

**FHH Telecom Law**  
**May 2002**

**FCC Examines**  
**ESV Licensing**

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The FCC has launched a proceeding to explore the licensing of ship-board satellite earth stations, usually called earth station vessels (ESVs). Because ESVs operate while in motion, they have the potential to cause interference to Fixed Service point-to-point microwave stations sharing the same frequencies. For that reason the FCC does not presently license ESVs as it does other earth stations, but instead has granted and extended special temporary authorities (STAs). These prohibit ESV operators from causing harmful interference to other stations, and require that the ESV operators cease operations upon notification of interference.

The FCC is now exploring the domestic licensing of ESVs. Issues include (1) the feasibility and wisdom of authorizing ESVs in general, given the need to protect other authorized services in the same bands; (2) the appropriate regulatory status for ESVs, including bands for operation and licensing schemes; (3) methods for dealing with specific interference concerns; and (4) international coordination issues that would result from authorizing ESV operations on a more permanent basis.

International issues arise because ESVs may be located on ships bearing flags of other countries, and may dock in other countries' ports. ESV service in or near those ports would require bilateral or international frequency coordination in bands shared with terrestrial services. The World Radiocommunication Conference in Istanbul in 2000 (WRC-2000) adopted Resolution 82 "inviting the continued study, as a matter of urgency, of the regulatory, technical, and operational constraints to be applied to ESV operations." The Commission will have to consider these unresolved issues in developing its domestic licensing scheme.