

Federal Communications Commission

FCC 94-343

FCC MAIL SECTION

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 Before the
 Federal Communications Commission
 Washington, D.C. 20554

DISPATCHED BY

PR Docket No. 93-305

In the Matter of

Amendment of the Amateur
 Service Rules to Implement
 a Vanity Call Sign System.

REPORT AND ORDER

Adopted: December 23, 1994; Released: February 1, 1995

By the Commission:

I. INTRODUCTION

1. On December 13, 1993, we adopted a *Notice of Proposed Rule Making (Notice)*¹ in the above-captioned proceeding. In the *Notice*, we proposed to amend our rules to provide a system for the assignment of vanity call signs to amateur stations. This item adopts final rules implementing a vanity call sign system.

2. Each new amateur station licensed by the Commission is assigned a unique call sign.² An automated process selects the call sign according to our sequential call sign system.³ Until recently, we have been unable to accommodate the many thousands of requests that we receive for call signs of the licensee's choice. One of our many steps in reinventing Government is to implement new licensing processing capabilities that make it practicable to grant such requests. To this end, we proposed a vanity call sign system, and asked for public comment on our proposal. We further proposed to use our increased capabilities to resume issuing new club and military recreation station licenses. We received one hundred and five timely comments and four timely reply comments. All of the comments have been carefully considered.

3. The comments confirm the ardent desire of many amateur operators to select the call signs for their stations and their willingness to pay a fee for this service. There were, moreover, several excellent improvements to the proposed system suggested. We hereby adopt rules for a vanity call sign system, incorporating several suggestions from the commenters as discussed below.

II. DISCUSSION

Fairness

4. A major concern of the amateur service community is that the system adopted for allocation of vanity call signs be fair and equitable. Specifically, many commenters suggest using a method of priority with respect to filing applications for vanity call signs.⁴ The American Radio Relay League (ARRL) states that, in the interest of fairness and efficiency, the timing and priority in the filing of applications should be important facets of the system that we adopt.⁵ The ARRL favors giving the first priority in applying for a call sign to the former holder or, where the holder is deceased, to a close relative.⁶ Several commenters favor giving high priority to those who hold the higher classes of operator license.⁷ Other commenters favor giving priority to those who have held their licenses the longest.⁸

5. The ARRL's suggested method is to open the system gradually through four "starting gates."⁹ Gate One would allow a previous holder to apply for that call sign¹⁰ or, where the holder is deceased, a close relative could apply. Gate Two would allow the 66,000 Amateur Extra Class operators, who have passed the most difficult license examinations, to apply. Gate Three would allow the 112,000 Advanced Class operators, who have passed the second most difficult license examinations, to apply. Gate Four would open the system to any licensee.¹¹ A club station license trustee would also be allowed to apply for the call sign of a deceased former holder.¹²

6. The suggestions regarding filing priority and fairness are persuasive. Given the strong interest in vanity call signs shown in the comments, it is obvious that the number of applications filed initially could be very large. We agree that a filing priority schedule would be helpful in maintaining fairness and efficiency during the initial implementation of the system, as well as ease administrative burdens on the Commission. The suggestions concerning giving the highest filing priority to former holders and close relatives of deceased holders appear to be perceived as fair by the

¹ 9 FCC Rcd 105 (1993)

² Section 97.119(a), 47 C.F.R. § 97.119(a), requires an amateur station to transmit its assigned call sign on its transmitting channel periodically for the purpose of making known, clearly, the source of the transmissions from the station to those receiving the transmissions.

³ Our sequential call sign system is described in the FACT SHEET PR-5000 #206 *Amateur Station Call Sign Assignment System* dated June, 1991. A new call sign is sequentially selected from alphabetized regional-group listings for the licensee's operator class and mailing address. Each call sign has a one or two letter prefix and a one, two, or three letter suffix separated by a number indicating the geographic region. Some examples are: W1AA, N3AAA, AA5A, AB7AA, and KA9AAA. There are almost 15 million possible combinations of letters and numbers for amateur station call signs.

⁴ For example, see comment of John Ward at 1, Dale Jones at

1 and 2, and Richard Bean at 1.

⁵ Comments of ARRL at 4.

⁶ Comments of ARRL at 7.

⁷ There are six classes of amateur operator license. In order of examination difficulty they are, lowest to highest: Novice, Technician, Technician Plus, General, Advanced, and Amateur Extra. Comments of Michael C. and Nancy E. Bartlett at 1, Jim Monahan at 1, Ed Worst at 1, and Willard W. Wehe at 1.

⁸ Dale Jones at 1, Michael Dinkelman at 1, and R. W. Le Massena at 1.

⁹ Comments of ARRL at 6.

¹⁰ Previous holder priority was also recommended by other commenters. Comments of Dale Jones at 1, Robert Philbrook at 1, Kirby Brown at 1, and Donald Murray at 1.

¹¹ As of May 31, 1994, there were 631,399 amateur stations licensed by the Commission.

¹² Reply comments of ARRL at 5.

amateur service community generally, as does the giving of high priority to those who hold the higher classes of operator license.¹³ Information on the class of operator license held by each amateur operator, moreover, resides in our licensee data base and lends itself to an automated process. Information on the length of time a person has been an amateur operator is not readily available, thus making that criterion impracticable to use as the basis of a filing priority schedule. Thus, after all amateur operators have been given an opportunity to obtain call signs that they, or deceased close relatives, formerly held, we will use operator license class as the basis for the filing priority schedule. In this regard, we are adopting the ARRL's suggested starting gates.

7. We will announce the opening of each gate by a Public Notice. The first gate will open as soon as our new FCC Form 610-V is available and our licensing facility is prepared to begin processing the applications. Gate One will open the system to the smallest group, *i.e.*, a few thousand prior holders and close relatives¹⁴ of deceased prior holders. This phase will provide validation of our system procedures and alert us to any adjustments needed. We will then open the subsequent gates at such times as it is clear that the system is ready to accommodate more applications. We will also continue our sequential call sign system for new licensees and for those who do not want vanity call signs.

Assignable call signs

8. In the *Notice*, the system we proposed would require applicants to file a form, together with the required fee, with our fee collection contractor.¹⁵ The applicants would request that their station licenses be modified to show vanity call signs. We further proposed that the applicant would list on the form a maximum of ten call signs in order of personal preference. After receiving the forms from our contractor, we would use an automated process to compare each applicant's list of preferred call signs with the list of call signs that are assignable at that time. The forms would be processed in the order they are received at the processor's work station. The first assignable call sign from the applicant's list would then be assigned to the station.

9. We requested comments on how the call signs that are already assigned could be made known to applicants so as to allow them to make prudent requests and thereby increase the probability that their requests can be granted. The ARRL states that private sector entities can easily provide applicants with lists of assignable call signs, but only after the initial surge of applications is completely processed. Until such time, even with starting gates, it foresees a very heavy demand for certain specific call signs so as to make it difficult for the applicant to determine

which call signs are assignable. The ARRL suggests, therefore, that an applicant be permitted to submit a preferential list of twenty-five call signs, thus increasing the chances of requesting an assignable call sign.¹⁶ We agree with ARRL that increasing the number of call signs that may be requested will reduce the number of unsuccessful applicants. We will allow, therefore, applicants to list up to twenty-five call signs in order of preference.

10. The ARRL prefers that an applicant be permitted to request only those call signs that are assignable to stations in the call sign region where the licensee resides.¹⁷ We have carefully considered this suggestion. We have decided, however, not to impose that limitation. Otherwise, the applicant's choice of vanity call signs would be reduced to ten percent or less of the call signs that would otherwise be assignable to the station. A limitation based upon the person's place of residence, moreover, could easily be circumvented by using a mailing address in another call sign region.

11. We proposed that a call sign vacated by a licensee be made assignable immediately under the vanity call sign system. Several commenters, however, believe that a two-year period is necessary before a call sign again becomes assignable in order to avoid confusion in over-the-air station identification, to maintain accuracy in the licensee data base, and to accommodate QSL bureaus.¹⁸ Further, they believe that it would preclude "trafficking in licenses" where a licensee, in exchange for some type of consideration, vacates a desirable call sign so that another licensee could immediately apply for it before its assignability becomes known generally. A two-year interval would, moreover, make the assignability of vacated call signs consistent with the assignability of a deceased person's station call sign, or a licensee's expired station call sign.¹⁹ The comments are persuasive on this point. Therefore, the rules will reflect that a vacated call sign will not be assignable for a two-year waiting period.

Club stations

12. There was support in the comments for resumption of the issuance of new club station licenses.²⁰ In the *Notice*, we proposed that an applicant for a vanity call sign must be a current holder of a station license. The Hill Country Radio Club (Hill) suggests that applicants for new club station licenses be able to request a vanity call sign immediately, rather than having to wait and apply after they receive licenses. Hill considers a two-step procedure ponderous and unfair to new clubs that have been precluded from obtaining club licenses for many years.²¹ The two-step process, however, is an administrative necessity because of the fee required for a vanity call sign. The application for a vanity call sign is the only amateur service application that must be filed with our fee collection contractor.²² Persons

¹³ Comments of ARRL at 7, Michael C. and Nancy E. Bartlett at 1, Jim Monahan at 1, Ed Worst at 1, and Willard W. Wehe at 1.

¹⁴ We define close relatives as the spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law of the deceased.

¹⁵ The current contractor is the Mellon Bank. It accepts applications in Pittsburgh, Pennsylvania.

¹⁶ Comments of ARRL at 3 and 4.

¹⁷ Comments of ARRL at 10.

¹⁸ A QSL bureau is an organization that facilitates the ex-

change of confirmation cards between amateur operators whose stations have communicated with each other.

¹⁹ Comments of Thomas Johnston at 1, ARRL at 9, Stephan Sacco, Jr. at 2, and James Price at 2.

²⁰ Comments of Metropolitan Amateur Radio Club at 1 and Portland Amateur Radio Club at 3.

²¹ Comments of The Hill Country Amateur Radio Club at 1 and 2.

²² Applications for licenses involving examinations are filed with the local volunteer examiners who forward them through a coordinator to the Commission. All other amateur service license applications are filed directly with the Commission.

not already holding a club station license, therefore, must first apply for and receive a license before they can file an application with the fee collection contractor requesting that the license be modified to show a vanity call sign. However, we will begin accepting applications²³ for club and military recreation station licenses on the date this *Report and Order* becomes effective. In many cases, therefore, the license trustee will be able to obtain a license document and thus will be eligible to apply for a vanity call sign for the club station when the starting gate for his or her class of operator license opens. The final gate will also allow a club station licensee trustee to apply for the call sign of a deceased former holder. The license trustee must obtain a written consent from a close relative of the deceased.

Special event stations

13. The ARRL requests that specific call signs in a unique call sign block be made assignable only to certain special event stations,²⁴ and suggests the one-by-one call sign block for this purpose.²⁵ The ARRL states that such specific call signs should be reserved for assignment to stations operating in conjunction with short term special events of national significance.²⁶ A special event vanity call sign system may meet the needs of amateur operators for temporary operation of their stations during events that are of special significance to the amateur service community. We will, therefore, set aside the one-by-one call sign block until the matter can be addressed in a separate proceeding.

Filing procedures

14. In our *Notice*, we asked for comments concerning alternative ways, such as magnetic computer disks, that applicants could use to apply directly to the Commission for a vanity call sign. Several ways were suggested.²⁷ One commenter suggests a procedure where applicants would file the application form by facsimile and provide a credit card number. His second suggestion is an electronic on-line filing procedure where the applicant answers a series of questions to search the Commission's data base for an assignable call sign. If the call sign is assignable, the applicant would file an application form after paying the fee by credit card. The Commission's printed acknowledgment of the transaction would constitute a temporary license.²⁸ These suggestions were helpful and we will investigate these ideas for possible future use.

15. Some commenters believe that the fee charged for a vanity call sign should be charged on a one-time basis only, and that no fee should be required when the license is renewed.²⁹ The ARRL believes that a one-time fee is more appropriate because the Commission's additional workload occurs at the time of the initial processing of the vanity call sign.³⁰ Section 9(g) of the Communications Act of 1934, as amended, currently provides for the payment of an annual fee of \$7.00 for an amateur station vanity call sign. Because the normal term of an amateur station license is ten years, a fee of \$70.00 will have to be paid

when requesting a new or renewed vanity call sign. At this time, under the Communications Act, we cannot provide a one-time fee for processing vanity call sign applications.

III. CONCLUSION

16. We have decided to offer a vanity call sign system to the amateur service community, in recognition of the strong sense of identity among amateur operators that is grounded in the call signs of their stations. We have also decided to resume issuing new club and military recreation station licenses. We see these actions as fundamental to our commitment to put the needs of people first in providing the services that they want. We are pleased to be able make this new system available to the amateur community. Therefore, we amend the amateur service rules to implement a vanity call sign system as set forth in the attached Appendix.

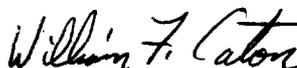
IV. ORDERING CLAUSES

17. Accordingly, IT IS ORDERED that effective March 24, 1995, Part 97 of the Commission's Rules, 47 C.F.R. Part 97, IS AMENDED as set forth in the Appendix hereto. Authority for this action is found in Section 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r).

18. IT IS FURTHER ORDERED that this proceeding IS TERMINATED.

19. For further information, contact Maurice J. DePont, Wireless Telecommunications Bureau, 202-418-0690.

FEDERAL COMMUNICATIONS COMMISSION


William F. Caton

Acting Secretary

APPENDIX

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

Part 97 - Amateur Radio Service

1. The authority citation for Part 97 continues to read as follows:

Authority citation: 48 Stat. 1066, 1082, as amended; 47 U.S.C. §§ 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. §§ 151-155, 301-609, unless otherwise noted.

²³ FCC Form 610-B must be used when applying for a club or military recreation station license.

²⁴ Comments of ARRL at 11 and 12.

²⁵ A one-by-one call sign consists of a single prefix letter (K, N, or W), the region number (0/ to 9), and a single suffix letter (A to Z). There are 780 such call signs. They are not assigned under the sequential call sign system.

²⁶ Comment of ARRL at 12.

²⁷ See, for example, the comments of Ed Worst at 1.

²⁸ Comments of Steven R. Kelly at 1 and 2.

²⁹ Comments of Francis Vangeli at 1, John Chandler at 1, Ross Patterson at 1, and ARRL at 11.

³⁰ Comments of ARRL at 11.

2. Section 97.3 is amended by redesignating paragraphs (a)(11) through (a)(45) as paragraphs (a)(12) through (a)(46) and adding new paragraph (a)(11) to read as follows:

§ 97.3 Definitions

(a) ***

(11) *Call sign system.* The method used to select a call sign for amateur station over-the-air identification purposes. The call sign systems are:

(i) *Sequential call sign system.* The call sign is selected by the FCC from an alphabetized list corresponding to the geographic region of the licensee's mailing address and operator class. The call sign is shown on the license. The FCC will issue public announcements detailing the procedures of the sequential call sign system.

(ii) *Vanity call sign system.* The call sign is selected by the FCC from a list of call signs requested by the licensee. The call sign is shown on the license. The FCC will issue public announcements detailing the procedures of the vanity call sign system.

3. Section 97.17(f) is amended by revising paragraph (f) and adding paragraph (h) to read as follows:

§ 97.17 Application for new license or reciprocal permit for alien amateur licensee.

(f) One unique call sign will be shown on the license of each new primary, club, and military recreation station. The call sign will be selected by the sequential call sign system. h)

(h) Each application for a new club or military recreation station license must be submitted to the FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. No new license for a RACES station will be issued.

4. Section 97.19 is added to read as follows:

§ 97.19 Application for a vanity call sign.

(a) A person who has been granted an operator/primary station license or a license trustee who has been granted a club station license is eligible to make application for modification of the license, or the renewal thereof, to show a call sign selected by the vanity call sign system. RACES and military recreation stations are not eligible for a vanity call sign.

(b) Each application for a modification of an operator/primary or club station license, or the renewal thereof, to show a call sign selected by the vanity call sign system must be made on FCC Form 610-V. The form must be submitted with the proper fee to the address specified in the Private Radio Services Fee Filing Guide.

(c) Only unassigned call signs that are available to the sequential call sign system are available to the vanity call sign system with the following exceptions:

(1) A call sign shown on an expired license is not available to the vanity call sign system for 2 years following the expiration of the license.

(2) A call sign shown on a surrendered, revoked, set aside, cancelled, or voided license is not available to the vanity call sign system for 2 years following the date such action is taken.

(3) Except for an applicant who is the spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, and except for an applicant who is a club station license trustee acting with the written consent of at least one relative, as listed above, of a person now deceased, the call sign shown on the license of a person now deceased is not available to the vanity call sign system for 2 years following the person's death, or for 2 years following the expiration of the license, whichever is sooner.

(d) Except for an applicant who is the spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, and except for an applicant who is a club station license trustee acting with the written consent of at least one relative, as listed above, of a person now deceased who had been granted the license showing the call sign requested, the vanity call sign requested by an applicant must be selected from the groups of call signs designated under the sequential call sign system for the class of operator license held by the applicant or for a lower class.

(1) The applicant must request that the call sign shown on the current license be vacated and provide a list of up to 25 call signs in order of preference.

(2) The first assignable call sign from the applicant's list will be shown on the license grant. When none of those call signs are assignable, the call sign vacated by the applicant will be shown on the license grant.

(3) Vanity call signs will be selected from those call signs assignable at the time the application is processed by the FCC.

5. Section 97.21(a)(3) is revised to read as follows:

§ 97.21 Application for a modified or renewed license.

(a) ***

(3) May apply for renewal of the license for another term. (The FCC may mail to the licensee an FCC Form 610-R that may be used for this purpose.)

(i) When the license does not show a call sign selected by the vanity call sign system, the application may be made on FCC Form 610-R if it is received from the FCC. If the Form 610-R is not received from the FCC within 30 days of the expiration date of the license for an operator/primary station license, the application may be made on FCC Form 610. For a club, military recreation, or RACES station license, the application may be made on FCC Form 610-B. The application may be submitted no more than 90 days before its expiration to: FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. When the application for renewal of the license has been received by the FCC at 1270 Fairfield Road, Gettysburg, PA

17325-7245 prior to the license expiration date, the license operating authority is continued until the final disposition of the application.

(ii) When the license shows a call sign selected by the vanity call sign system, the application must be filed as specified in Section 97.19(b).

* * * * *