

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 2, 25, and 87**

[ET Docket No. 02–305; FCC 03–269]

World Radiocommunication Conferences Concerning Frequency Bands Above 28 MHz**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: This document amends our rules to implement domestically various allocation decisions from several World Radiocommunication Conferences (“WRCs”) concerning the frequency bands between 28 MHz and 36 GHz, and to otherwise update our rules in this frequency range. The following actions are the most significant to non-Federal government operations: Implementation of generic mobile-satellite service (“MSS”) allocations in the bands 1525–1559 MHz and 1626.5–1660.5 MHz (“L-band”); allocation of the band 1164–1215 MHz to the radionavigation-satellite service (“RNSS”); deletion of unused and limited fixed-satellite service (“FSS”) and broadcasting-satellite service (“BSS”) allocations from the band 2500–2690 MHz; and upgrade of the Earth exploration-satellite service (“EESS”) allocation in the band 25.5–27 GHz from secondary to primary. In addition, at the request of the National Telecommunications and Information Administration (“NTIA”), we implement various allocation changes for the space science services and the inter-satellite service (“ISS”), most of which involve spectrum primarily used by the Federal government. These actions conform our rules to previous WRC decisions and are expected to provide significant benefits to the American public.

DATES: Effective January 22, 2004.

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SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s *Report and Order*, ET Docket No. 02–305, FCC 03–269, adopted October 31, 2003, and released November 4, 2003. The full text of this document is available on the Commission’s Internet site at www.fcc.gov. It is also available for inspection and copying during regular business hours in the FCC Reference Center (Room CY–A257), 445 12th Street, SW., Washington, DC 20554. The full text of this document also may be

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Summary of the Report and Order

1. In the *R&O*, we provided for generic MSS allocations across all of the frequencies in the bands 1525–1559 MHz and 1626.5–1660.5 MHz. Specifically, we expanded the primary allocation in the bands 1545–1549.5 MHz, 1558.5–1559 MHz, 1646.5–1651 MHz, and 1660–1660.5 MHz from the aeronautical mobile-satellite (route) service (“AMS(R)S”) to all services within the MSS while preserving the status of AMS(R)S. The effect of this action is that the bands 1545–1559 MHz and 1646.5–1660.5 MHz will be made available to all types of MSS communications on a primary basis, rather than segmented for specialized use. This action permits more efficient use of this radio spectrum and facilitates the expansion of MSS use globally. In addition, we deleted the existing primary maritime mobile-satellite service (“MMSS”) and MSS allocations in the bands 1530–1544 MHz and 1626.5–1645.5 MHz, as they would now be superfluous. We also deleted the secondary allocation for aeronautical telemetry from the band 1525–1535 MHz to remove potentially conflicting allocations.

2. We allocate the band 1164–1215 MHz to the RNSS for space-to-Earth (“downlink”) and space-to-space transmissions in order to accommodate a new civil global positioning system (“GPS”) signal. This action permits the addition of GPS signal “L5,” which supports the safety-of-life requirements demanded by civil aviation. We also allocated the bands 1215–1240 MHz and 1559–1610 MHz, which are currently limited to RNSS downlinks, for RNSS space-to-space transmissions as well. This action allows use of spaceborne RNSS receivers for scientific and commercial applications.

3. We deleted the flight test and radiolocation allocations in the band 2320–2345 MHz because of the potential for conflict between these services and the Satellite Digital Audio Radio Service (“Satellite DARS”), which has been brought into operation in this band. We also deleted the unused FSS and BSS allocations from the band 2500–2690 MHz in order to remove allocations that are not compatible with two-way fixed and mobile operations that are operating and anticipated in the band.

4. We further implement domestically various allocation decisions from several WRCs concerning the space science services and the ISS. In this regard, we take the following actions:

- Revise secondary allocations for the Federal government EESS and the Federal government space research service (“SRS”) from secondary to primary status in 950 megahertz of spectrum in eight frequency bands and specify that these allocations are to be used for active sensor operations (“EESS (active)” and “SRS (active)”): 5250–5255 MHz, 5255–5350 MHz, 8550–8650 MHz, 9500–9800 MHz, 13.4–13.75 GHz, and 17.2–17.3 GHz.

- Modify the non-Federal government/Federal government shared allocations at 13.25–13.4 GHz and 35.6–36 GHz to provide flexibility for the Federal government to use 550 megahertz of additional spectrum for EESS (active) and SRS (active) on a primary basis, and change the primary footnote allocation for active spaceborne sensors in the band 35.5–35.6 GHz to a direct Table listing.

- Modify the non-Federal government/Federal government shared allocation at 5350–5460 MHz to provide flexibility for the Federal government to use 110 megahertz of additional spectrum for the EESS (active) on a primary basis.

- Modify the non-Federal government/Federal government shared allocation at 401–403 MHz to provide flexibility for the Federal government to use EESS uplinks and meteorological-satellite service (“METSAT”) uplinks on a primary basis.

- Modify the non-Federal government/Federal government shared allocation at 410–420 MHz to provide flexibility for the Federal government to use the SRS on a primary basis for space-to-space transmissions.

- Modify the non-Federal government/Federal government shared allocation at 7750–7850 MHz to provide flexibility for the Federal government to use METSAT downlinks on a primary basis, limited to non-geostationary satellite systems.

- Modify the non-Federal government/Federal government shared allocation at 8400–8450 MHz to provide flexibility for the non-Federal government to use SRS downlinks from deep space on a secondary basis.

- Modify the non-Federal government/Federal government shared allocation at 25.25–27.5 GHz to provide flexibility for the Federal government to use the ISS on a primary basis.

- Revise the EESS allocation from secondary to primary status in the band 25.5–27 GHz and change the directional