

**COMMENTS ON FCC OET 17-215  
TIMELY FILED OCTOBER 30, 2017  
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This FCC OET 17-215 inquiry asks whether there are obsolete rules which should be deleted or revised. I have one to add to the list. I refer to section (iv) as the “W1AW clause”:

**“§97.113 Prohibited transmissions.**

**(a) No amateur station shall transmit:**

**(3) Communications in which the station licensee or control operator has a pecuniary interest, including communications on behalf of an employer, with the following exceptions:**

**(iv) The control operator of a club station may accept compensation for the periods of time when the station is transmitting telegraphy practice or information bulletins, provided that the station transmits such telegraphy practice and bulletins for at least 40 hours per week; schedules operations on at least six amateur service MF and HF bands using reasonable measures to maximize coverage; where the schedule of normal operating times and frequencies is published at least 30 days in advance of the actual transmissions; and where the control operator does not accept any direct or indirect compensation for any other service as a control operator.**

**5) Communications, on a regular basis, which could reasonably be furnished alternatively through other radio services.**

**(b) An amateur station shall not engage in any form of broadcasting, nor may an amateur station transmit one-way communications except as specifically provided in these rules; nor shall an amateur station engage in any activity related to program production or news gathering for broadcasting purposes, except that communications directly related to the immediate safety of human life or the protection of property may be provided by amateur stations to broadcasters for dissemination to the public where no other means of communication is reasonably available before or at the time of the event.**

**(c) No station shall retransmit programs or signals emanating from any type of radio station other than an amateur station, except propagation and weather forecast information intended for use by the general public and originated from United States Government stations, and communications, including incidental music, originating on United States Government frequencies between a manned spacecraft and its associated Earth stations. Prior approval for manned spacecraft communications retransmissions must be obtained from the National Aeronautics and Space Administration. Such retransmissions must be for the exclusive use of amateur radio operators. Propagation, weather forecasts, and manned spacecraft communications retransmissions may not be conducted on a regular basis, but only occasionally, as an incident of normal amateur radio communications.”**

**The station of the ARRL, W1AW, routinely broadcasts on amateur HF bands, according to its schedule, in the CW/RTTY and VOICE/DATA bands. This clause above is specifically worded to single out W1AW only. This illustrates a level of favoritism that is not extended to others. K1MAN engaged in similar activity, which was exacerbated by offering items for sale, and was subsequently shut down by the FCC after a lengthy process. The official charge was related to not being at the control point, and using a cheap Radio Shack timer.**

**Most people obtain their information from the Internet these days, and it may not be the best use of spectrum any more for W1AW to continue broadcasting. This is the best way to distribute it, and it can reasonably be furnished by internet email or on their web page.**

**There are many Morse practice recordings, internet websites, and computer programs available for Morse code practice. This part of the broadcasting certainly should stop, even if the broadcasted bulletins are permitted to continue. I disagree with many that Morse code is obsolete, but we do not need to practice it in this fashion any more. I stipulate that I got my Novice class license by listening to W1AW on a regen set back in 1959; but I believe that time is past, and we should now move forward.**

**In particular, the 80 meter CW/DATA emissions take up space in an assignment that is so “congested” that the ARRL itself has requested in RM-11759 to have it expanded at the expense of amateur extra voice privileges, to avoid interference with emerging wide band digital modes. They should participate in relief of congestion by ceasing this broadcast activity on 80 meters at least.**

**Furthermore, I point out that this W1AW broadcasting system on all amateur bands is NOT functioning in the “Listen before Transmit” mode. Listen before transmit is the bedrock of a shared spectrum, and a long standing tradition which should be continued.**

**The “W1AW clause” should be deleted due to being obsolete as well as excessive band congestion, or at least NOT allowed on 80 meters or 40 meter CW/RTTY bands, which serve primarily continental USA listeners. It may also be appropriate to delete W1AW broadcasting on 20 meter CW/RTTY as well. I will leave it up to the FCC whether this comes to apply to other HF bands, but these are the most congested bands, and should as a minimum benefit from this rule revision.**

**Most hams these days have entered the hobby by a code free license. Many do not have a digital setup. ARRL may be able to justify continued broadcasting in the VOICE/IMAGE segments, if they wish to file reply comments to that effect. I would offer no opposition to that resolution of the issue. All amateurs and Short wave listeners could easily listen to a voice broadcast or bulletin, with their current skills and equipment. The ARRL could still reach most of its intended audience, without needlessly adding to congestion in the CW/DATA segments.**

Respectfully submitted,  
/S/

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