

Information regarding licensing of satellite earth stations and provision of satellite services in Austria

1. LEGAL BASIS

Telecommunications Law of 2003 (TKG 2003) published on 19 August 2003 in Federal Law Gazette BGBl.I Nr. 70/2003, as amended.

2. LICENCES

2.1 Licences for Importation, Sale and Ownership

No licence is required for importation, sale and ownership of satellite earth stations, provided that the equipment is in conformance with the provisions of Directive 99/5/EC.

2.2 Licence for Installation and Operation

2.2.1 Individual licence

An individual licence is required for installation and operation of satellite earth stations operating in one of the following transmit frequency bands, unless the technical and operational conditions of a general licence are fulfilled which may be applicable for certain frequency bands. The technical and operational conditions for these satellite earth stations are outlined in the relevant radio interface description.

Transmit frequency band	Radio Interface Description	Purpose
406.0 – 406.1 MHz	FSB-RU014	Emergency transmitters in the COSPAS/SARSAT satellite system
5850 – 6425 MHz	FSB-RU010	Very Small Aperture Terminals
5850 – 7075 MHz	FSB-RU017	Satellite earth stations in the Fixed Satellite Service, unless FSB-RU010 is applicable
10.7 – 11.7 GHz	FSB-RU017	Satellite earth stations in the Fixed Satellite Service
12.75 – 13.25 GHz	FSB-RU017	Satellite earth stations in the Fixed Satellite Service
13.75 – 14.50 GHz	FSB-RU002	Satellite earth stations in the Fixed Satellite Service, unless a general license is applicable (refer to paragraph 2.2.2 below)
13.75 – 14.50 GHz	FSB-RU017	Satellite earth stations in the Fixed Satellite Service, unless FSB-RU002 or a general license (refer to paragraph 2.2.2 below) is applicable

17.3 – 18.1 GHz	FSB-RU017	Satellite earth stations in the Fixed Satellite Service
27.5 – 30.0 GHz	FSB-RU017	Satellite earth stations in the Fixed Satellite Service, unless a general license is applicable (refer to paragraph 2.2.2 below)

The Radio Interface Descriptions are published on the Internet homepage of the Federal Ministry for Transport, Innovation and Technology under the following address:

<http://www.bmvit.gv.at/telekommunikation/marktzugang/fsb/index.html>

Licence applications can be filed at the locally responsible Telecommunications Office. Use of the relevant application forms („Antrag“ and „Technisches Datenblatt“) is recommended (please refer to <http://www.bmvit.gv.at/telekommunikation/formulare/bewilligung/satelliten/index.html>).

2.2.2 General licences

General licences for installation and operation are applicable for the following categories of satellite earth stations:

Transmit frequency band	Radio Interface Description	Purpose
148.00 – 150.05 MHz	FSB-RU016	Satellite earth stations in the Mobile Satellite Service for data services with low-earth orbiting satellites („S-PCS < 1 GHz“)
1610.0 – 1613.8 MHz	Sub-Class 14	Satellite earth stations in the Land-Mobile Satellite Service
1626.5 – 1660.5 MHz	FSB-RU005	Satellite earth stations in the Mobile Satellite Service, unless Sub-Class 11 or Sub-Class 16 are applicable
1626.5 – 1645.5 MHz	Sub-Class 16	Satellite earth stations in the Land-Mobile Satellite Service
1631.5 – 1634.5 MHz	Sub-Class 11	Satellite earth stations in the Land-Mobile Satellite Service
1656.5 – 1660.5 MHz	Sub-Class 11 und Sub-Class 16	Satellite earth stations in the Land-Mobile Satellite Service
1980 – 2010 MHz	Sub-Class 15	Satellite earth stations in the Land-Mobile Satellite Service
13.75 – 14.50 GHz	FSB-RU001	Transportable satellite earth stations for satellite news gathering (SNG)
14.00 – 14.25 GHz	Sub-Class 12	Satellite earth stations in the Land-Mobile Satellite Service

14.0 – 14.5 GHz	FSB-RU006	Satellite earth stations in the Fixed Satellite Service with limited radiated power
14.0 – 14.5 GHz	FSB-RU015	Aircraft Earth Stations (AES) in the Mobile Satellite Service
29.5 – 30.0 GHz	FSB-RU006	Satellite earth stations in the Fixed Satellite Service with limited radiated power

The Radio Interface Descriptions are published on the Internet homepage of the Federal Ministry for Transport, Innovation and Technology under the following address:

<http://www.bmvit.gv.at/telekommunikation/marktzugang/fsb/index.html>

Updated information on general licences are available under the following address:

<http://www.bmvit.gv.at/telekommunikation/recht/aut/verordnungen/genbew.html>

3. PLACING ON THE MARKET

Placing on the market of satellite earth stations is subject to compliance with the provisions of the Federal Law concerning Radio and Telecommunication Terminal Equipment published on 27 November 2001 in Federal Law Gazette BGBl. I Nr. 134/2001, which transposes the relevant Directive of the European Union (Directive 99/5/EC). In particular, according to § 10 (4) of this law it is required to submit a notification concerning placing on the market of satellite earth stations in Austria, which are not Class 1 equipment (refer to Paragraph 2.2.2, last bullet point), to the following address:

Büro für Funkanlagen und Telekommunikationsendeinrichtungen

Höchstädtplatz 3

A-1200 Wien

Phone: +43 1 331 81 200

Fax: +43 1 334 27 62

E-Mail: bftk@bmvit.gv.at

Detailed information on the placing on the market of radio equipment is published on the Internet under the following address:

<http://www.bmvit.gv.at/telekommunikation/marktzugang/index.html>

4. FREQUENCY COORDINATION

For individually licensed satellite earth stations (except for the frequency band 406.0 – 406.1 MHz) evaluation of the interference potential caused by the planned satellite earth station in relation to other licensed radio stations will be performed. A licence for the planned satellite earth station will only be issued if no such interferences are to be expected.

International frequency coordination and notification in accordance with applicable ITU regulations is performed if the earth station will potentially cause interference to a radio service operating outside Austria or upon an applicant's special request.

Reception of satellite signals is on a non-protection basis.

No frequency coordination will be carried out for general licensed satellite earth stations

5. PROVISION OF COMMUNICATION NETWORKS AND SERVICES

Provision of communication networks and services is governed by paragraphs 14 – 25 of TKG 2003.

In particular, appropriate notification to the Telecommunication Regulatory Authority (i.e. Rundfunk und Telekom Regulierungs-GmbH, Phone: +43 (1) 58058-0, e-mail: rtr@rtr.at) is required in case of provision of public communication networks and services (refer to § 15 TKG 2003).

6. FEES

For satellite earth stations which are operated under an individual licence, the following categories of fees are applicable:

- Frequency Assignment Fee
- Frequency Utilisation Fee

Detailed provisions on telecommunications fees are laid down in the Telecommunications Fees Ordinance, Federal Law Gazette II No.29/1998 as amended.

6.1 Frequency Assignment Fee

This is a **one-time** fee. It is collected at the time when the operating licence for a station is granted. It amounts to Euro 98.11 if no international coordination and notification is performed (this is normally the case). In cases where international coordination and notification is required, this fee amounts to Euro 1,962.17.

6.2 Frequency Utilisation Fee.

This is a recurring fee. It is collected **monthly** for each transmitter (i.e. RF amplifier unit) installed in a satellite earth station. It amounts to:

Maximum RF output power	Monthly frequency utilisation fee
a) less than 1 Watt	Euro 14.53
b) between 1 and 6 Watt	Euro 36.34
c) between 6 and 30 Watt	Euro 50.87
d) between 30 and 150 Watt	Euro 109,01
e) between 150 and 1000 Watt	Euro 327.03
f) more than 1000 Watt	Euro 654.06

6.3 Handling fee for applications

The licence application and attachments thereto are subject to fees according to the Federal Fees Act of 1957 as amended. The fee amounts to Euro 13.20 for the application and Euro 3.60 for each attachment sheet (maximum amount per attachment: Euro 21.80).