

Before the
 Federal Communications Commission
 Washington, D.C. 20554

In the Matter of)
)
 Comprehensive Review of Licensing and Operating) IB Docket No. 12-267
 Rules for Satellite Services)

ERRATUM

Released: May 6, 2016

By the Commission:

1. On December 17, 2015, the Commission released a Second Report and Order, FCC 15-167, in the above-captioned proceeding. This Erratum corrects Appendix B – Final Rules (Appendix) in two respects. First, we have made changes to the amended rules set out in the Appendix to formally incorporate by reference certain International Telecommunication Union (ITU) materials that are cited in the rules. Second, we have added a new amendment to the rules – a revision to paragraph (c) of section 25.283 – which was inadvertently omitted from the Appendix.

2. The corrections to the Appendix designed to formally incorporate by reference certain ITU materials are as follows:

- A new numbered paragraph is added to the text of the Appendix, to be inserted between paragraphs 4 and 5, with the new paragraph now numbered “5,” and the subsequent paragraph numbers each advancing one number through and including paragraph 57 (the penultimate paragraph of the Appendix). The new paragraph (now numbered “5”), reads as follows:

5. Add §25.108 to read as follows:

§25.108 Incorporation by reference.

(a) The material listed below in paragraphs (b)(1) – (b)(5) is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Commission must publish notice of change in the Federal Register and the material must be available to the public. All approved material is available for inspection at the Federal Communications Commission, 445 12th Street SW, Reference Information Center, Room CY-A257, Washington, DC 20554, 202-418-0270, and is available from the sources listed below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) International Telecommunication Union (ITU), Place des Nations, 1211 Geneva 20 Switzerland; www.itu.int; Voice: +41 22 730 5111; Fax: +41 22 733 7256; email: itumail@itu.int.

(1) ITU Radio Regulations, Article 9, “Procedure for effecting coordination with or obtaining agreement of other administrations,” Section II, “Procedure for effecting coordination,” Edition of 2012, <http://www.itu.int/pub/R-REG-RR-2012>. Incorporation by reference approved for §25.111(e).

(2) ITU Radio Regulations, Appendix 30, “Provisions for all services and associated Plans and List for the broadcasting-satellite service in the frequency bands 11.7-12.2 GHz (in Region 3), 11.7-12.5 GHz (in Region 1) and 12.2-12.7 GHz (in Region 2),” Edition of 2012, <http://www.itu.int/pub/R-REG-RR-2012>. Incorporation by reference approved for §§25.117(h) and 25.118(e).

(3) ITU Radio Regulations, Appendix 30A, “Provisions and associated Plans and List for feeder links for the broadcasting-satellite service (11.7-12.5 GHz in Region 1, 12.2-12.7 GHz in Region 2 and 11.7-12.2 GHz in Region 3) in the frequency bands 14.5-14.8 GHz and 17.3-18.1 GHz in Regions 1 and 3, and 17.3-17.8 GHz in Region 2,” Edition of 2012, <http://www.itu.int/pub/R-REG-RR-2012>. Incorporation by reference approved for §§25.110(b), 25.117(h), and 25.118(e).

(4) ITU Radio Regulations, Appendix 30B, “Provisions and associated Plan for the fixed-satellite service in the frequency bands 4 500-4 800 MHz, 6 725-7 025 MHz, 10.70-10.95 GHz, 11.2-11.45 GHz and 12.75-13.25 GHz,” Edition of 2012, <http://www.itu.int/pub/R-REG-RR-2012>. Incorporation by reference approved for §§25.110(b) and 25.140(a).

(5) ITU-R Recommendation S.1503-2, “Functional description to be used in developing software tools for determining conformity of non-geostationary-satellite orbit fixed-satellite system networks with limits contained in Article 22 of the Radio Regulations,” December 2013, <http://www.itu.int/rec/R-REC-S.1503-2-201312-I>. Incorporation by reference approved for §25.146(a).

- Section 25.110(b)(3) introductory text and section 25.110(b)(3)(i) are corrected to read as follows:

(3) A license application for 17/24 GHz BSS space station operation or for GSO FSS space station operation not subject to the provisions in Appendix 30A of the ITU Radio Regulations (incorporated by reference, see §25.108) may be submitted in two steps, as follows:

(i) An application for 17/24 GHz BSS space station operation or for GSO FSS space station operation not subject to the provisions in Appendix 30B of the ITU Radio Regulations (incorporated by reference, see §25.108) may be initiated by filing with the Commission, in accordance with the applicable provisions of part 1, subpart Y of this chapter, a draft Coordination Request and simplified Form 312 for the proposed operation and a declaration of acceptance of ITU cost-recovery responsibility in accordance with §25.111(d). The simplified Form 312, Main Form submission must include the information required by items 1-17, 43, 45, and 46.

- In section 25.111, the note to paragraph (e) is corrected to read as follows:

NOTE TO PARAGRAPH (e): After June 30, 2016, the Commission will not forward Advance Publication information for satellite networks or systems subject to Article 9, Section II of the ITU Radio Regulations (incorporated by reference, see §25.108).

- Section 25.117(h) introductory text is corrected to read as follows:

(h) Unless otherwise ordered by the Commission, an application for any of the following kinds of modification of the operation of a GSO space station will be deemed granted 35 days after the date of the public notice that the application has been accepted for filing, provided no objection is filed during the 30-day notice period and the application does not propose a change that would be inconsistent with a Commission rule or require modification of the BSS plan in Appendix 30 or the associated feeder-link Plan in Appendix 30A of the ITU Radio Regulations (both incorporated by reference, see §25.108).

- Section 25.118(e)(7) is corrected to read as follows:

(7) If the space station to be relocated is a DBS space station, the licensee certifies that there will be no increase in interference due to the operations of the relocated space station that would require the Commission to submit a proposed modification to the ITU Appendix 30 Broadcasting-Satellite Service Plan and/or the Appendix 30A feeder-link Plan (both incorporated by reference, see §25.108) to the ITU Radiocommunication Bureau. A DBS licensee that meets this certification requirement is not subject to the requirements in paragraph (e)(2) of this section.

- Section 25.140(a)(3)(iv) is corrected to read as follows:

(iv) With respect to proposed operation in the 4500-4800 MHz (space-to-Earth), 6725-7025 MHz (Earth-to-space), 10.70-10.95 GHz (space-to-Earth), 11.20-11.45 GHz (space-to-Earth), and/or 12.75-13.25 GHz

(Earth-to-space) bands, a statement that the proposed operation will take into account the applicable requirements of Appendix 30B of the ITU Radio Regulations (incorporated by reference, see §25.108) and a demonstration that it is compatible with other U.S. ITU filings under Appendix 30B.

- The second sentence in section 25.146(a)(1)(i) is corrected to read as follows:

(1)(i) * * * The PFD masks shall be generated in accordance with the specification stipulated in the most recent version of ITU-R Recommendation S.1503-2, “Functional description to be used in developing software tools for determining conformity of non-geostationary-satellite orbit fixed-satellite system networks with limits contained in Article 22 of the Radio Regulations” (incorporated by reference, see §25.108). * * *

3. The correction to the Appendix that revises paragraph (c) of section 25.283 is contained in a new paragraph to be inserted between the Appendix’s penultimate paragraph (renumbered 58 by this Erratum) and the last paragraph, which is hereby renumbered as “60.” The new paragraph bears the number “59” and reads as follows:

59. In §25.283, revise paragraph (c) to read as follows:

§ 25.283 End-of-life disposal.

* * * * *

(c) All space stations. Upon completion of any relocation authorized by paragraph (b) of this section, or any relocation at end-of-life specified in an authorization, or upon a spacecraft otherwise completing its authorized mission, a space station licensee shall ensure, unless prevented by technical failures beyond its control, that stored energy sources on board the satellite are discharged, by venting excess propellant, discharging batteries, relieving pressure vessels, or other appropriate measures.

* * * * *

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary