



June 25, 2007

Ambassador Richard M. Russell
U.S. Representative to the World Radiocommunication Conference.
Office of Science and Technology Policy
Executive Office of the President
New Executive Office Building, Room 5230
725 17th St NW
Washington, DC 20502

Dear Ambassador Russell,

On behalf of its 30 members, the Satellite Industry Association (SIA)¹ would like to state its concerns regarding ‘transitional’ matters being addressed under WRC-07 agenda item 1.9. For the reasons detailed below, SIA would urge that the U.S. WRC-07 position support the typical approach to “transitional” measures, rather than the current CITEL Inter-American Proposal (IAP).

The current U.S. proposal does not address transitional matters for the proposed new pfd limits in the 2500 – 2690 MHz band. However, in the IAP adopted at the PCCII meeting in El Salvador, a proposed footnote, No. **21.16.19**, is included to address transitional matters in this band. The specific language at issue requires that the satellite frequency assignments be both notified by the end of WRC-07 and brought into use by 31 December 2008 in order not to be subject to application of the new stringent pfd limits proposed for adoption at WRC-07.

The “bringing into use” component of this transitional measure is both inconsistent with the language of ‘transitional’ measures typically adopted by WRCs, and harsh in its effect on satellite systems under development. The standard approach in such cases is to apply regulatory changes adopted by a WRC only to satellite networks and systems for which a complete coordination request (GSO) or notification information (non-GSO system) is

¹ SIA is a U.S.-based trade association providing worldwide representation of the leading satellite operators, service providers, manufacturers, launch services providers, remote sensing operators, and ground equipment suppliers. SIA is the unified voice of the U.S. satellite industry on policy, regulatory, and legislative issues affecting the satellite business. SIA Executive Members include: Arrowhead Global Solutions Inc.; Artel Inc.; The Boeing Company; Datapath, Inc., The DIRECTV Group; Globalstar, Inc; Hughes Network Systems LLC; ICO Global Communications; Integral Systems, Inc.; Intelsat, Ltd.; Iridium Satellite LLC; Lockheed Martin Corp.; Loral Space & Communications Inc.; Mobile Satellite Ventures LP; Northrop Grumman Corporation; SES Americom, Inc.; and TerreStar Networks Inc.. Associate Members include: ATK Inc.; EchoStar Satellite LLC; EMC Inc.; Eutelsat Inc.; Inmarsat Inc.; IOT Systems; Marshall Communications Corp.; SES New Skies; Spacecom Corp.; Spacenet; Stratos Global Corp; SWE-DISH Space Corp; and WildBlue Communications, Inc.

not filed prior to the Final Acts of the WRC entering into force. Including a requirement that satellite systems that file ITU notification requests as late as November 2007 must be brought into use by December 2008 or be subject to more stringent pfd limits will have several negative effects. As a general matter, it will certainly create confusion as to such systems' status in the ITU Master International Frequency Register (MIFR). It could require costly satellite design modifications very late in a system's/network's implementation phase as a system/network notifying as late as November 2007 will have been designed assuming a less stringent set of pfd limits, and it could lead to duplication of examination efforts by the ITU BR.

Although the particular band under WRC-07 Agenda Item 1.9 may not be of direct interest to the U.S. satellite service providers, the ITU precedent being established by such arbitrary and unusual transitional measures does have potential adverse implications for the U.S. satellite industry. Adoption by WRC-07, or even a WRC-07 proposal by the United States, of these overly demanding transitional measures on satellite services would establish a precedent that could potentially be harmful to U.S. satellite interests in considerations of other frequency bands by WRC-07 or future WRCs. Moreover, foreign satellite systems under development in this band provide business opportunities for U.S. manufacturers and launch service providers.

Therefore SIA proposes that the United States not support this IAP, and further that the United States propose the standard approach set forth above, which meets the dual U.S. goal of protecting terrestrial services in this band while avoiding setting an ITU precedent that in the future will likely be harmful to U.S. satellite interests.

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

A handwritten signature in black ink, appearing to read "David Cavossa". The signature is fluid and cursive, with a large loop at the end.

David Cavossa,
Executive Director