



## **REPORT OF THE PUBLIC INQUIRY ON SATELLITE NETWORK FILING PROCESSES AND PROCEDURES**

### **INTRODUCTION**

The Nigerian Communications Commission (the Commission) pursuant to the powers conferred on it by Sections 57, 58, 70 and 71 of the **Nigerian Communications Act, 2003** (the Act) developed and issued draft Satellite Network Filing Processes and Procedures (the Procedures). The Procedures were published on the Commission's website for comments from the general public including telecommunications operators and other stakeholders.

A Notice of Public Inquiry on the Procedures was published on June 12, 2009 in Vanguard Newspaper and in ThisDay Newspaper of June 15, 2009. The publication requested members of the public to review the draft Procedures and submit comments on or before the close of business on Friday July 3, 2009. A Committee was also mandated by the Commission to review all submissions from stakeholders whose submissions were received before the expiration period.

By the close of business on the 3<sup>rd</sup> of July, 2009, the Commission did not receive any submission or comment in respect of the Procedures.

### **THE PUBLIC INQUIRY**

The Public Inquiry took place on the 15<sup>th</sup> July 2009 at the Conference Hall of the Commission, in Abuja.

### **PARTICIPATION**

Participants at the forum were drawn from licensed telecom operators and other corporate organizations.

### **OPENING**

The Inquiry commenced at 10:45 am and was chaired by the Executive Commissioner (Engineering and Standards) on behalf of the Executive Vice Chairman /CEO of the Commission. Other members of Management and Staff of the Commission were also in attendance. The Executive Commissioner welcomed everyone to the Public Inquiry. He explained that the Public

Inquiry was part of the Commission's consultation processes aimed at carrying the general public as well as stakeholders along in the discharge of the Commission's regulatory functions. He assured participants that their views and comments would be taken into consideration in finalizing the document under review.

### **PRESENTATION BY THE COMMISSION ON THE PROCEDURES**

The Commission's presentation on the Procedure for Management of Satellite Filings was made by the Director, Engineering. He explained the details as well as the legal basis for the Procedures.

He also pointed out that satellite services are important for business as well as for social and scientific applications and also elaborated on the criteria for applying to the Commission for Satellite Network.

### **PARTICIPANTS' COMMENTS**

Further to the presentation by the Director, Engineering, Stakeholders in attendance at the Inquiry made comments regarding the proposed Procedures. Stakeholders' comments and the Commission's response thereto are captured below.

**1. Comment:**

Did Nigcomsat process the Nigcomsat 1 satellite filing through NCC?

**Response:**

Nigcomsat did not file through NCC for the failed satellite. However NCC is assisting Nigcomsat in the coordination of the satellite that is to be re-launched.

**2. Comment:**

Can another country take the orbital slot reserved for a named country in the planned band? Is there a fee to be paid by the country that has a reserved orbital slot? For the non-planned band, is there a limitation on filling time period? Does the regulation cover all the orbits? Is there a regulation on GMPCS?

**Response:**

The orbital slot in the planned band remains the property of the country it was originally reserved for. The issue of fees and timing are well covered in the draft Procedures. The Procedures covers all orbits for satellite communication and such other orbits that may be developed in future. The 'Commercial Satellite Regulations' covers the issue of GMPCS.

**CLOSING**

The Executive Commissioner (Engineering and Standards) thanked the participants and stakeholders for attending the Public Inquiry. He assured that the Commission will continue in its practice of consulting widely with the industry, the consumers as well as other stakeholders for effective rule-making process and administration. The Inquiry came to a close at 12.30pm.

Dated the ----- day of -----, 2009

**Legal Services Directorate  
Nigerian Communications Commission**