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May 15, 1998

Office of the Secretary,
Federal Communications Commission,
Room 222, 1919 M Street NW,
Washington, DC 20554.

It has come to my attention the Land Mobile Communications Council (LMCC) is seeking primary status for two thirds of the Amateur Radio 420 to 450 MHz band. I believe the approval of this petition would serve only their private interests while sharply reducing the availability of frequencies for current and future emergency amateur radio communications links.

In the nineteen fifties primary status for the 420 to 450 MHz Amateur radio frequency band was reallocated to the military for (possible) use in radio location services during the cold war. When this took place, amateur use of this band changed to secondary status.

The effect to amateur radio was minimal, as widespread military use of this band never took place. From the perspective of amateur radio, however, this band has grown to become the second most popular of the amateur VHF/UHF spectrums, and continues to draw more interest as evidenced by manufacturers having geared up to supply the growing demand for equipment.

In some way every spectrum of frequencies allocated to amateurs plays a particular role in the art of communications. The 420 to 450 Mhz band lends itself to a variety of applications. Among these are experimental self training projects, packet relay systems, radio repeaters, control links and communication links between systems in other amateur bands.

I have held my Amateur license since 1953 as a teenager. The first emergency communication I encountered was that of a radio amateur driving through the Columbia River Gorge from eastern Oregon to transport a lady of six months pregnancy to a Portland hospital after she had fallen down a flight of stairs and was suffering abdominal pains. On request that I call ahead to alert the hospital emergency room it was discovered this hospital had no facilities of the kind that may be needed in this case. I was instructed to redirect the driver to another hospital and did so. However sustained contact with the driver required many repeated transmissions because the incident took place in one of the amateur HF bands not suited to reliable communication in a situation as this.

While in the US Army in 1962 I established and operated the Military Affiliate Radio System (MARS) amateur radio station at Tripler Army Hospital in Honolulu, Hawaii under direction of commanding General W. D. Graham. This HF system provided regular, reliable communications throughout the Pacific islands and between Hawaii and the mainland US. The record of services to military and civilian provided by that facility is evidenced in three letters of commendation.

In later years, through the self training provided by having an amateur license, designing and building much of my own equipment, I eventually obtained an FCC commercial license. I am currently employed by a national telecommunications company where, during an eight year assignment in Anacortes, Washington, I was district engineer in charge of maintenance of the Coast Guard Puget Sound Vessel traffic control and NAVY Trident communication systems.

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Currently, I and an amateur radio partner, Mr. Fred Allman, operate an amateur radio ~~FCC MAIL ROOM~~ repeater and remote base link system in the Columbia River Gorge on the border of Oregon and Washington. Aside from providing communications through the Gorge, this system is positioned at the highest point of the Cascade Mountains in the Gorge, and is equipped with links that allow extended communications to other repeaters on both sides of the Cascade range east-west barrier in either state. In our last two statewide flood emergencies of 1995 and of 1996 this system provided continuous means of communication when the Columbia Gorge was closed due to slides across I-84 and commercial telephone circuits were overloaded or completely down. In one case, arrangements for emergency transportation to three different Portland hospitals for seven critical dialysis patients being flown over the Cascades by helicopter from eastern Oregon areas, was among routines handled by myself and other operators during these disasters.

Aside from the record of amateur service, past precedence implies that primary status in amateur bands be returned to amateurs when the military need is ended.

My father's amateur radio station (W7COB) logbook contains a note penciled at the top of page 16 on the date of December 7, 1941. It says: "Japan attacks U.S." On that page he copied a bulletin sent to all amateurs from the American Radio Relay League which reads, in part:

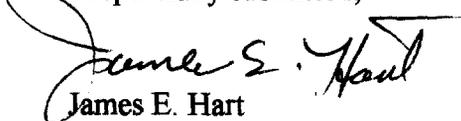
"By order of the FCC all amateur Radio operations in the continental United States, it's territories and possessions is hereby prohibited until further notice except for stations specifically authorized by Federal, State and Municipal authority in connection with emergency matters."

He thereafter served as a Chief Radioman in the U.S. Coast Guard until after the war was ended. His next station log entry was April 1, 1946 when, after the amateur service was restored he talked to another fellow amateur who had become known, respectfully, as "Sarge".

My story is but one among thousands of radio amateurs who's interest has directly served our country, our communities, our employers, contributed to advancements in technology, and who's careers as productive citizens were inspired through the privileged means of holding an amateur radio license and having the frequency bands necessary to carrying on that activity.

To allow existing operations to continue, and to assure sufficient available frequencies for future growth of amateur radio systems, I urge that the precedence of restoring these frequencies to amateur radio as exemplified after WWII be followed and, that as necessary to permit this natural restoration to occur, the LMCC petition referenced as RM-9267 be denied.

Respectfully submitted,



James E. Hart

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Amateur Radio: W7UIV

Commercial: P2-13-11984

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References:

Military service details verification:

Jay K. Davis , CDR USN (Ret)
Former 12th Naval District Submarine Reserve Coordinator
Treasure Island, California
Amateur radio: W3HGV
4619 102nd Ln
Kirkland, WA 98033

Employment details verification:

Mr. Cecil Emery, Mgr.
Western Tele-Communications
2001 6th Ave. Suite 2911
Seattle, WA 98121

Co-partner, 440 MHz Columbia Gorge repeater and remote base link system:

Mr. Fred L. Allman
P.O. Box 6565
Portland, OR 97228
Amateur radio: WA7HSJ

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554
In the Matter of

An Allocation of Spectrum for
Private Mobile Radio Services RM-9267

To: The Secretary,
Federal Communications Commission

STATEMENT OF OPPOSITION TO RM-9267

I am writing in opposition to the Land Mobile Communications Council's proposal to re-allocate the 420-430 MHz and 440-450 MHz frequency spectrum to commercial, private, land mobile applications. Instead, I ask that the Commission change the Amateur allocation from secondary to co-primary with the U.S. government. Prior to the Cold War era, the Amateur Radio Service was a primary status user of these frequencies.

With the tremendous success of the modern "no code" Technician license and the high growth of Amateur UHF operations, now is the time to restore Amateur Radio's historic primary status within the 420-450 MHz band.

The 420-450 MHz Amateur allocation is the second most used Amateur VHF/UHF band. The LMCC has requested "sharing" this band with Amateur operations yet provides no explanation for how "sharing" might occur. Based on the history of "sharing" with commercial services (particularly the example of AVL companies "sharing" 902-928 MHz who ordered hams off the air), "sharing" means that Amateur operations will be evicted from the band. This is what happens when commercial, for profit services "share" with not-for-profit, community service oriented Amateur Radio operations.

Amateur Radio has and will continue to share its VHF/UHF allocations with mutually compatible services and operations. These have included, the U.S. government, the U.S. military, NOAA doppler wind shear radar and other government radiolocation services. Amateur Radio has a long and proud history of supporting the U.S. armed forces and NOAA through the National Weather Service's SkyWarn system. For these reasons, there is a mutual interest in sharing between compatible services like Amateur Radio and the U.S. government. However, there are no mutual interests in common with for-profit private land mobile services; "sharing," as in the AVL example, will result in the loss of 420-430 and 440-450 MHz by the Amateur service, which will prove devastating to the mission of the Amateur Radio service.

Many government agencies and non-profit disaster relief organizations would be tremendously harmed by the loss of the Amateur 420-430 and 440-450 MHz allocations.

Private and for-profit radio services do not have mutually compatible interests with the Amateur Radio Service. Sharing between private land mobile and the Amateur Radio Service, as proposed by the LMCC, will not work. The 420-450 MHz band is the second most used VHF/UHF Amateur Radio allocation. The loss of these frequencies will cause severe disruption to the mission of Amateur Radio, as specified in C.F.R. Title 47 Part 97.1, and will render severe harm to the Amateur's ability to support numerous government and non-profit relief agencies.

I respectfully request that you DENY the request of the LMCC to share the

Amateur radio allocations at 420-430 and 440-450 MHz. Instead, I request that the Commission restore Amateur Radio's historic co-primary status in the entire band 420-450 MHz.

Sincerely,

Patricia S. White, N6LKC

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Crescent City, FL 32112