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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

9 FEB 1993

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Rm: 222

IN REPLY REFER TO:

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FEB 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Richard Shelby
United States Senate
Washington, D.C. 20510

Dear Senator Shelby:

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

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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 constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Discussion paper

Enclosures:
Notice
Discussion paper
cc:
Chief, PRBureau
Chief, LM&M Divison
Deputy Chief, LM&M Division
Lou Sizemore, Room 857
Docket Files, Room 222
Licensing Div., PRB, c/o Room 5202
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PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/01/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300290	02/01/93	01/28/93	02/12/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Richard Shelby	BC

CONSTITUENT'S NAME	SUBJECT
Barry Williams	info/comments on a docket

REF TO	REF TO	REF TO	REF TO
PRB/WM/D 2-2-93	C/S		
DATE	DATE	DATE	DATE
02/01/93			

REMARKS: Respond in duplicate to the attention of Simeon Spencer.

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RICHARD SHELBY
ALABAMA

COMMITTEE ON ARMED SERVICES

COMMITTEE ON BANKING, HOUSING,
AND URBAN AFFAIRS

COMMITTEE
ON

ENERGY AND NATURAL RESOURCES

SPECIAL COMMITTEE ON AGING

313 HART BUILDING
WASHINGTON, DC 20510-0103
(202) 224-5744

United States Senate

WASHINGTON, D. C. 20510-0103

January 28, 1993

STATE OFFICES:

- 1800 FIFTH AVENUE NORTH
321 FEDERAL BUILDING
BIRMINGHAM, AL 35203
(205) 731-1384
- HUNTSVILLE INTERNATIONAL AIRPORT
1000 GLENN HEARN BOULEVARD
BOX 20127
HUNTSVILLE, AL 35824
(205) 772-0460
- 113 ST. JOSEPH STREET
438 U.S. COURTHOUSE
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(205) 832-7303
- 1118 GREENSBORO AVENUE
ROOM 240 U.S. COURTHOUSE
TUSCALOOSA, AL 35401
(205) 759-5047

Ms. Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Commission
Room 808
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Solheim:

I am enclosing a copy of a letter I received from a few constituents, including Barry Williams.

Any information you may have regarding this matter would be appreciated in order that I may be able to respond to my constituents' inquiries. PLEASE REPLY, IN DUPLICATE, TO THE ATTENTION OF MY STAFF MEMBER, SIMEON SPENCER.

Thank you for your prompt assistance to this matter.

Sincerely,

Richard Shelby

RCS/sds
Enclosure

RECEIVED
FEB 2 2 51 PM '93
PRIVATE RADIO BUREAU
F.C.C.

January 14, 1992

The Honorable Richard Shelby
516 Hart Senate Office Building
Washington, DC 20510-0010

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Dear Senator Richard Shelby:

I am active in radio control airplane modeling and flying. I have been enjoying the sport for over a year now, and would very much like to continue. I spend approximately 15 to 20 hours a week building and flying model airplanes. It helps me occupy my leisure time, gives me a feeling of achievement, and is also great fun.

The reason for this letter is because I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). (The proceeding is PR Docket 92-235). If adopted, the new rules will reduce the usability of frequencies currently assigned for model use, and increase the risk of accidents and attendant liability for controlling model airplanes.

The radio control frequencies we use 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 so that we have been able to share the band without either use interfering with the other.

With the FCC Docket splitting the mobile frequencies into narrower band widths, many land mobile frequencies will move closer to the radio control frequencies. This will cause interference to radio control operation for 31 of the 50 frequencies available, and leave only 19 frequencies for safe use.

Many safety precautions are taken when flying remote control aircraft to assure the safety of the operator, bystanders, and the protection of property. One of the most important safety precautions is the careful coordination and use of radio control frequencies. With the number of usable frequencies reduced as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly reduced.

A remote control aircraft, weighing 5 to 20 pounds, capable of speed of a 100 mile per hour or more, that goes out of control due to radio interference is not discriminating of what or whom it crashes into. A crash can cause property damage, serious injury or even death. The full complement of radio frequencies are needed in order to assure a safe flying environment.

I do not think it is wise for the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself, and contributes to the advancement and development of the commercial aviation industry.

Please help me continue in the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,



Barry Williams

Subject: Radio Control in the 72-76 MHz band

Question: What is the 72-76 MHz band used for?

Answer: The frequency range between 72-76 MHz is primarily a guard band between TV channels 4 and 5. Specifically, the channels between 72 and 76 MHz are licensed for use by 1) private and common carrier fixed station use at up to 300 watts output power (private and common carrier fixed use occurs on the same channels) and 2) private land mobile use at up to 1 watt output power. The channels between 72 and 76 MHz are also available for unlicensed secondary use by remote control operators of model aircraft, boats and cars at .75 watts output power.

Question: What is the relationship between fixed and mobile land mobile operations and radio control operations?

Answer: Radio control channels are located between fixed and mobile channels. The radio control channels overlap with the fixed and mobile channels. Radio control operations are unlicensed and are secondary to fixed and mobile operations. This means that radio control operations must accept interference from fixed and mobile users, and may not cause interference to such users.

Question: What changes are proposed in PR Docket 92-235 that have raised the concern of radio control operators?

Answer: We have proposed that over a 20 year period, 20 kHz mobile channels in the 72-76 MHz band be replaced with 5 kHz mobile channels. (See the attached page.) Apparently, radio control operators believe that this would make many of their frequencies unusable.

Question: Private land mobile, common carrier, and radio control users have peacefully shared spectrum in this band for many years. Would these changes lead to problems between various classes of users?

Answer: We can not categorically state that authorized mobile operations under the current or proposed rules could never harm radio control operations. However, in practice, all types of users can and do operate without conflict, although there are rare occurrences of interference between these users. We believe that under our proposed rules they should remain rare.

First, permitted power levels for both services are comparable. (For radio purposes, 3/4 of a watt is indistinguishable from 1 watt.) In approximate terms, this means that even if a factory and a radio control hobbyist shared a channel, which they would not under this proposal, the radio control user's model airplane would continue to stay under control as long as the plane is reasonably closer to the hobbyist's radio transmitter than the factory's radio transmitter. The fact that two users would not be using the exact same frequency significantly reduces risk of interference.

Second, radio control transmitter standards are stricter than they used to be. The proposed narrowband technical requirements are much stricter than current requirements. Thus, a 2.5 kHz frequency separation between land mobile and radio control users should be adequate given modern radio control equipment and the proposed land mobile equipment.

Third, land mobile operations authorized on the 72-76 MHz band are not car phones. Rather, these channels are used in limited locations such as a factory or construction site, mainly for non-voice operations to monitor or control expensive equipment such as overhead cranes. Model airplane enthusiasts seek clear areas and fields. Thus, the two classes of users rarely notice each other. The proposed technical standards would not change this important fact.

Question: Would the technical rules for the fixed users be changed?

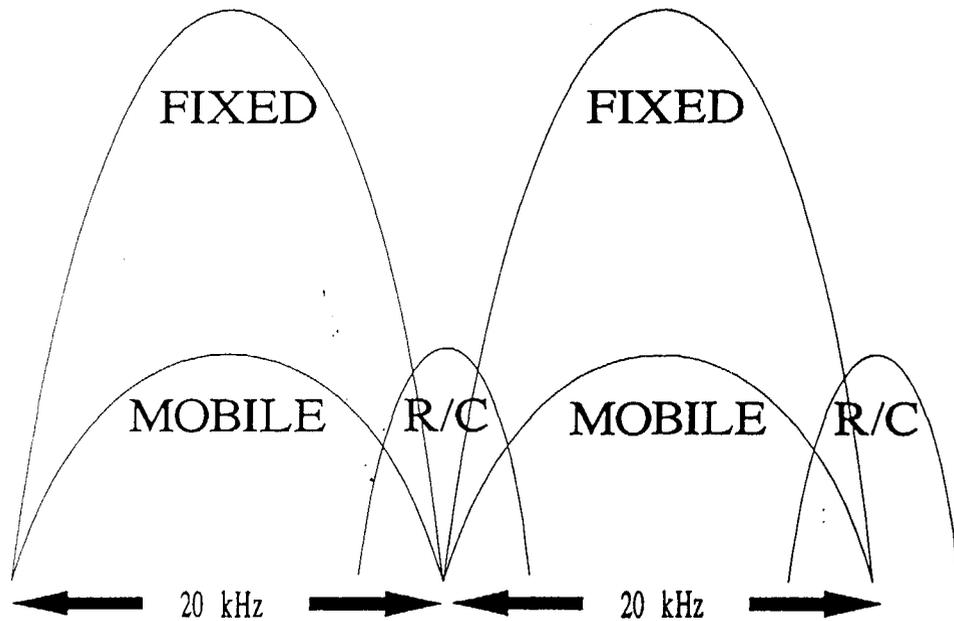
Answer: No. We are not proposing technical changes because such changes could have a significant adverse impact on other users, including mobile users and radio control operators.

Question: Would any changes be required of radio control users?

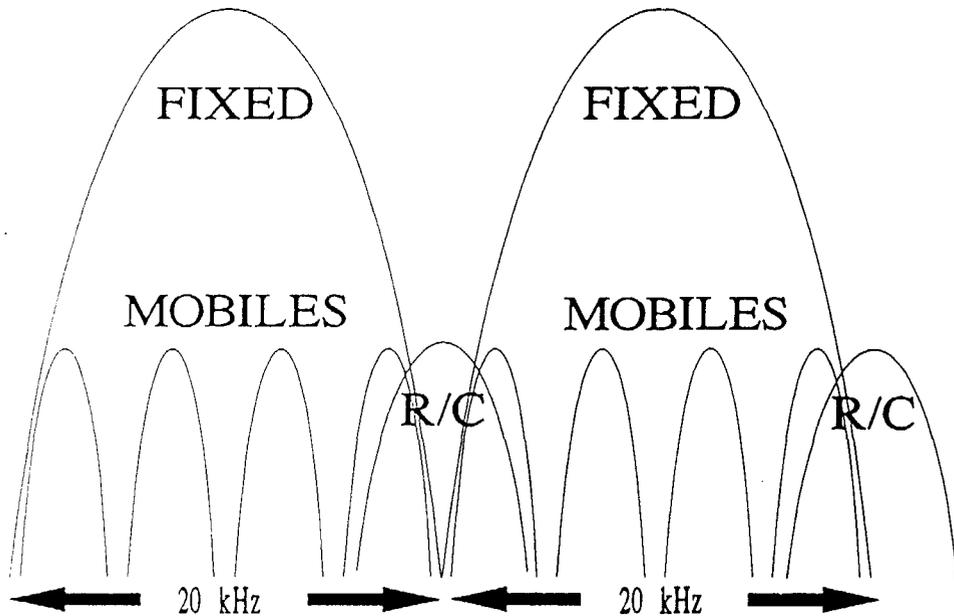
Answer: No. Current technical and operational requirements for radio control operations are compatible with the proposed changes for private land mobile radio use.

Finally, we recognize that our proposed rules are based on the information available at the time we wrote them. We seek constructive information in order to adopt final rules that meet our objectives of expanding capacity for private land mobile radio users with minimal or no harm to all existing users of the spectrum.

Channel Splits



Current channels
at 72-76 MHz



Proposed
channelization