



Mr. Fatih Yurdal
European Radiocommunications Office
Peblingehus, Nansensgade 19, 3rd floor
DK-1366 Copenhagen, Denmark

By email: yurdal@ero.dk

May 12, 2009

Dear Mr. Yurdal,

**SUBJECT: PUBLIC CONSULTATION ON THE ECC DECISION ON THE
HARMONISATION OF THE BANDS 1610-1626.5 MHZ AND 2483.5-2500 MHZ FOR
USE BY SYSTEMS IN THE MOBILE-SATELLITE SERVICE**

With reference to the subject public consultation, the Mobile Satellite Users Association (MSUA) appreciates this opportunity to comment on this draft ECC Decision. We also note, as stated in the covering note for the public consultation, that concerns have been expressed on the 'Decides 2' element of the draft ECC Decision and therefore comments are especially invited on that topic.

MSUA is a non-profit association dedicated to promoting and safeguarding the interests of users of mobile satellite communications worldwide. MSUA is focused specifically on representing the interests of users. Amongst other functions, MSUA provides a means of assembling the views of MSS users on system and service concerns and for conveying these concerns to the appropriate authorities.

MSUA understands that the purpose of 'Decides 2' is to ensure the protection of sensitive radio astronomy observations in the 1610.60-1613.80 MHz band. There are already various provisions within the ITU-R Recommendations that address this issue and which require other users of the spectrum to take all necessary measures to ensure the protection of the Radio Astronomy Service (RAS). We are not aware that any previous studies of this issue have demonstrated that MSS operations cause interference to the RAS in the 1610.60-1613.80 MHz band beyond the acceptable limits specified in the ITU-R Recommendations.

Therefore, we assume that 'Decides 2' is emphasizing the need for spectrum users to comply with these existing requirements and is not intended to place additional requirements on the MSS operators in these bands. If 'Decides 2' remains as an element of this ECC Decision, then in view of these existing provisions, MSUA believes that it would be sufficient that a regulatory authority is satisfied that MSS operations will not cause interference to RAS. In this case, we suggest that the text of 'Decides 2' should be modified to remove the need for the compatibility between MSS and RAS to be demonstrated through a future ECC Report, in order to avoid any undue delay in authorisation of MSS systems in these bands.

With this modification, the text of *Decides (2)* would then be as follows:

“that an administration may not authorise operation of mobile earth stations operating under the control of MSS systems using downlinks in the frequency band 1613.8-1621.35 MHz (space-to-Earth) until compatibility with the radioastronomy service operating below 1613.8 MHz has been demonstrated to the satisfaction of the regulatory authority concerned;”

We recognize the sovereignty of the CEPT Administrations in these regulatory matters and hope that you will appreciate the concept of the regulatory authority concerned making this judgement on the basis of all relevant information pertaining to that administration’s jurisdiction.

Please contact the undersigned with any questions.

Sincerely,

A handwritten signature in black ink that reads "Tim Farrar". The signature is written in a cursive, flowing style.

Tim Farrar
MSUA President
president@msua.org