

**AMENDMENT TO PREVIOUS JANIS CARSON COMMENT ON FCC OET 17-215
RE: ECFS FILING PROCEDURE IMPROVEMENTS, AND VARIOUS RULES
My original comment was previously filed as FCC OET 17-215a :
<https://ecfsapi.fcc.gov/file/10271307529598/FCC%20OET%2017-215a.pdf>**

Having read Bruce Peren's thoughtful comments, I wish to incorporate one of his ideas into my original filing. He suggest charging fees for amateur licenses which cover the administrative costs of the process. I plan to file reply comments on that concept later during the reply comment period.

In my discussion of filing rules to reduce repetitive and unproductive filings, I recommended: “Also, this FCC officer would briefly review past FCC actions to ascertain if the new request has already been ruled on in the past. If current circumstances have changed from the time of the original previous rule making, perhaps it is appropriate to revisit the issue. If not, the new petition should NOT be issued a formal RM number until a decision is made about whether the new action is warranted.”

I wish to add to that the following provisos:

1. To defray the costs of the administrative FCC review prior to issuing an RM number, the FCC shall collect a filing fee which covers the actual costs of reviewing and processing the filing. This concept is similar to standard filing and “court costs” in regular legal practice.
2. If the petition is denied due to being previously ruled on and denied, or withdrawn previously, an additional fee will be levied, twice the standard filing fee.
3. If the petitioner insists on proceeding with an appeal, and the appeal is denied, an additional penalty fee of FOUR times the basic filing fee will be collected, and the petitioner will be barred from filing any new petitions for a minimum of 6 months, if he loses the appeal.
4. If the petitioner has engaged in previous filings with the same outcome, the penalty fee will be doubled (8), and the moratorium on filings shall also be doubled to 1 year minimum.
5. If the petitioner files a similar petition which was subsequently withdrawn (even by another filer), and now has filed a new petition which is essentially the same as the original, or contains elements contained in previously rejected or withdrawn filings, and this is discovered during the FCC screening process or at any time, the petition will be dismissed WITHOUT A RULE MAKING NUMBER OR APPEAL, and a fee of FOUR times the basic filing charge will be assessed. Furthermore, the petitioner will be blocked from accessing the ECFS for any reason for 1 YEAR, and blocked from filing comments on others petitions or rule making for a minimum of 6 months. This moratorium shall also apply to any attorneys involved in the case of such filings. The involved attorneys shall also be subject to any process of professional discipline for such conduct, and shall make restitution of all FCC and court costs involved as well.
6. Petitions such as RM-11769 should not be allowed to “piggyback” off of other filings like RM-11759. The use of the phrase “sua sponte” should result in immediate dismissal without appeal. An example of these problems is FCC's own report and order, DA 17-11 regarding RM-11769. Another example of this is the revision of Novice and Technician HF privileges contained in RM-11759, which was withdrawn or denied on several previous occasions, over decades, because it contradicts a long standing principle of “incentive licensing”. I also wish to point out the the filer of RM-11759 WAS THE VERY ORIGINATOR OF THE INCENTIVE LICENSING CONCEPT IN THE LATE 60S, and should not be ignorant of the repetition.

I respectfully request that this addendum be added to and included in my original filing noted.

Respectfully submitted and timely filed 10/28/2017,

/S/

Janis Carson, AB2RA, licensed since 1959, Extra Class, ARRL member for 40 years