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MAY 26 1998

FCC MAIL ROOM

Office of the Secretary
Federal Communications Commission
Washington, DC 20554

Re.: **RM-9267**

21 May 1998

Greetings:

Enclosed please find ten copies of my comments regarding the above referenced matter.
Thanks for your kind consideration.

Sincerely,



Alan Dixon

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MAY 26 1998

FCC MAIL ROOM

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
A petition for rulemaking to have two-thirds of the) RM-9267
420-450 MHz band reallocated to the Private)
Mobile Radio Service)
)

WHEREAS, any reallocation of the 420 through 450 Megahertz portion of the spectrum would have an appreciable effect on amateur radio operations, the long established legal principles which authorize and direct the Amateur Radio Service must be called into consideration;

WHEREAS, the number of licensed amateur radio operators has grown to approximately 700,000¹ in the United States, “*enhancement* of the value of the amateur service to the public”² (emphasis added) cannot possibly be accomplished prima facie by the dichotomy of compromising licensed amateur radio operators’ access to the spectrum in question;

WHEREAS, any compromise to immediate access of presently authorized frequencies would seriously impair licensed amateurs’ mandate to provide “emergency communications”^{3,4}, by causing undue delay of communications crucial to life safety;

WHEREAS, any compromise to immediate access of presently authorized frequencies would seriously impair licensed amateurs’ obligation to provide disaster mitigation operations, including “when normal communications systems are overloaded, damaged or disrupted”⁵;

WHEREAS, the “continuation and *extension* of the amateur’s . . . advancement of the radio art”⁶ (emphasis added) cannot reasonably be accomplished by reduction in access to any existing amateur spectrum allocations;

WHEREAS, any compromise to immediate access of presently authorized frequencies would render improbable the “*expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts*”⁷ (emphasis added);

WHEREAS, the “*continuation and extension of the amateur’s unique ability...*”⁸ (emphasis added); could hardly be served by any restriction in amateur spectrum allocation or access;

WHEREAS, the hundreds of thousands of federally authorized amateur radio operators have purchased amateur radio station equipment out-of-pocket, having made and maintaining substantial personal investment, and in no way receiving compensation⁹ neither in moneys nor in kind for the communications services provided;

WHEREAS, the 420 through 450 Megahertz portion of the Amateur Radio Service allocations is widely acknowledged to be one of the two most popular and heavily trafficked amateur bands in the United States;

NOW THEREFORE, any limitation or restriction to continued use of the 420 through 450 Megahertz band would ratiocinatively disrupt the federal objectives¹⁰ cited above. Present Amateur Radio Service frequency allocations must not be reduced, restricted, or compromised in any way whatsoever.

Respectfully submitted this twenty-first day of May 1998,



Alan Dixon

Bell Operating Company RF Network Engineer

Telecommunications Policy Commentary Writer

General Radiotelephone Operator (FCC PG-4-19631)

GMDSS/Radar Operator/Maintainer (FCC DB-GB-005305)

Amateur Radio Licensee (FCC N3HOE)

Member, American Radio Relay League

Member, Amateur Radio Emergency Service

Member, Skywarn®, NOAA, US Department of Commerce

Member Emeritus, Baltimore County (MD) Fire Communications Committee

Member Emeritus, Baltimore County (MD) 911 Task Force

Member Emeritus, Board of Directors, Baltimore Radio Amateur Television Society

...Over 25 years public safety and communications experience in local government and industry.

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ENDNOTES

- ¹ American Radio Relay League Staff, *The FCC Rule Book* (Newington, CT: ARRL, 1995) 1-2.
- ² “Enhancement”; 47 CFR § 97.1 (a)
- ³ Mandate to provide “emergency communications”, set forth; 47 CFR § 97.1 (a)
- ⁴ Mandate to provide “emergency communications”, substantiated; 47 CFR § 97.101 (c)
- ⁵ Normal communications systems overloaded, damaged or disrupted; 47 CFR § 97.401 (a), (b)
- ⁶ “Continuation and extension”; 47 CFR § 97.1 (b)
- ⁷ “Expansion of the existing reservoir”; 47 CFR § 97.1 (d)
- ⁸ “Continuation and extension”; 47 CFR § 97.1 (e)
- ⁹ In no way receiving compensation, defined; 47 CFR § 97.3 (a) (4)
- ¹⁰ “Federal objectives” broadly defined; FCC 85-506 (50 FR 38813) ¶24

-End-