NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** United States of America **If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Federal Communications Commission (FCC) [1855]**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Non-geostationary satellite orbit, fixed-satellite service (NGSO FSS); Aircraft and space vehicles in general (ICS 49.020), Space systems and operations (ICS 49.140) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems (7 page(s), in English) |
| **6.** | **Description of content:** Proposed rule - The Federal Communications Commission (FCC or Commission) proposes to revise its rules governing spectrum sharing among non-geostationary satellite orbit, fixed-satellite service (NGSO FSS) systems. The FCC proposes that its existing spectrum sharing mechanism for NGSO FSS systems will be limited to those systems approved in the same processing round. The FCC also proposes to adopt a rule providing that later-round NGSO FSS systems will have to protect earlier-round systems, and invites comment on how to define such protection. In addition, the FCC seeks comment on whether to sunset, after a period of time, the interference protection afforded to an NGSO FSS system because of its processing round status. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Prevention of deceptive practices and consumer protection; Harmonization; Cost saving and productivity enhancement |
| **8.** | **Relevant documents:** 87 Federal Register (FR) 3481, 24 January 2021; Title 47 Code of Federal Regulations (CFR) Part 25:<https://www.govinfo.gov/content/pkg/FR-2022-01-24/html/2022-01204.htm><https://www.govinfo.gov/content/pkg/FR-2022-01-24/pdf/2022-01204.pdf>The full text of the Proposed Rule is available at <https://www.fcc.gov/edocs/search-results?t=quick&fccdaNo=21-123>.  This proposed rule is identified by IB Docket No. 21-456. The Docket Folder is available on the FCC's website at <https://www.fcc.gov/edocs/search-results?t=quick&dockets=21-456> and provides access to primary documents as well as comments received (if any).  Documents are also accessible from the FCC's [Electronic Document Management System (EDOCS)](https://www.fcc.gov/edocs) by searching the IB Docket Number. Comments are due on or before 25 March 2022; reply comments are due on or before 25 April 2022.  WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before [4pm](https://time.is/EST) [Eastern Time](https://www.timeanddate.com/worldclock/) on 25 March 2022. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [FCC's Electronic Comment Filing System (ECFS)](https://www.fcc.gov/ecfs/) if received within the comment period. |
| **9.** | **Proposed date of adoption:** To be determined**Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 25 March 2022; Reply comments are due on or before 25 April 2022  |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** <https://members.wto.org/crnattachments/2022/TBT/USA/22_0846_00_e.pdf> |