Chip Fleming, and William Bell for their work on this item. I also commend Diane Cornell and Mindel De La Torre for their leadership in this proceeding.