

EX PARTE CR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

ORIGINAL
Room 222
FILE
Dockets

10 FEB 1993

IN REPLY REFER TO:
7330-7/1700A3

RECEIVED

FEB 12 1993

FEDERAL COMMUNICATIONS COMMISSION
GENERAL COUNSEL'S OFFICE

Honorable Charles S. Robb
United States Senate
Russell Senate Office Building
1st & Constitution, NE., Room 493
Washington, D.C. 20510

Dear Senator Robb:

This is in reply to your letter of January 28, 1993, in which you inquired on behalf of your constituents 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.

Your constituents 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.

No. of Copies rec'd 0/1
FACCODE

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 all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. 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 February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Discussion paper

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)
9300352	02/02/93	01/28/93	02/15/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Charles Robb	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
--------	--------	--------	--------

PRB/kmm
2-3-93

DATE	DATE	DATE	DATE
02/02/93			

REMARKS:

RECEIVED
FEB 3 3 25 PM '93
PRIVATE

CHARLES S. ROBB
VIRGINIA

STATE OFFICE:
Old City Hall
1001 East Broad Street
Richmond, VA 23219
(804) 771-2221

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS

United States Senate

WASHINGTON, DC 20510-4603

January 28, 1993

PRB
~~92-235~~
352

Ms. Linda Townsend Solheim
Federal Communications Commission
Office of Legislative Affairs
1919 M Street, NW, Room 808
Washington, DC 20554-0002

Dear Ms. Solheim:

Enclosed is correspondence I have received regarding FCC PR Docket 92-235. As you will note, many constituents have expressed concern with the rule.

In an effort to be of assistance, I am forwarding this information to you for your review. I would appreciate every fair and appropriate consideration of this correspondence. If you would, please send a copy of your response to my office at the address indicated above, referencing FCC PR Docket 92-235.

Thank you in advance for your consideration of this correspondence.

Sincerely,



Charles S. Robb

CSR/wll
Enclosure

RECEIVED
FEB 3 3 26 PM '93
PLANNING

Washington Office:

Russell Senate Office Building
1st & Constitution, NE Room 493
Washington, DC 20510
(202) 224-4024

Regional Offices:

Dominion Towers, Suite 107
999 Waterside Drive
Norfolk, VA 23510
(804) 441-3124

8229 Boone Boulevard
Suite 888
Vienna, VA 22182
(703) 356-2006

1 Court Square
Suite 340
Harrisonburg, VA 22801
(703) 432-1551

Dominion Bank Building
Main Street
Clintwood, VA 24288
(703) 926-4104

Signet Bank Building
530 Main Street
Danville, VA 24541
(804) 791-0330

Crestar Bank Building
310 First Street SW Suite 102
Roanoke, VA 24011
(703) 985-0103

Senator Robb's office received the attached letter from the following:

Gary O. Lane
6703 West Road
Chesterfield, Virginia 23832

Mr. Robert J. Neil, Sr.
4807 Wellington Farms Drive
Chester, Virginia 23831

Mr. and Mrs. Tony Crosby
3621 Rusk Avenue
Richmond, Virginia 23234

Mr. and Mrs. N.J. Jessee III
2806 Pine Meadow Circle
Chester, Virginia 23831

Mr. Randall B. Hall
Route 2, Box 106
Beaverdam, Virginia 23015

Mr. Charles Barnes
6624 Philbrook Road
Richmond, Virginia 23234

Mrs. Deborah Reed
2705 Martingale Road
Colonial Heights, Virginia 23831

Jeff Kubach
1501 Denham Road
Richmond, Virginia 23229

John B. Norfleet, Jr.
2711 Walhala Drive
Richmond, Virginia 23236

Mr. Anthony D. DeOrio
9415 Goundhog Drive
Richmond, Virginia 23235

Yvonne M. Barnes
Hobby Corner
7150 Hull Street Road
Richmond, Virginia 23235

H.W. Adams
6400 Chisby Road
Richmond, Virginia 23225

David and Johnathan Adorno
221 North 14th Avenue
Hopewell, Virginia 23860

January 20, 1993

The Honorable Charles Robb
1001 E. Broad Street Suite 150
Richmond, Virginia 23219

Dear Senator Robb:

I am very involved and interested in the building and flying of remote controlled airplanes. I have friends that also fly remote controlled helicopters and that run both remote controlled cars and boats. This is a hobby that consumes a lot of time and gives much pleasure to young and old people alike. The equipment necessary to build and run remote control is quite expensive usually running \$500.00 and up.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

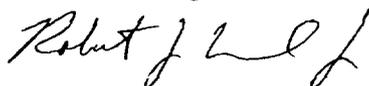
The Notice of Proposed Rule Making (NPRM) in PR 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizeable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,


ROBERT J NEAL JR