





The obligations of that Committee included the submission to the Commission of a Region-20 Public Safety Radio Communications Plan (Region-20 Plan) 2/ and establishment of a Region-20 Public Safety Review Committee (Committee) to oversee its implementation.

3. This Committee, representing the PSRS/governmental constituents for Region-20, hereby submits the following timely filed **REPLY COMMENTS** in response to comments submitted to this NOI.

II.

REPLY COMMENTS

4. This Committee has long been concerned about the escalating unlicensed telecommunications operations occurring in the 47 CFR Part 80 (Maritime), Part 90 (Private Land Mobile) and Part 95 (General Mobile) radio services. This concern stems from Region-20 member entities having to operate within these various radio services.

5. This Committee is well aware of Congress' cuts in the Commission's fiscal budget. However, with the lack of adequate funding of the Compliance and Information Bureau (CIB), the user community, and in particular unscrupulous technicians and vendors, have found enormous profits in the deliberate violation of the unenforced Commission's Rules.

6. On March 25, 1994, the Industrial Telecommunications Association, Inc. (ITA) had submitted a PETITION FOR RULE MAKING, RM-8680, requesting that the Commission reinstitute a program for the licensing of radio technicians.<sup>3/</sup> In response to this NOI, ITA filed comments expounding upon the issues raised in paragraphs 4 and 5, supra.<sup>4/</sup>

7. ITA had filed RM-8680 because of the perceived relationship between "technician licensing and the level of

compliance with the station licensing requirement."5/ In its comments to this NOI, ITA reiterates that:

"the proposed [technician] licensing requirement is necessary to discourage the activities of individuals who promote, either directly or indirectly, unlicensed operations on the private land mobile frequency bands."6/

8. This Committee concurs with ITA's views and assessments, and fully supports the reinstatement of a program that requires the mandatory Commission licensing of all radio technicians. Such a program will significantly curb unscrupulous and illegal activity through Commission sponsored enforceable radio technician accountability.

9. In the NOI, the Commission is considering the privatization of CIB enforcement activities. However, without concomitant enforceable accountability through a mandatory Commission radio technician licensing process, any attempt at CIB enforcement privatization will ultimately fail.

10. This Committee is aware of a recent Wireless Telecommunications Bureau (WTB) order, DA 95-519, that denied a Petition for Rule Making, RM-8400, which requested the establishment of First and Second Class Radiotelephone operator licenses. The Commission denied RM-8400, in part, because there was no apparent regulatory benefit to WTB to do so.

11. However, what the Commission needs to realize is that what may not have regulatory benefit to one Bureau can have regulatory benefit to another Bureau. This issue of reinstating radio technician licensing is such an example.

12. The WTB has been delegated the duties of issuing both station and commercial radio operator licenses. However, it is CIB's duties to enforce the Commission's rules. Though there may not be a perceived regulatory benefit to WTB to reinstitute a program that requires the mandatory Commission licensing of all radio technicians, the benefit to CIB is obvious by furthering their ability to enforce the Commission's rules by making radio technicians accountable for unscrupulous and illegal activity.

III.

CONCLUSION

13. This Committee supports the reinstatement of a program that requires the mandatory Commission licensing of all radio technicians. It is felt that with such a program, the escalating unlicensed and illegal telecommunications operations in this country can be curbed.

14. This Committee would find it appropriate for the Commission to issue a NOTICE OF PROPOSED RULE MAKING, using RM-8680 as the foundation, to reinstate a program that requires the mandatory licensing of all radio technicians. Such a NPRM should be adopted as soon as possible, prior to any consideration of privatizing CIB enforcement activities, and would be in the **public interest**.

Respectfully submitted,

  
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Chairman - Region-20 Legislative/  
Regulatory Affairs Committee

IV.

FOOTNOTES

- 1/ REPORT AND ORDER, GN Docket No. 87-112, FCC 87-359, Paragraph 4.
- 2/ WASHINGTON, D.C. METROPOLITAN AREA - REGION 20, GN Docket No. 90-7, DA 90-28, January 17, 1990.
- 3/ PETITION FOR RULE MAKING, RM-8680, Industrial Telecommunications Association, Inc., March 25, 1994; Public Notice, Report No. 2090, 55242, August 11, 1995.
- 4/ COMMENTS, PP Docket No. 96-17, Industrial Telecommunications Association, Inc., March 18, 1996, Paragraphs 32, 33, & 34.
- 5/ Ibid., Paragraph 34.
- 6/ Ibid.