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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

10 FEB 1993

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable Robert C. Byrd  
United States Senate  
Washington, D.C. 20510

Dear Senator Byrd:

This is in reply to your letter of January 27, 1993, in which you inquired on behalf of your constituent, Anthony A. Turley, 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.

Mr. Turley is 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.

Enclosed  
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Honorable Robert C. Byrd

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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 constituent's 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

# Congressional

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CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
02/02/93

## LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300370	02/02/93	01/27/93	02/15/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Robert Byrd	BC

CONSTITUENT'S NAME	SUBJECT
Anthony A Turley	inq. comments on PR Docket 92-235

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

REMARKS:

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United States Senate  
COMMITTEE ON APPROPRIATIONS  
WASHINGTON, DC 20510-6025

PRB  
~~Let~~  
92-235  
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January 27, 1993

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

Dear Ms. Solheim:

Enclosed is the correspondence that I have received from Mr. Anthony A. Turley, concerning the proposed change in the frequency band used by operators of radio-controlled model aircraft.

I would appreciate your looking into this matter and providing me with comments that might serve as the basis for a reply to my correspondent.

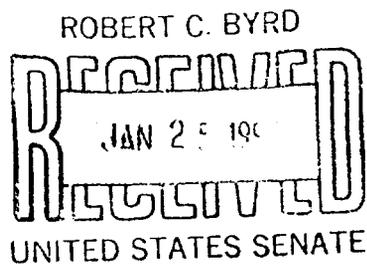
Thank you in advance for your attention to this matter.

Sincerely yours,

*Robert C. Byrd*  
Robert C. Byrd

RCB:hk  
Encl.

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HR

January 21, 1993  
229 Pine Circle  
Dunbar, WV 25064

The Honorable Robert C. Byrd  
United States Senate  
Washington, DC 20510

Dear Senator Byrd:

I am the Secretary/Newsletter Editor of the Flying Hillbillies R/C Club, an organization of approximately 70 members that build and fly radio controlled aircraft. We are one of two organized clubs in the greater Charleston area, one of a dozen or so clubs in West Virginia, and one of hundreds of clubs across the country. We are chartered by the Academy of Model Aeronautics (AMA), an associate member of the National Aeronautic Association. Each club member is required to be an individual member of the AMA, which in turn insures each of us, and the flying site owner, in the event of an accident. There are approximately 180,000 members of the AMA, and an estimated 2-3 million total R/C'ers across the country. The sport of R/C modeling is a multi-million dollar a year business, employing thousands of people from small local hobby shops to large corporations, and we enjoy a safety record second to none.

Model aviation is a national pastime, and dates from the earliest days of aviation, and stick and tissue models, to the modern radio control era. Radio control model aviation not only provides satisfaction to people of all ages and occupations, it also helps in teaching our youth in many areas of science and aviation, as well as having commercial and military applications. All of this is now being threatened.

The Federal Communications Commission (FCC), is proposing a large change in the frequency band we use for controlling our models. This proposal is NPRM PR Docket 92-235. If the FCC is allowed to adopt these new rules, the amount of frequencies available for model aviation use will be greatly reduced. There are currently 50 channels in the 72-76 MHz band assigned to model aircraft. Other frequencies in this band are used by mobile dispatch operations. As of now, the frequencies in this band are far enough apart to preclude interference. However, the FCC proposes to increase the number of mobile frequencies in this band, which will put the new frequencies too close to the radio control frequencies for our equipment to handle. We have already had to update our equipment over the past five years to meet new FCC standards. If the new FCC proposal passes, channels 11-41 will be virtually useless, leaving us with only 19 channels. Furthermore, it will create yet another huge expense to update our radio equipment again.

The AMA, its chartered clubs, and its members have gone to great lengths to maintain one of the best safety records in any sport or hobby. The use of interference-free frequencies ensures this safety. Many of us fly our models at events and contests. There are thousands of events and contests across the country each year, some involving hundreds of participants. The Flying Hillbillies hold or are involved in several such events

each year, including the Bob Evans Fly-In and Scale Meet In Rio Grande, Ohio. This event, held each August, draws hundreds of participants and spectators. The safety precautions we take involve strict coordination and use of radio control frequencies. It is imperative that we have enough frequencies to choose from.

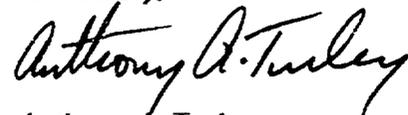
Many clubs, ours included, have a lot of time and money invested in our flying sites. Many modelers, including myself, also have a large investment in our models and equipment. We work hard in maintaining safety in our everyday flying. Here again, our careful coordination of frequency use is a major factor. 19 channels are not enough. It takes all 50 channels to fly safely.

The FCC thinks they will improve operating conditions of land mobile radio users with this new rules change. They also think radio control modelers are not as important as business users. I disagree, and so do thousands of others. We deserve the right to operate on interference-free frequencies, as do business users.

In the interest of model aviation, and in the interest of safety, and because we have a considerable investment in our equipment and flying sites, I urge you NOT to support NPRM PR Docket 92-235. Please help me, and thousands of others, to preserve the safety record we have worked so hard to maintain, and to continue to enjoy our hobby and sport, by not allowing the FCC to carry out its proposal.

I would also like to extend an invitation to you, on behalf of the Flying Hillbillies, to visit our flying site and see what we are about. I believe you will be both entertained and enlightened. Thank you for your consideration.

Sincerely,



Anthony A. Turley  
304-768-2821

