



ECTRA ERC

Milestone Review Committee, MRC; doc. # (99) 253 Rev. 00

To: MRC

Copy: ECTRA and ERC Chairmen

From: Knut Smaaland, Chairman CEPT ECTRA ERC MRC

Date: 27-MAY-1999

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Title: RECOMMENDATION # 08

FROM THE MILESTONE REVIEW COMMITTEE (MRC)

concerning
Radio Astronomy Services and the Authorisation of Iridium

The CEPT ECTRA ERC Milestone Review Committee,

recognising,

that this recommendation to CEPT member countries is not applicable where national legislation on the licensing of telecommunication operators does not allow for the measures proposed in this recommendation;

that according to the ECTRA Decision (ECTRA/DEC/(97)02), NRAs should take into consideration the recommendations made by the MRC in granting authorisation;

that according to its Terms of Reference, the MRC makes recommendations to administrations, ERC and ECTRA, upon examination of applications, on the compliance with milestones by S-PCS systems, and appropriate measures for handling any difficulties arising, in order to assist administrations in granting authorisations;

that the Licensing Directive (97/13/EC) contains an obligation for EU Member States to grant authorisation to any undertaking which has introduced a duly documented application and which fulfils the conditions decided and published by those countries in accordance with the relevant provisions of that directive;

that conditions which may be imposed by EU Member States in accordance with Article 2(1)(d) of Directive 97/13/EC should be proportionate,

considering,

that MRC Recommendations #1 and #4 addressed the potential risk of harmful interference from the Iridium downlinks to Radio Astronomy Service;

that administrations have emphasised the need to resolve the concerns with respect to down link interference into the Radio Astronomy band, 1610.6–1613.8 MHz, on a European level,

taking into account,

that Iridium has offered a commercial service since late 1998;

that the parties involved in solving the issue of harmful interference from Iridium to the Radio Astronomy Services, Iridium LLC and the European Science Foundation with associated European Radio Astronomy bodies, have reached an agreement for the period up to 1 March 1999 (later extended to 1 May 1999), and for the time after 1 January 2006;

that these parties have successfully negotiated the details of an agreement for the period between 1 May 1999 and 1 January 2006;

that the agreement for the period up to 1 May 1999 has expired;

recommends,

that CEPT administrations recognise the Framework Agreement for the time after 1 January 2006, annexed to this recommendation, and the agreement for the period 1 May 1999 to 1 January 2006, reached between Iridium and the European Radio astronomy interests and take this into account when proceeding with their national licensing procedures with respect to authorising Iridium;

that CEPT administrations consider licensing the use of terminals of the Iridium S-PCS system in accordance with the relevant ECTRA and ERC Decisions which form the basis of the MRC, ECTRA/DEC/(97)02 and ERC/DEC/(97)03.

- Annex:1 The Framework Agreement between ESF-CRAF and Iridium LLC.
- Annex:2 The Agreement between ESF-CRAF and Iridium LLC for the period from 1 May 1999 to 1 January 2006.