

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC, 20554

In the Matter of: Notice of Proposed Rulemaking WT Docket 16-239,
NPRM-11708 and RM-11759

Amending Part 97 of the Commission's
Rules and Regulations to Permit Greater Flexibility in Data
Communications

To the commission:

REPLY COMMENT AND

REBUTTAL OF:

<https://www.fcc.gov/ecfs/filing/108260352626165>

Aug 26, 2016
Matthew Pitts
16-239
WT RM-11708

“As I continue to read comments added, **I am also dismayed by an increasing number of copy-and-paste comments, differing in only the name of the commentator; this sort of contribution to the proceeding is alarming in that it indicates to me that the individuals making them want to stuff the ballot box, as it were,** without regard to the validity of the claims contained within the comments; so many of those commenting simply do not realize that nothing would change compared to how it is now. As a developer of the currently beta Amateur Radio Digital Open Protocol (hereafter referred to as ARDOP)”

The complaint of this filer is that people opposed to the FCC RM-11708 and WT 16-239 have filed repetitive comments. It is not surprising that the complaints are the same, and it is OK to agree with someone else, and express it here in this forum, the final hearing before the FCC acts. He offers no proof that the opponents of the existing rule making are wrong. He also dismisses the often helpful comments that request “mitigation” of the “congestion” that is already evident, and will be even worse if the FCC proceeds as it currently intends. Setting aside separate segments for CW/narrow data and incompatible ACDS/wide data emissions solves that problem completely without any negative impact on the filer's efforts to sell his software products.

Further, and most damaging, are that the people with cut and paste comments who AGREE with the above filer have NOT been mentioned by him. This is evident in the the FCC's own records in the early filings of repetitive comments that are only a sentence or two long, have no technical basis, and are

obviously driven by the following posts, gleaned from searching certain pro-Winlink and marine oriented forums. Review the RM-11708 comments from 2012 and 2013 to verify this.

From:

<https://www.scca.org/forum/viewtopic.php?f=5&t=17393>

The comment period for RM-11708 is over. Anyone can still send comments in, or even post them online at the FCC website, but in all likelihood they won't be considered. **It is worth noting that SSCA sponsored a major collection of comments for RM-11708 during the comment period. We/I had arranged, in concert with the Winlink Development Team, for the FCC to take the input of cruisers as representative of a large class of users.**

I happen to be meeting with some FCC officials later this month on another topic. I'll see if I can get an update on progress on RM-11708.

posted by:

dave

S/V Auspicious

AuspiciousWorks.com

website:

<http://auspiciousworks.com/>

First, the forum poster, “Dave”, states that the SSCA sponsored a major collection of comments. So stuffing the ballot box with non members of the amateur service is OK, but real amateur operators with call signs filing simple comments is not valid and should be dismissed?

The obvious bias of a “developer of the currently beta Amateur Radio Digital Open Protocol (hereafter referred to as ARDOP)” is clear in this case.

Second, “Dave” claims to have had an “ex parte” meeting with someone at the FCC without posting legal notice, **“in concert with the Winlink Development Team”**. A bit more than just stuffing the ballot box, it seems to me like outright corruption of the system to circumvent its safeguards.

Here is some more background on “Dave” and his business use of radio:

9/29/16 post to

<http://www.sailnet.com/forums/cruising-liveaboard-forum/266097-internet-wifi-solutions.html>

SV Auspicious bio, commercial:

<http://www.sailnet.com/forums/members/svauspicious.html>

Re: Internet/WiFi Solutions?

A lot depends on where you plan to be.

Satellite Internet is the most expensive way to go. It's slow unless your wallet is very very fat.

Cellular is faster and cheaper. There are still dead spots so again, where you plan to cruise makes a difference.

WiFi range extension is fastest and cheapest but most limited in coverage.

For active cruisers a combination of short (WiFi), medium (cellular), and **long (satellite or HF/SSB) range communications** is the most effective solution. For liveaboards who don't move much or coastal cruisers who can choose their stops based on Internet access WiFi and/or cellular is most cost effective.

I'm in this business. Let me know how I can help.

I build "office afloat" systems around the RedPort Optimizer because it can integrate WiFi, cellular, and satellite. You can build similar systems around CradlePoint hardware.

If you are interested in a list of sources (including me, but not just me) send me an email at dave@auspiciousworks.com .

And there is more, with help from W4PHS, Phil Sherrod, a Winlink Officer, again forwarded by "Dave":

Dec 11, 2013 text from:

<http://cruiseroutpost.com/viewtopic.php?f=3&t=1600&view=next>

Posted by dave S/V Auspicious, owner of:
AuspiciousWorks.com see website commercial
Last post 7/27/12

My comments are attached. Please do not copy what I said, but please make the points:

- 1. The proposed change does not alter the bandwidth limits or the frequencies available for digital use, so no new frequency space is being used. It has no negative impact on any hams.**
- 2. The use of Pactor 4 simply makes the use of existing bandwidth more efficient, so additional traffic can be passed without allocating new frequencies.**

**Phil
W4PHS**

--- My comment ---

I strongly SUPPORT the proposal to remove the symbol rate limitation from digital modes. This is an obsolete restriction that is holding back progress on efficient use of digital communication on the ham bands.

The proposal has no negative impact on ham radio use. It does not increase the bandwidth allowed for digital signals, and it does not alter the frequency allocations allowed for digital transmissions. Acceptance of the proposed rule change will have no negative impact on any ham.

The effect of the proposed rule change will allow more efficient use of the available bandwidth. Simply put, it will allow more traffic to be passed through the same bandwidth.

Please accept the proposed rule change and allow US hams to benefit from modern digital modes being used regularly in virtually all other countries.

Thank you for your consideration,
Phil Sherrod, W4PHS

(END OF QUOTE)

(BEGIN QUOTE from roguewave1 reply)

roguewave1 reply:

When I looked into getting e-mail to the boat, the P3 modem was about \$1400, plus \$250 to subscribe to Sailmail over SSB. Winlink is free to HAMS. You are telling us that the US lags behind other countries in providing bandwidth to transfer data over the radio. **With my lack of knowledge and training on the issue, that translates to me to be less of a useful way to go. None the less I will make a comment with the FCC.**

I got my HAM licence for the very purpose of e-mail but have been holding off buying a modem. The price of the DeLorme In-reach is \$300. with fair and flexible package rates and better technology.

(END OF QUOTE from roguewave1)

Here is Phil Sherrod's comment to the FCC:

<https://www.fcc.gov/ecfs/filing/6017479398>

“7520961256.txt I strongly SUPPORT the proposal to remove the symbol rate limitation from digital modes. This is an obsolete restriction that is holding back progress on efficient use of digital communication on the ham bands. The proposal has no negative impact on ham radio use. It does not increase the bandwidth allowed for digital signals, and it does not alter the frequency allocations allowed for digital transmissions. Acceptance of the proposed rule change will have no negative impact on any ham. The effect of the proposed rule change will allow more efficient use of the available bandwidth. Simply put, it will allow more traffic to be passed through the same bandwidth. Please accept the proposed rule change and allow US hams to benefit from modern digital modes being used regularly in virtually all other countries. Thank you for your consideration, Phil, W4PHS Page 1 “

Which was liberally cut and pasted into filings by others in a blitz of filings during a short period of time.

And then we come to the absolutely CLASSIC Randal Evans comment filed with the FCC:

7521315143.txt

To: FCC - RM-11708

“The sailing forms are all engouraging us to file comments in support of RM-11708.

This is my first filing and if I mess this up, please see SailNet Forum at:

<http://www.sailnet.com/forums/general-discussion-sailing-related/111746-us-citizens-urged-support-fcc-rm-11708-a.html>

I have experienced very dependable service from the amateur radio Internet Winlink system. Its a great service because all of the other available Internet services

cost money. Even when I am topside cruising the system runs automatically below deck publishing my position reports and downloading my email. I use the system for sending position reports, **ordering supplies, repairs**, chatting with friends and **posting to facebook**. My only complaint is that it needs to be much faster. I am **not a amateur radio operator** yet but **a friend lets me use his call** with a SIDDD on the end. I hope to get my own ham call soon.

From what I read on the sailing forums, RM-11708 will allow Winlink eMail to run twice as fast. That is great and I am for that. Some of the technical folks are saying that if RM-11708 is published with no bandwidth we can get even faster Internet and might be able to stream movies on the Winlink Internet. I'm for passing RM-11708 into law with no bandwidth limits."

So finally comparing the quality of filings in this case:

When the simpler filings of licensed amateur radio operators complaining about existing and future "congestion" and requesting the FCC provide "mitigation" by allocating segments in the spectrum specifically for unlimited band width transmission separate from other emissions, invoking "generally applicable standards" of not mixing incompatible signals, as other countries do, that is offering a constructive solution. The 100 approximate Khz segment for narrow modes, followed by a segment for the new no band width limit digital modes and ROBOT stations, then finally VOICE/IMAGE above that seems quite reasonable. They all seem to agree on what they want.

Disagree all he wants, Matthew Pitts cannot deny their reasonableness or practical solution.

The misguided and misinformed rantings and self-evident misuse of amateur radio for email and other purposes by people who have become accustomed to violating the FCC and other laws are now self-evident, from the quotes presented in this research paper.

I therefore wish to comment in support of all those licensed amateur operators who filed, and in opposition to Matthew Pitts, the Sailing forums, and Phil Sherrod, who certainly did attempt to stuff the ballot box, their claims to the contrary notwithstanding.

Respectfully submitted,

/s/

Janis Carson, AB2RA, licensed since 1959, ARRL member 40 years.