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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

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FEB 26 1993

THE SECRETARY - ROOM 222

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Trent Lott
United States Senate
Washington, D.C. 20510

Dear Senator Lott:

This is in reply to your letter of February 4, 1993, in which you inquired 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.

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Honorable Trent Lott

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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. As you have requested, your constituents' concerns will be included in the record of this proceeding and will be considered in developing our final rules.

Sincerely,

A handwritten signature in cursive script that reads "James H. Quello". The signature is written in dark ink and is positioned above the typed name.

James H. Quello
Chairman

Enclosures:
Notice
Order
Discussion paper

Congressional

DUE OBC: 2-22-93

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

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/12/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300564	02/12/93	02/04/93	02/25/93	02/23/93

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Trent Lott	JHQ

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

REF TO	REF TO	REF TO	REF TO
PRB/mm			
5-16-93			
DATE	DATE	DATE	DATE
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REMARKS:

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Feb 18 2 00 PM '93

TRENT LOTT
MISSISSIPPI
CHAIRMAN
COMMITTEE ON
COMMITTEES

United States Senate

WASHINGTON, DC 20510-2403

February 4, 1993

COMMITTEES:
ARMED SERVICES
COMMERCE, SCIENCE, AND
TRANSPORTATION
BUDGET

FLB
92-235
PV
564

Hon. Al Sikes
Chairman
Federal Communications Commission
1919 M Street, N.W.
Suite 814
Washington, D.C. 20554

Dear Al:

I am taking the liberty of contacting you on behalf of the many operators of radio-controlled model aircraft in Mississippi.

Attached are a number of example letters from operators of radio-controlled aircraft in my state regarding the negative impact of FCC Notice of Proposed Rule Making PR Docket 92-235, and relating how the ruling on this docket could have a potentially devastating affect on their activities. There are good reasons for denying the insertion of additional radio frequencies between the bands allocated for radio controlled airplanes. These operators have spent a lot of money and invested a great deal of time in this activity, and will not have the opportunity to appreciate the fruits of their labors.

Additionally, safety is of primary importance in an activity such as this, and the chance of a high powered mobile radio knocking a flying aircraft out of the sky should merit serious cause for concern. If there is a chance for mobile radio operators to interrupt the signals being sent to a flying airplane because the frequencies are too close, there might be serious property damage and potential loss of human life.

Finally, you need to take into account that a great number of aviation advances were first tested by model airplanes. I would sincerely appreciate your looking into this matter and doing everything you can to be of assistance. Also, I would certainly welcome any information about any further developments.

Again, I greatly appreciate your time and attention to this matter. With kindest personal regards and very best wishes, I am

Sincerely yours,


Trent Lott

TL:fbr

RECEIVED
FEB 11 1993

January 28, 1993

The Honorable Trent Lott
The United States Senate
Washington, D.C.
20510

Dear Sir:

Subject: Negative Impact of FCC NPRM-PR Docket 92-235

I am a retired NASA engineer and I looked forward in my retirement years to having more time to enjoy designing, flying, and competing with radio-controlled model aircraft (R/C models). This has been my principal hobby and occasional business for over 40 years.

A few years ago, the FCC increased the number of radio bands we and other land mobile service users could use. At that time, all R/C modelers had to replace very expensive radio equipment, but it was worth it because of the increased number of bands. Like many others, I had to scrap \$900 worth of good, but illegal, radio equipment, and spend over \$1200 to replace it (with middle-priced radio equipment).

Now, the FCC has issued a Notice of Proposed Rule Making (NPRM-PR Docket 92-235) which will prove devastating to the large number of R/C modelers.

Our frequency regulations were established in Part 95, but now the FCC is proposing changes in these frequencies in another document, Part 88; no notice was given for this cross-over.

To the point: The FCC proposes to introduce additional radio bands between those bands presently used by R/C modelers, and the users of the new bands may use extremely powerful mobile transmitters. This will not only make our equipment dangerous to use, but incredibly difficult to replace.

Radio manufacturers in the U.S. have been queried and they state that to produce model radios as frequency-selective as this proposal necessitates would be prohibitively expensive to produce.

The danger will come from modelers, using legal radio equipment, losing control of their model because some mobile operator is operating a high-powered transmitter on nearly the same band as the modeler.

Some of our models have wing spans to 10 feet, weigh as much as 50 pounds, and fly nearly 100 miles per hour.

We know such models can do considerable damage; consequently, we adhere to a national, published safety code. The majority of fliers have special insurance through the 100,000 member Academy of Model Aeronautics, the model-governing organization affiliated with the National Aeronautic Association.

We will be put out of this activity by the cost of either equipment or insurance should PR Docket 92-235 become binding, and a great technological, recreational activity will be lost in this nation. (Did you know that two NASA engineers used their own model designs and equipment to demonstrate that the Shuttle could be safely carried on and released from a mother-ship - - before such a thing was proposed by NASA? There are too many examples to list.)

There are many of us in Mississippi who will be financially affected should PR Docket 92-235 become binding.

Please provide whatever support you feel is appropriate. Time is short; the FCC needs responses by February 26, 1993. I look forward to hearing from you and learning how PR Docket 92-235 fares.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kenneth D. Cashion".

Kenneth D. Cashion
235 Tennyson Cove
Picayune, MS - 39466
(601) 798-5807

from the desk of
Scott D. Mahr

January 28, 1993

The Honorable Trent Lott
United States Senate
Washington, D.C. 20510

Dear Senator Lott,

I have been active in aviation activities for a good many years. My activities involve both full scale and model airplanes. I enjoy the challenge of building and flying model airplanes, and it is a great activity to stimulate young minds into many facets of aviation, engineering, and most important, the imagination!

I am writing in concern of PR Docket 92-235, which makes major changes in the allocation of radio frequencies used within the same spectrum as the frequencies we use to fly our model aircraft. As a national group of modelers, we pride ourselves in having a safe and enjoyable hobby/sport. These changes in frequency allocation would allow high-power transmitters to be used in mobile applications in the same spectrum as our radio equipment operates.

These changes would add a dimension of disaster to our sport that is currently not a problem. These high power transmitters would have the ability to knock our aircraft right out of the air, endangering property, and having the possibility of inducing serious bodily harm to the thousands of spectators and innocent bystanders of our sport. These changes would also render most of our radio equipment useless. Millions of users of this equipment would then have thousands of dollars invested in "useless" equipment.

I have written to express my great concern over the proposed changes. I would appreciate your looking into this situation and your help in avoiding this most dangerous and disruptive proposal.

Sincerely



Scott D. Mahr
3312 Whippoorwill Ln.
Oxford, MS 38655

JAMES F. FIELDS
15424 Northrup Cuevas Road
Gulfport, MS 39503

January 29, 1993

THE HONORABLE TRENT LOTT
487 Russell Senate Office Building
Washington, DC 20510

Dear Senator Lott,

In reference to the proposed Federal Communication Commission Notice of Proposed Rule Making (NPRM-PR Docket 95-235), the following comments are submitted for your consideration:

My first attempt, although unsuccessful, at model airplane construction was attempted fifty-six years ago at the ripe old age of seven. The hobby has provided me untold hours of enjoyment and pleasure through the years.

The first attempt at the fascinating idea of radio control was not attempted until the year 1953 and needless to say I was "hooked" because radio control meant you were more likely to get an expensive model that you had devoted many tedious hours of construction to - back.

My military career prevented me from pursuing this hobby continuously; however, my thoughts of it were always there. Upon retirement, I moved on to a position in industry where I helped supervise the construction of a number of ships for the US Navy.

In 1980, the specter of colon cancer came to attack me and had it not been for my interest in building model airplanes, I'm afraid he may have carried me away. This malady resulted in me having eight major surgeries in as many years and I'm sure the hobby had a lot to do with my final total recovery. It is a time consuming hobby that keeps your mind off your problems regardless of their origin. I have been cancer free since 1983 and am considered to be a "cure". Thank God for medicine!

There are currently three miniature aircraft in my stable, two of which weigh 20.5 pounds with the third weighing 15.5. A fourth is under construction which should weigh in somewhere in between these extremes. Last year, one of these models was measured by a Mississippi Highway Patrol radar at an average speed of 88 mph. A model weighing 20.5 pounds travelling at 88 mph

could inflict serious bodily harm should loss of control occur as a result of "capture" by a more powerful radio station in the same frequency band. Additionally, there is about \$12,000.00 invested in the radios, engines and airframes of my three and one half models. I would hate to think my investment is in jeopardy.

Presently, I am serving as President of the Mississippi Coast Radio Control Club which is chartered under the Academy of Model Aeronautics and I represent sixty active members. Our club represents a huge investment in radio equipment that would be seriously affected by the FCC approval of other radio services having higher powered stations interspersed within our radio control frequencies. Furthermore, such an action may result in a serious safety problem where serious injury could result to the unsuspecting.

Therefore, I recommend that you do all within your power to prevent the implementation of this proposed rule change.

A handwritten signature in cursive script that reads "James F. Fields". The signature is written in dark ink and is positioned above the typed name and title.

JAMES F. FIELDS
President
MS Coast RC Club

1-24-93

The Honorable Trent Lott
U.S. Senate
Washington, DC 20510

Dear Senator Lott,

I have been interested in aviation for many years. My father was a P-51 fighter pilot in World War II. Due to the expense of full scale aviation, I have become involved in Model Airplane Aviation. I enjoy the building and construction phases as well as the actual flying of my aircraft. I personally own 3 radios, 6 airplanes and have a basement full of other products that are necessary to my hobby/sport.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is a 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 Docket 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 of the 75 MHz band (for R/C car & 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 our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousand 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,

A handwritten signature in black ink, appearing to read 'W.R. Gardner Jr.', written in a cursive style.

W.R. (Rob) Gardner Jr.
429 Goodlett St.
Tupelo, MS 38801

Ferrari South MS



P. O. Box 3507 • 419 South Gallatin St. • Jackson, MS 39207 • (601) 969-5668

February 1, 1993

The Honorable Trent Lott
United States Senate
Washington, DC 20510

Re: PR Docket 92-235

Dear Senator Lott:

During my life, I have had many varied interests and hobbies. Aviation has been one of my primary interests since childhood. As a child I started building and flying model aircraft. My military service was as a member of the 172nd Military Airlift Group in the Mississippi Air National Guard. Although still a member of our nation's taxpaying workforce, I derive many hours (although not as many as I would like) of enjoyment from constructing and flying RADIO CONTROLLED MODEL AIRCRAFT. I am a Past President of the Mid Mississippi R C Club, a local club consisting of approximately thirty-five members. My monetary investment in RC equipment is large and the proposed rules could make four of my six radio systems unsafe or illegal to use.

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

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. Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the fifty frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if the new rules are adopted.

When we fly our model airplanes under radio control, 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 reduced.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing serious property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of 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 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 THE SAFE ENJOYMENT OF MY PASTIME BY NOT ALLOWING THE FCC TO CARRY OUT ITS PROPOSALS FOR THE 72-76 MHz BAND.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Manning". The signature is written in dark ink and is positioned to the right of the typed name and address.

Richard A. Manning
107 Sweet Gum Road
Brandon, MS 39042