

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	RM-11831
)	16-239
Amendment of Part 97 of the)	RM-11708
Commission's Amateur Radio Service)	RM-11759
Rules to to Reduce Interference and)	RM-11828
Add Transparency to)	RM-11306
Digital Data Communications)	March 30, 2019

To: The Chief, Wireless Telecommunications Bureau
Via: Office of the Secretary

COMMENT IN FAVOR OF EXPEDITED ADOPTION OF RM-11831

Janis Carson, amateur radio service licensee AB2RA since 1959, and ARRL member for over 40 years, pursuant to Section 1.405 of the Commission's Rules (47 C.F.R. §1.405), hereby respectfully requests that the Commission urgently expedite RM-11831 (Kolarik petition FCC ID 100918881206) to solve long standing problems with the now suspended 16-239, RM-11708, and associated RM-11759 and the previously withdrawn RM-11306. This intractable issue has been petitioned, opposed, withdrawn, petitioned again in various form, opposed again, suspended, and dragged on since before 2007.

All of these noted actions failed to address the protection of incumbent users of the spectrum and violation of FCC Part 97 rules on a large scale. Sufficient time and debate has occurred to verify these all constitute a badly engineered patchwork of proposals that are defective regulatory policy, do not serve the public good, and have wasted unjustified amounts of time and FCC resources. Cut your losses now.

PLEASE EXPEDITE ADOPTION OF RM-11831

PLEASE REJECT RM-11708, RM-11759 and 16-239, as in the previous case of RM-11306.

PLEASE REJECT and DISMISS WITH PREJUDICE RM-11828, as the FCC has previously ruled on these matter before as well.

- RM-11831 ensures the ability to identify and monitor the radio transmissions of any data signal using readily available over-the-air interception methods by third parties, as required by Part 97.113(a)(4) and 97.119(a).
- Without open, over-the-air interception capability for all transmissions in the amateur radio spectrum, there is no way to determine if there is commercial, or other prohibited inappropriate content in ongoing communications over the amateur radio spectrum. FCC DA 13-1918 ¶ 6
- RM-11831 assures that the amateur radio service will not be used to bypass commercial internet or email services or be used for commercial use as required by Part 97.1, 97.3(4), 97.113(a)(5)
- Eliminating Part 97.221(c) as RM-11831 proposes would solve long standing interference issues suffered by radio amateurs wishing to use the HF RTTY/Data sub bands for other mainstream and emerging digital modes rather than ACDS purposes.

Therefore, I respectfully request that the Commission issue a Notice of Proposed Rule Making at an early date, to delete Section 97.221(c) and modify Section 97.309(a)(4) of the Commission's rules as described above.

I also request SUMMARY DISMISSAL of RM-11828, RM-11708 and 16-239 as well as RM-11759, based on contradictions and lack of merit, as well as points raised in this RM-11831 proceeding.

Please direct the ARRL to come up with a better comprehensive petition and a new proposal that will work rather than this patchwork of ill devised initiatives. Please direct them to solicit support from the amateur community to arrive at a consensus before submitting another proposal. Please admonish them to avoid stacking its committees with special interest parties that have commercial objectives for the amateur service.

Please insist all contact with the FCC proceed according to proper rule making procedures, rather than allowing special interests a “back door” access without filing proper Ex Parte Notices. One of the reasons this process has gone so badly is that these essential due process and democratic principles have been ignored, to the detriment of the public good, as noted in other documents recently filed by Ted Rappaport:

<https://ecfsapi.fcc.gov/file/1032167020169/FCC%20Letter%20RM%2011828.pdf>

I reserve the right to comment or file reply comments as this proceeds.

Sincerely and respectfully,
/S/

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