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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

10 FEB 1993

IN REPLY REFER TO:
7330-7/1700A3

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FEB 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. Charles W. Smith
1365 West Grand Avenue
Chicago, Illinois 60633

Dear Mr. Smith:

This is in reply to your letter of January 22, 1993, to Senator Paul Simon regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

You are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

W. J. Christopher
SECRETARY
OFF

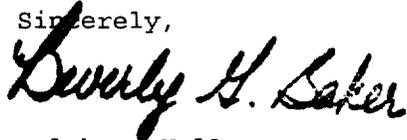
Mr. Charles W. Smith

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration your comments. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued near the end of 1993. We urge you to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Discussion paper

Copy to: Honorable Paul Simon
United States Senate
Washington, D.C. 20510

cc:
Chief, PRBureau
Chief, LM&M Divison
Deputy Chief, LM&M Division
Docket Files, Room 222
Licensing Div., PRB, c/o Room 5202
P&P Branch Files

CNTL NO - 9300371

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CONGRESS/9300371

Congressional

DUE 2-10-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/02/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300371	02/02/93	01/28/93	02/15/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Paul Simon	BC

CONSTITUENT'S NAME	SUBJECT
Charles W Smith	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/hmm 2-3-93			
DATE	DATE	DATE	DATE
02/02/93			

REMARKS: Direct response to constituent. Copy to the
attention of Tricia Haneghan.

RECEIVED
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PAUL SIMON
ILLINOIS

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~~10/16/93~~
92-235
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COMMITTEES:
LABOR AND HUMAN RESOURCES
JUDICIARY
FOREIGN RELATIONS
BUDGET
INDIAN AFFAIRS

United States Senate

WASHINGTON, D.C. 20510

January 28, 1993

Federal Communications Commission
Kathie Kneff
2025 M Street, NW
Washington, D.C. 20554

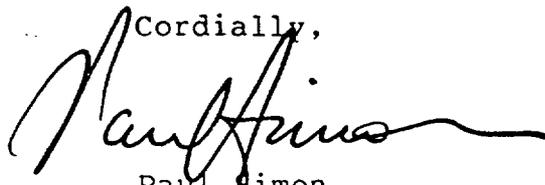
Dear Ms. Kneff:

I am writing on behalf of Charles W. Smith who has written expressing concern over the Federal Communications Commission's PR Docket 92-235. For a more detailed explanation, please see the enclosed letter.

I would appreciate your looking into this matter and responding to Mr. Smith. In addition, please be sure to send a copy of your response to the attention of my staff assistant, Tricia Haneghan.

Thank you for your attention to this matter. Please let me know if there is anything I can do to help resolve this situation.

My best wishes.

Cordially,

Paul Simon
U. S. Senator

PS/tlh
Enclosure

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1365 West Grand Avenue
Chicago, IL 60622 Fax: (312) 829-9712
20 Jan 93

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The Honorable Paul Simon
United States Senate
Washington, D.C. 20510

Re: Federal Communications Commission PR Docket 92-235

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Dear Senator Simon,

The abovementioned docket number refers to a radio frequency re-distribution proposal currently under consideration by the FCC. If adopted, the proposal would seriously compromise the viability of frequencies presently assigned for the avocational radio control of model aircraft.

As it stands, the proposal would add commercial-usage frequencies in a manner which would cause control impairment of models in flight and during ground operations. This, in turn, would result in an intolerable hazard to individuals and property at or near established, locally-approved sites where radio-controlled models are flown.

(Please refer to the attached enclosure for facts regarding the nature of the models and their operation, along with a reference to a national aeromodelers' organization, the Academy of Model Aeronautics, of Reston, VA.)

As a beneficiary and frequent user of the present FCC frequency accommodation for aeromodeling, I assure you that the proposal will—if left unmodified—virtually eliminate a worthy and gratifying avocational activity; an activity enjoyed by a demographically diverse participant-group of enthusiasts who frequently invest a major portion of their available leisure time and financial resources to radio-controlled aeromodeling.

Please consider interceding on our behalf by urging the FCC to heed these concerns as they'll be articulated in a Formal Letter of Comment to be presented by the Academy of Model Aeronautics via their counsel. The identification of the proposal, once more, is PR Docket 92-235 and the deadline for Comment is 26 FEB 93.

In doing so, you'll be helping preserve one of the very few, very small segments of the public airwaves still available for non-commercial use by the American public.

Sincerely,



Charles W. Smith

c., encl: FCC
AMA

FACTS REGARDING RADIO-CONTROLLED
MODEL AVIATION

20 JAN 93

1. The miniature aircraft affected by the FCC frequency proposal (PR Docket 92-235) should not be confused with radio-controlled toys commonly available at mass marketing outlets.
2. The average model weighs between 5 and 12 pounds, spans 5 to 7 feet and flies at speeds between 70 and 100 mph. Other, more specialized and elaborate models may reach speeds of up to 200 mph and may weigh as much as 55 pounds. Larger models exist, but are flown only when rigid pre-flight procedures have been met.
3. In addition to many non-representational "sport" designs, radio-controlled models replicate the complete range of full-scale aircraft, including multi-engine, commercial, aerobatic, vintage military and civilian types plus helicopters, jets and sailplanes. The majority of the models are built from kits, but many are designed and constructed "from scratch" by craftsman-operators.
4. A minimum outlay of about \$500 is necessary to "get a start" in the sport. Participants' investments average \$3,000-\$5,000, and individual commitments in excess of \$10,000 are commonplace.
5. Apart from the financial outlay required, the cultivation of considerable skill and discipline is necessary to ensure successful, safe operation of radio-controlled model aircraft.
6. Hundreds of user-maintained flying sites have been established on public and private lands. Clubs—usually numbering 50-300 members—are typically responsible for site management and operational safety. Safety is foremost among the concerns of users as well as site providers, many of which are park system administrations.
7. Estimates of participation are unreliable, but conservative numbers suggest that there are between 300,000 and 400,000 devotees to the sport.
8. Roughly 160,000 of the most active enthusiasts are members of the Academy of Model Aeronautics, a Reston, VA-based organization concerned with flying safety, competition conduct and guidance, liability underwriting, FCC liaison and other matters affecting the avocation and its participants.

SUMMARY:

If adopted, the FCC proposal (as outlined in PR Docket 92-235), would insert additional frequencies in a manner which ignores their activation's potential to interfere with the radio link between radio-controlled models and their operators' transmitters.

In addition to losses which would be sustained by the operators of affected models, it should be apparent that even "average" models can represent a significant hazard to any and all individuals and property at or near flying sites if their control integrity is compromised.

For these and other reasons, the structure of the proposal reveals a profound lack of technical acumen and/or concern for the public interest on the part of its originators, and the necessity to marshal and commit resources for opposition to such a proposal constitutes an unjustifiable imposition on present users of the subject frequency band.

C.S.