Part 25 Rulemaking:
An Opportunity to Enable Operational Flexibility, Regulatory Certainty, and Technology
Neutrality to Benefit U.S. Consumers

- **Guiding Principles**: The Part 25 Rulemaking should be governed by the principles of technological neutrality, operational flexibility, and regulatory certainty as the implementation of these principles into the FCC’s Part 25 rules will benefit U.S. consumers and ensure that the FCC meets its goal of increasing its attractiveness as a filing administration.

- **Two-Degree Spacing**: The record demonstrates that two-degree spacing rules must be retained to ensure spectrum efficiency, create certainty as to the level of service that operators are able to provide at a particular orbital location, and incentivize competition.

- **API Filing Process**: The FCC should enable satellite operators to file for APIs through the United States administration before filing an FCC application and provide for priority in the application queue for two years from the date of API submission. Spectrum and orbital warehousing can be prevented by imposing a reasonable limit on pending APIs in each frequency band for a single operator.

- **Streamline Milestone Review**: The milestone process must be revised to limit a subjective compliance review, including elimination of the critical design review milestone. To the extent any interim milestones remain in place, the FCC should streamline the process to only require a certification.

- **Bringing into Operation Milestone**: The FCC should allow the bringing into operation milestone to be met with either an existing satellite or a new one.

- **A Flexible and Incentivized Bond Requirement**: The bond requirement should enable the use of a corporate guarantee, in certain circumstances, as an alternative. Further, an escalating value for bonds/guarantees would incentivize licensees to surrender rights to unneeded orbital locations earlier than under the current system.

- **Interference from Multi-beam Satellites**: The proposal put forward by the Commission to aggregate the impact from all co-frequency stations from all interfering beams in a larger victim beam on an adjacent satellite would severely impede the use of multi-beam satellites.
- **Rule Duplication**: Duplicative sections in the rules, which often have slight variations, should be merged into a single, clear provision (e.g., log N, 1 dB rule, and submission of antenna data).

- **Clear Technical/Operational Rules**: Some rules, such as Section 25.209, cause confusion as they entwine operation and technical constraints that should be kept separate to provide clarity and aid in compliance.

- **Elimination of VSAT Rules**: Since “VSAT” is difficult to define and does not need to be defined for FCC rule purposes, the FCC should eliminate any rules specific to VSATs and focus instead on licenses that are single antenna, multiple antennas, or blanket license.

- **Technology Neutral Earth Station Licensing**: In order to improve technological neutrality, earth station licensing in all Fixed Satellite Service bands should be based on the submission of either flange power density and antenna off-axis gain or off-axis EIRP density.