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MAY 29 1998

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May 24, 1998

Office of the Secretary
Federal Communication Commission
Room 222
1919 M Street N.W.
Washington, D. C. 20554

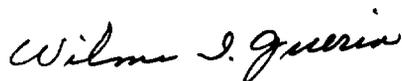
Re: File No. RM-9267

Gentlemen:

This is being written with regard to the possible loss of access to the 420-430/440-450 MHz band segments.

I have been an amateur radio operator since June of 1995, and while I am comparatively new to a very old group of amateurs, I have become very active, partaking in ARES, RACES, and other groups and clubs that utilize these frequencies. If we should lose access to these segments, it would greatly hamper our ability to provide needed public service to our community and to surrounding communities. I urge you not to let this happen.

Very truly,



Wilma I. Guerin KC7LXL
2323 Ajo Drive
Lake Havasu City, Az. 86403-5821

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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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,

Ron Rollins KF6ECT
28015 Newbird Dr
San Jose Ca
951350

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James L. Goldman

3316 Chatham Place
Media PA 19063-4313
Work: 215-382-9800

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

May 26, 1998

Re: File Number: RM-9267

Dear Mr. Secretary:

Surely radio spectrum allocations are not so changeable that any company or organization can simply come forward and petition the Commission to simply take spectrum from one use and give it to another without overwhelmingly compelling reasons and much consideration. On the other hand, it must be recognized that the state of our world is changing, especially with regard to communications technology, so changes must be considered.

In the case of the Land Mobile Communications Council's (LMCC) recent petition RM-9267 requesting that the UHF band allocation of 420 - 450 MHz be reallocated to them as the primary user, after careful consideration, this change must be rejected.

In most of the U.S. the primary user group of this part of our spectrum, other than the military, is the Amateur Radio community. I am sure that no one who has any significant experience with FCC matters is unaware of the tremendous benefit that society gets from the voluntary, extensive, and sometimes nearly heroic activities of Radio Amateurs. Not only do Amateurs provide vital emergency communications infrastructure, at no cost to the taxpayers, we also apply an enormous amount of technical expertise and vitality to advancing the state of the art of telecommunications. There is no doubt that the member organizations of the petitioner (LMCC) have benefited from technological developments, which came directly from the world of Amateur Radio.

The question before the Commission is whether to reallocate the 420 - 450 MHz portion of the UHF spectrum, taking it away from the public service purposes which Amateur Radio pursues, and handing it over, perhaps for a fee, to commercial usage which differs not at all from business band and cellular phone usage presently active in numerous other parts of the UHF spectrum. The reasoning simply that a larger number of people *may* use those types of communications is not sufficient to deny this small resource to the invaluable service that Amateur Radio provides. The argument that one radio station has more listeners than another is insufficient to warrant taking the latter's assigned frequency and handing it over to the former, yet that is very much what the LMCC is seeking.

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Consider, please, the particular use Amateur Radio has made of its 420 – 450 MHz allocation. We have used these frequencies to establish control links for remote equipment, which enables the construction of wide-area networks of radio repeaters in urban areas. These networks are used for Skywarn (National Weather Service) activities. We have used these frequencies to develop higher speed wireless computer data transmission technologies, and we continue to do so. We have used these frequencies to develop and test narrow-band television technology, which has been used in remote control, surveillance, and weather monitoring activities. We have used these frequencies to develop GPS-based automated tracking systems.

Other existing Amateur Radio frequency allocations, while also valuable, do not provide the particular characteristics that this band provides. The lower frequencies, used primarily for voice communications, don't offer the bandwidth for remote links and data communications, and are subject to interference in crowded urban areas. The higher frequencies, also quite valuable for data communications, don't cover wide enough geographic areas and so are difficult to use (at present) for building urban area-wide networks. The 420 – 450 MHz band has the ideal characteristics to allow Radio Amateurs to construct urban area networks for voluntary emergency voice and data communications.

The petition before you, like many before and surely many to come, simply asks that a valuable resource which is being used for the public good, on a voluntary basis to provide a rare and irreplaceable service, be taken away from its present users and given (sold?) to organizations who will use that spectrum for exactly the same routine communications purposes as are conducted on many other portions of our UHF spectrum. Surely there is no question which choice provides the greater benefit per megahertz of frequency space.

Please, Mr. Secretary and Commissioners, protect this highly worthwhile activity for the public good by ensuring our continued primary access to the 420 – 450 MHz band, and deny the reallocation of this band requested in RM-9267.

Thank you very much for your kind consideration of these comments.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James L. Goldman". The signature is fluid and cursive, with a long horizontal stroke at the end.

James L. Goldman, W3JG

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MAY 29 1998

FCC MAIL ROOM

May 25, 1998

RM-9267
Secretary
Federal Communications Commission
1919 M St. NW
Washington, DC 20554

Ladies and Gentlemen:

This is to advise you that, in my opinion, the Petition recently submitted to you by the Land Mobile Communications Council (LMCC), seeking reallocation of the frequencies 420-430 MHz and 440-450 MHz to their various radio services, is totally incompatible with continued Amateur Radio usage of the frequencies 420-450 MHz.

This 420-450 MHz continuous band of frequencies is now being used very successfully for a multiple of purposes, without problems, by Amateur Radio users on a secondary, shared basis with the federal government for radiolocation (military radar) purposes. Bringing additional radio services into this range of frequencies would seriously affect the current good working relationship of users within the band. It would also very seriously affect the ability of Amateur Radio to serve the public need for emergency communications services when needed. Amateur Radio has a well-earned position of respect in this regard, having furnished emergency communications to help thousands of service people and storm victims cope with floods, hurricanes, tornadoes, ice/snow storms, and earthquakes for many years.

Respectfully yours,



Fred S. Jones KC5AC
15112 West Horseman Lane
Sun City West, AZ 85375-2954

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May 21, 1998

MAY 29 1998

Befo **FCG MAIL ROOM**
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. D. 20554

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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 RE-9267

I am writing in opposition to the Land Mobile Communications Council's proposal to reallocate 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.

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 "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.

Private and for-profit 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 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.

I respectfully request that you DENY the 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,

Harry H. Mottinger K4ZNB
P.O. Box #6
Lake Placid, Fla. 33862

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3054 169th Ave. N.E.
Bellevue, Washington 98008
May 24, 1998

Secretary, Federal Communication Commission
1919 M St. N.W.
Washington, DC 20554

RECEIVED
MAY 29 1998
FCC MAIL ROOM
re: RM-9267 DOCKET FILE COPY ORIGINAL

Dear Sir or Madam:

This letter is to voice my strong opposition to the petition before the Federal Communication, RM-9267, from the Land Mobile Communications Council. Should this petition ultimately succeed, it would result in loss of the 420-450 mHz band to the United States Amateur Radio community, which would be a calamity for the amateurs as well as a potential calamity for the United States Government.

The 420-450 mHz band, or 70 cm band, is a very heavily used UHF band by the amateur community. It is widely used for repeater networks, and cross-linking to other frequencies. The amateur community has collectively invested substantial private funding in equipment to use this band. While it is primarily used for personal communications within the hobby, it is and always has been available to local and federal government emergency officials and agencies in times of disasters of all kinds.

The amateur community has always been willing and eager to make all this privately owned communications equipment, together with trained emergency communications workers, available to the appropriate officials in times of need, AT NO COST TO THE GOVERNMENT AGENCIES INVOLVED. The recent loss of multiple modes of communication due to an out-of-control satellite, as well as any number of natural disaster situations which included loss of all modes of commercial land-based communication such as cellular telephone and standard telephone service, repeatedly shows that commercial communications providers cannot provide what is needed when it is most in need. There does not seem to me any way that commercial providers can duplicate the widespread and fail-safe back-up communications network that is the amateur radio service.

The long history of the contributions of amateur radio to public safety and disaster relief is well documented. It would be very short-sighted indeed to turn over this small but vital segment of the radio spectrum to commercial interests, and in the process throw away an established, proven communications system which costs the government nothing except granting the privilege of use as a hobby in times of non-emergency. I strongly urge the Commission to deny this petition.

Sincerely,



James G. Von Seggern
amateur license KC7FEH

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DET

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

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

Secretary & Commissioners
FCC
1919 M St NW
Washington DC 20554

Dear Sir:

I am writing in opposition to the LMCC proposal in RM-9267 to re-allocate the Amateur Radio 420-430 and 440-450 MHz bands for shared access to private land mobile services. I believe the FCC should not only DENY the LMCC proposal but to also re-establish the Amateur's co-primary status in the entire band from 420-450 MHz.

From my personal perspective, I have been an amateur radio operator for 12 years, and my primary involvement has been with providing emergency communications to assist local public safety organizations. I am a member of the Mobile Amateur Radio Corps of Hennepin County (the county in which Minneapolis resides) serving as a reserve officer for the Sheriff's department. My volunteer work for this organization uses a repeater located in this band (444.50 MHz) as well as remote receiver sites which also use frequencies in these bands to provide coverage countywide necessary for our communications activities. The use of this band is necessary to provide emergency communications as detailed under the Amateur Radio rules, Subpart A, section 97.1(a) for this organization.

While I can speak only for myself, I do know that many repeaters both locally and nationally have similar uses for this band, in support of emergency communications.

I do not believe that shared use of this band would work -- the functions and regulation of Amateur Radio and the private land mobile services are decidedly not compatible services, in my view. Shared use would essentially result in the takeover of these bands by the private land mobile services.

I respectfully request that you DENY proposal RM-9267, and reestablish the Amateur co-primary status to these bands. If I can provide further information, please do not hesitate to contact me.

Sincerely yours,

Dan Bick

Daniel Bick, N0HAM
1100 County Road D
New Brighton, MN 55112
dan_bick@hotmail.com

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AMATEUR RADIO:
A NATIONAL RESOURCE

P.O. BOX 41 RODNEY, MI 49342-0042

AN ARRL SPECIAL SERVICE CLUB

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MAY 29 1998
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WOOD HILL ROOM

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

Dear Sir,

This commentary is in regards to RM9267 requested by the Land Mobile Communications Council. The 91 members of the Big Rapids Area Amateur Radio Club are opposed to this application for rule change for the following reasons:

1. We have been operating as a non-profit public-service entity for 28 years and have thousands of man-hours of volunteer service invested in the Big Rapids area, and view as our primary service-oriented duty to work with the American Red Cross, the Salvation Army, and several county Emergency Managers to provide communications for those groups during times of need. Our primary communication medium has changed slightly in those years, from mostly high frequency bands, to a combination of VHF, and UHF frequencies, including the 440 MHz band. The realization of RM9267 would thus remove a highly important channel of emergency communication for us, without which we may not be able to guarantee totally efficient emergency operations.
2. We have recently invested a substantial amount of money (approximately \$3000) in our 440 MHz Repeater, and club members are still paying for the unit from club dues and other fund-raising events. Also, many of our members own their own 440 transceivers that they use for both emergency and recreational uses. These transceivers, of course, have been purchased at considerable expense to those involved.
3. Over the past several years, our club has been actively engaged in upgrading both our ARES and RACES emergency operations. In addition to significant growth in our membership ranks, increasing numbers of our club members have sought and acquired both ARES and RACES certifications. These interested people, and our entire club, take the "emergency preparedness" heritage of amateur radio seriously, and sincerely hope that our efforts along these lines are not compromised by other outside interests who may have other agenda's.

What I have outlined here are the facts of the matter from our perspective. I realize that the associations and groups that are named in RM9267 must be in need of a lot of additional frequency space, and that they feel that eliminating amateurs is of little consequence. After all, we are only a secondary user of the band. And I am sure that when the smoke clears and we have lost our 440 privileges, we will then be able to buy "Land Mobile" transceivers and still communicate with each other! But what's wrong with this picture?

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For one thing, we will probably not have repeater privileges, and without repeaters, the use of 5-watt "hand-helds" is limited by geographics and distance. It goes without saying that, under such conditions, county-wide emergency communications would be severely compromised.

Furthermore, our ability to regulate our emergency communication nets to insure proper communication protocol and eliminate foul and improper language would be lost. For a peek at unregulated frequencies, just listen to CB or the new "Family Service" radio bands, both of which are uncontrollable and chaotic.

Now that we have outlined those things we stand to lose, we need to discuss the matter of "the proper thing to do" and the right of "eminent domain."

As to the first, the removal of a band of frequencies used by a large group of public-service-minded voluntary organizations (the amateur radio community) so that another large group of mostly industry-minded profit-oriented organizations can occupy "our" band is almost unthinkable and hard for us to comprehend. Who and what is going to help the Red Cross, Salvation Army, County Emergency managers, and others who need to communicate during emergencies? Cell phones? They are usually the first to go due to overloaded cells. Regular phones? Probably not; the poles are usually down, and the phone and power are non-existent. Who is left? Traditionally, the "hams", with their emergency generators and portable transceivers, and the resources, knowledge, and discipline to set up and conduct emergency communications networks for a long duration.

As to the "eminent domain" issue, you will probably say we were never "primary" users of the band in the first place. But you would miss the point. We have occupied the 440 band for many years and as stated before, have a huge number of volunteer hours and equipment invested in this endeavor. At the same time, we are not naive people. We are well aware given enough money and resources, we can be "bought out" in a heartbeat by an outfit as strong and wealthy as the LMCC.

But we urge you to consider the consequences of your actions. If "our" band is "sold out", the results might not be apparent for awhile, or at least not until the first time a meteor shower knocks out most of the satellite communications presently available, or powerful storms and tornadoes roam across the states causing havoc and knocking out normal communication networks. Will the "hams" be there? Sure they will! We will not be giving up just because of the actions of the times, no matter how misguided we think they may be.

But we will have a different attitude toward benevolent gestures in the volunteer service arena, viewing the future with a distrusting feeling about investing time and resources in areas that can be sold out from under us, almost, it would seem, on a whim. And that would be a tragedy, both to the amateur radio community, and to those they serve in time of need.

In conclusion, please don't take this commentary as an attack on the FCC. You are certainly heavily involved here, but the total "blame" of this action, if successful, must fall on many other shoulders as well, from the politicians to the "bean-counters". Making it profitable or necessary for an agency to "sell" a frequency band spectrum to the highest bidder to balance the national budget is, in our opinion, immoral. Sorry for the strong language, but that is the way we see it!

We urge you to make the right decision, and not allow the LMCC, or any other organizations, to strip away "our" 440 MHz band!

Thank you for your consideration.

Respectfully yours,



Dr. G. Thomas Behler, President
Big Rapids Area Amateur Radio Club

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Secretary
Federal Communications Commission
1919 M St. NW
Washington, DC 20554

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RM-9267

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Gentlemen:

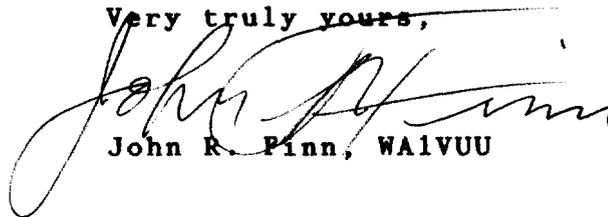
With reference to RM-9267 I would like to express my objection to this proposal.

As liaison to our local Emergency Management Office I depend upon our local repeater at 448.125 MHz. to assign local Amateur Operator volunteers in case of an emergency. In addition our emergency autopatch on two meters is controlled at 446.000 MHz.

Implementation of the proposed change will obsolete thousands of dollars worth of equipment locally alone, owned by a non-profit organization which cannot afford replacement.

It is unrealistic to suggest that the Amateur service can survive in this band as secondary to commercial interests.

Very truly yours,



John R. Pinn, WA1VUU

27 Ivy Street
Stamford, CT 06902-2205

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RM 9267

TO:
Secretary,
Federal Communications Commission
Washington, DC 20554

25 May 1998

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FROM:
Northern Amateur Relay Council of California, Inc.
P.O. Box 365
Elmira, CA 95625-0365

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REFERENCE: LMCC PETITION FOR RM

Sirs:

Our organization serves some 13,000 amateur radio operators in the Northern 2/3 of the State of California. A large majority of those amateurs have VHF/UHF equipment which uses, among other frequencies the 420 to 450 MHZ spectrum.

We have on the air in our area, some 1500 repeaters, the majority of which are controlled by frequencies in the 420 to 438 MHZ spectrum, as required by FCC rules. In addition to this, the repeater band of 440 to 450 MHZ has approximately 400 repeaters, all of which are active on a daily basis.

In addition, in the 420-430 MHz portion of the band, we have several fast scan Television repeaters used daily, not to mention linking and control channels, and digital forwarding links. The loss of this spectrum would severely impact the availability of emergency communications, and cause a financial impact in the hundreds of thousands of dollars to the system operators.

We respectfully request the Commission to dismiss the LMCC RM petition in question, and further request that the Commission look favorably on passing RM-9267 and the possibility making the amateur service the primary user of the 420 to 450 MHZ band.

Thank you for your consideration.

Donald J. Smith

Donald J. Smith, W6NKF
President,
Northern Amateur Relay Council of California

(NOTE: This letter replaces our letter of 11 May 1998, which had errors therein).

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ARRL
World Radio News

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PAULA A. RADER
GENERAL



KENNETH HOOD
TERRITORIAL COMMANDER

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The Salvation Army

FOUNDED IN 1865 BY WILLIAM BOOTH

DIVISIONAL HEADQUARTERS

FOR

ARKANSAS AND OKLAHOMA

5101 NORTH PENNSYLVANIA

P.O. BOX 12800

OKLAHOMA CITY, OKLAHOMA 73157

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TELEPHONE
(405) 840-0735

FAX
(405) 840-0460

Lt. - COLONEL H. AL WARD
DIVISIONAL COMMANDER
May 26, 1998

Secretary, Federal Communications Commission
1919 M Street NW
Washington DC 20554

RE: RM 9267

Dear Secretary:

I am writing concerning RM 9267 and the effect its adoption would have on the amateur radio community and The Salvation Army in this area. The Land Mobile Communications Council's petition before the Federal Communications Commission seeking access to the 70cm amateur band would be incompatible with continued amateur use of this band. By demanding these frequencies, the LMCC will endanger emergency response teams throughout the country. Hundreds of thousands of dollars from individual amateurs have been invested in amateur radio equipment for these frequencies.

The amateur radio station (N5FM) located in the Divisional Headquarters of The Salvation Army in Oklahoma City is responsible for all Salvation Army emergency communications in both Arkansas and Oklahoma. As the Divisional Commander for Arkansas and Oklahoma, I feel obligated to justify our need of these frequencies.

Emergency messages between 12 similar stations located throughout both states and Headquarters in Oklahoma City are handled by amateur radio, many times on these very frequencies. Within 15 minutes of the bomb explosion in Oklahoma City, The Salvation Army station was active and furnished much of the emergency traffic between agencies. The station remained on the air for over 360 hours continuously. Similar activity went on in Ft. Smith, Arkansas during the aftermath of a tornado a year later. Last year Salvation Army amateur radio stations again served during the tornado in Arkadelphia, Arkansas. This year, The Salvation Army station in Jonesboro, Arkansas provided communications for local agencies after the tornado in nearby Manila, Arkansas. These station assess damage during the early hours after a

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disaster and foreword information to the Headquarters in Oklahoma City for the proper response. If normal communications are inoperative, our role is to provide communication via 'Digital' networks (packet) on these amateur frequencies.

Because of the importance of the public service by amateur radio operators on these frequencies, I urge you to not consider granting the LMCC their demands.

God bless you.

Sincerely,



Lt. Colonel H. Al Ward
DIVISIONAL COMMANDER

HAW/mt

cc: Frank McCollom

Federal Communications Commission
Secretary
1919 M Street, NW
Washington, D.C 20554

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Ref: RM9267

Hello,

I support the ARRL and AMSAT position in opposition to sharing the 2 meter, 440mhz, and 220mhz amateur bands, or to giving up any of the frequencies that are assigned to amateur radio.

The amateurs in our area of St. Louis use the frequencies for skywarn weather emergency communication in public service. Also, for helping people on the highway, and other emergencies.

In my area west of St Louis, the 440 and 2 meter repeaters are in frequent use for these purposes, and I participate in them myself. 444.35 Washington, Mo., and 444.075 Leslie repeaters are the newest machines and I monitor and use them and others, daily.

The old faithful 2 meter repeaters around here 147.24, 147.18, 145.15, and 146.67 are very active for club nets and highway info, as well as weather nets for Franklin and St Charles counties. I participate in these nets to provide weather data to the national weather service, which generate weather warnings with the information. The newer 440 repeaters are used as additional coverage and as backup for the 2 meter repeaters.

421.73 is one of the frequencies used for sstv in this area.

435-437 is used in satellite work for Mir and Safex here, also.

These are compelling arguments to not share these bands with the Land Mobil Communications Council, or to give them up to them.

Thank You for consideration of my concerns,

Larry L. Williams NOSLN
54 David Av.
Union, Mo. 63084/2045
314/583/5264
Monday, May 18, 1998

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FILE

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OST

May 26, 1998
7354 Thackery Rd.
Springfield OH 45502

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

RE: Comments Opposing RM-9267

Dear Sir:

I am filing these comments opposition to Petition for Rulemaking RM-9267, filed by the Land Mobile Communications Council.

I have been an amateur radio operator for 20 years. I hold an Amateur Extra class license, callsign N8BJQ and I am an active user of amateur radio bands 2 through 160 meters.

Reallocation of primary status in 420-430 MHz and/or 440-450 MHz band segments to the Private Mobile Radio Service ("PMRS") would have a significant adverse affect on the amateur radio community, and on me personally. The LMCC makes the claim, without evidence or justification, that amateur stations could operate in this spectrum on a secondary basis with PMRS stations. Should PMRS activity become primary user of these frequencies, I believe that current Amateur Radio Service (ARS) activities would be significantly disrupted, and may prove impractical.

I am a sysop of a DX packet cluster (a DX alerting network linking users in several cities via packet radio). Our internode links are primarily on 420 - 430 MHz between Dayton, Cincinnati and Columbus. This is a 19.2 kbps network that serves not only the DX community, but also emergency communications and normal packet BBS activity. Non packet use of these frequencies would seriously disrupt both our normal communications and emergency communications between the National Weather Service in Wilmington OH and the local SKYWARN network. This network provides a valuable service during severe weather warnings issued by the NWS in Dayton and surrounding counties.

This type of networking for DX alerting is not unique to the Dayton area. DX packet clusters through out the country are routing much of the internode traffic via either 9600 baud or 19.2 kbps packet links on 420 - 430 MHz or 440 - 450 MHz.

Many of us have a rather large financial investment in equipment for the 420 - 430 MHz bands. Loss of use of these bands would render this equipment obsolete and worthless.

I believe that adoption of RM-9227 would significantly hurt the ARS and its ability to comply with the ARS charter to serve the public interest. It would also hurt individuals who have invested in amateur radio equipment to support that charter. This petition should be denied.

Respectfully submitted,



Stephen D. Bolia
Amateur Radio Station N8BJQ

Enclosure: Original and four copies

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THE AMERICAN RADIO RELAY LEAGUE

K6JAT

James A. Tiemstra
13450 Skyline Blvd.
Oakland, CA 94619-3611
(510) 569-0835

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May 25, 1998

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

RE: RM-9267

Gentlemen:

I am the Radio Officer for the Oakland Radio Amateur Civil Emergency Service (RACES) in Oakland, California. Over the past few years we have experienced a number of natural disasters which have disrupted commercial communications to an extent that has required our services to provide vital communications links.

The importance of our mission is highlighted by the fact that the citizens of Oakland passed a bond measure (Measure I) which funded the acquisition of separate 144MHz and 440MHz transceivers to install in all of the City's firestations (approximately 60 radios) and the new Emergency Operations Center which is under construction. Use of the 440MHz amateur band is a major component of our disaster plan.

We believe that implementation of RM 9267 is incompatible with amateur radio emergency response in the 440MHz amateur band due to the much more likely interference problems in urban areas from a shared allocation with the Private Mobile Radio Service than has been the case with respect to military radiolocation uses. Therefore, we urge your denial of the petition.

Respectfully submitted,



James A. Tiemstra, K6JAT
Oakland RACES Radio Officer

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MAY 29 1998

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MEMBER CORRESPONDENCE

AMATEUR RADIO: A NATIONAL RESOURCE

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MAY 29 1998

May 27, 1998
Secretary
Federal Communications Commission
1919 M St. NW
Washington, DC 20554

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RM-9267

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Gentlemen:
Subject: RM-9267

I would like to express my comments on this proposal now before you. Since first receiving my Amateur Radio License in 1992, the 440 MHz segment of the band has been the one that I have used most. In large urban areas, like Chicago, where I live, the two meter bands are very crowded and noisy. The 70cm band offers a place to communicate where there is the opportunity to complete a conversation without someone else demanding to use the repeater.

Of the five transceivers I currently own, four of them are in that band. I have spent over \$2500.00 getting this equipment, and that does not include the cost of antennas or upgrading coaxial cable. While this may not seem like much, it is quite an investment on my part. I would hate to see the usability as well value of my equipment be cut by the loss of this spectrum.

I would also like to state that as a member of a local club that participates in many public service functions, it should be known that in addition to having a 70cm repeater, the links for both our two meter and 440 repeaters are in the 420-430 band.

Sincerely yours,



Frank Giampa, N9QPD
P. O. Box 622
Streamwood, IL 60107

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RM 9267

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25-~~FCC MAIL ROOM~~ FCC MAIL ROOM

Office of the Secretary
Federal Communications Commission
Room 222
1919 M St, NW
Washington, DC 20554
RE: RM 9267

Dear Sir:

It has come to my attention that the Land Mobile Communications Council (LMCC) has requested a rule-making (RM 9267) to reallocate very large, unrealistic amounts of radio frequency spectrum to their use. I believe the FCC should completely and absolutely kill this proposed rule-making. Included in their proposed changes is a large portion of the 70cm band of the Amateur Radio Service. These UHF frequencies are very much in great use throughout the country. Amateur uses of the 70cm band include voice and data repeaters, which play very important, roles in emergency communications for which US radio amateurs are frequently called upon to assist with.

Personally, I frequently rely upon a linked repeater system here in rural southeast Iowa to be able to communicate with other hams in this less-than-densely populated region. This linked repeater system uses portions of the threatened radio spectrum for its control and linking functions. Were it to be unavailable due to the frequency allocation changes proposed in RM-9267, I would be severely restricted in my communication ability for most of my daily commute.

Thank you very much for your time, and I am sure the FCC will do the right thing and send this greedy proposal on its way out the door.

Sincerely,



Adam B. Kanis, MD, PhD
Amateur Radio Station N2BRT
1850 140th St.
Wellman, IA 52356

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MAY 29 1992

RM-9267

FCC MAIL ROOM

John D. Tallman
 2112 Poseyville Road
 Midland, Michigan 48640
 (517)835-6299

Sirs:

I am very concerned with and oppose the Proposal for Rule making made by the Land Mobile Communications Council, specifically with the comments regarding the Amateur allocations of 420-430, and 440-450 megahertz. Originally this was an Amateur primary allocation, the Federal Government "borrowing" it for primary use during the cold war for radar purposes. LMCC does not interpret the significance of the Amateur secondary allocation status, as limited commercial use of the band is permitted allowing amateurs to have priority over such uses. If the government wishes to abandon these frequencies, they should be returned as a primary allocation for Amateur operation. If it is allocated to the commercial sector on a primary basis, I envision thousands of Amateur repeaters and digital networks being silenced, as the extensive commercial use of this band would not allow the extent of Amateur use presently enjoyed. LMCC has offered nothing regarding how amateurs could continue to share this band. The congestion on other bands would make it impossible to perform the same functions without use of these frequencies. The 2 meter repeater pairs in our state are completely used, the 220 Mhz band certainly is not wide enough to replace it, and the higher frequencies would not be technically feasible. Where would existing amateur operations go? Why should the unnecessary expense of equipment changes and more be placed on the back of the amateur operators? The primary use of these frequencies is in the interest of emergency communications and public service, not at the cost to the government but the volunteers. I do not wish to replace my 70 cm equipment at my own expense to provide the same public service when the LMCC can set up their operation on another band, or as a secondary allocation on the 70 cm band, with amateur operators being assigned primary usage. Hopefully you will recognize the significance of our present secondary usage of the band and leave the primary use of these frequencies in the non-commercial domain, where they belong.

Best Regards,



John D. Tallman

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MAY 29 1998

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May 18, 1998

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Joseph P. deFulgentiis
PO Box 18062
Encino, California 91416

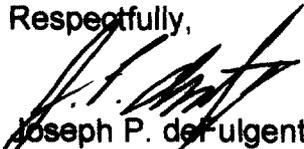
Office of the Secretary,
Federal Communications Commission
Room 222
1919 M Street NW
Washington, D.C. 20554

Re: Letter of Concern: (Petition RM-9267)

I am writing this letter as a concern Amateur Radio Operator. I have earned my license as a (Advanced Amateur Radio Operator). I have worked hard in achieving this goal and look forward everyday in enjoying the hobby that I chose. I recently have been informed that by the 1st of June 1998, there is a deadline in response to a petition filed by the Land Mobile Services regarding the taking of certain frequencies in the 70cm (440mhz) band, proposal (RM-9267). I feel that as a born American and a citizen of the United States, strong emphasis is placed on preparation in the time of disaster. The Amateur Radio Community provides that service when other sources of communications fail. Amateur radio is there to support the needs of the community involved in such a disaster. I volunteer my personal time assisting in the preparation of disaster and feel that a threat such as (Proposal RM-9267) in reallocating frequencies would be a thorn in the Amateur Radio Community. The preparation or the assistance of disaster services, would be lost if 70cm (440Mhz) is reallocated, the band plays a very important role in its reliability for local communications.

Finally, as a volunteer in disaster communications for the Los Angeles County Emergency Services, I feel strongly that the elimination of the allocation of 70cm would bear a great burden in support in the preparation of disaster services. I hope that this committee of commissioners for the Federal Communications Commission take a serious look before making a decision in respect to this proposal. The Amateur Radio Community is there and has been for the last several decades when the need of Emergency Services is called upon. I thank you for taking the time in accepting this letter and the many others from the Operators of the Amateur Radio Community and its families.

Respectfully,


Joseph P. deFulgentiis
KQ6SZ

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Marcos Casillas
8201 West Manchester Ave #2
Playa Del Rey CA 90293

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May 15, 1998

Secretary Magalie Roman Salas
The Federal Communication Commission
1919 M Street NW Room222
Washington, DC 20554

Subject: RM 9267

Dear Sir:

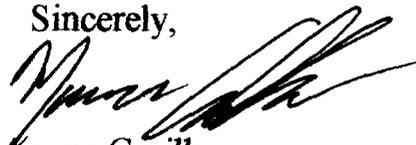
I am aware of the request for reallocation of the 420Mhz. To 430Mhz. and the 440Mhz to 450 Mhz Amateur Radio Bands to Private Land Mobil Radio Service. I strongly urge you to reject this request.

The Papa System is wide area repeater Link system that covers from San Diego to Pismo Beach. During disasters our system is made available to any group requiring emergency communication, during earthquakes, forest fires, mud slides and floods.

We provide backup emergency communication for the sheriff police and fire departments.

The frequencies specified in this request are used by amateur Operators to pass information in such an emergency. The loss of these frequencies would be crippling blow to these activities.

Sincerely,



Marcos Casillas
KB6TWT

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MAY 29 1998

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FEDERAL COMMUNICATIONS COMMISSION

DOCKET FILE COPY ORIGINAL

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. Further, 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.

I have no doubt that you'll receive many letters arguing the communications significance of this frequency band, my argument is more scientific. The properties of UHF are significantly different than those of the HF, VHF and microwave. Loosing this band will cause a significant gap of understanding and experience, which can now be attained legally through the use of amateur radio.

I would like to thank you for your consideration on this issue, and remind you that the Amateur Radio Service consists of people with both significant technical skills, and a high moral fabric. This privilege should be maintained.

Sincerely,



Ralph Milroy, KB1CMP
 27 Edge Street
 Ipswich, MA 01938

May 17, 1998

Original

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 W A B C D E 031

Joseph Schierer
309 N. Corona Ave.
Valley Stream, NY 11580

DOCKET FILE COPY ORIGINAL

May 27, 1998

Subject: RM-9267

Office of the Secretary
FCC
Room 222
1919 M Street NW
Washington, DC 20554

Dear Chairman Kennard:

As a licensed Amateur Radio Operator I am opposed to the Land Mobile Communications Council's request to reallocate 420 to 430 MHz and 440 to 450 MHz from the federal government to the Private Mobile Radio Service (PMRS) on a primary basis.

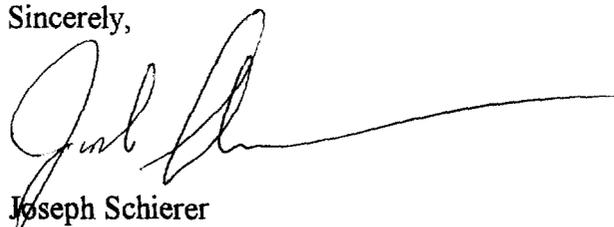
Amateur Operators provide a valuable service to their community, as opposed to the Land Mobile Companies, whose only service is to provide enrichment to their stockholders.

The frequencies in question are widely used by Amateur Operators, If these frequencies were re-allocated, I myself would lose my investment in my Amateur Equipment. In addition, there is the considerable investment by other amateurs and Amateur Radio Clubs in Radio and repeater equipment, that would be lost by such an action.

The Land Mobile Group mentions that the frequencies could be shared, but offers no proposal on how this could be accomplished. Clearly, they have no intention of doing so. They also state that their needs will be growing, and even this allocation would not be enough to meet their needs. Perhaps the Land Mobile group should learn how to 'live within their (spectrum) budget'

I urge that you deny this petition of the Land Mobile Communications Council.

Sincerely,


Joseph Schierer

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MAY 29 1998

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MAR 29 1993

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

DOCKET FILE COPY ORIGINAL

Re: RM-9267

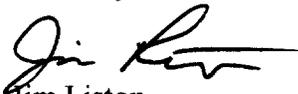
Dear Sirs:

Please consider my comments concerning the proposal of the Land Mobile Communications Council petition RM 9267 which seeks to reallocate two-thirds of the 420-50 MHz, (70 cm), radio bands to the Private Mobile Radio Service. These frequencies are presently shared with the military radiolocation services and are used extensively by licensed Amateur Radio operators for emergency communications. The proposal by the LMCC jeopardizes the usefulness of these frequencies for emergency communications. Although the LMCC proposes to "share" these frequencies, the method of sharing with Amateur operators conducting emergency communications is not defined or explained.

In Dallas County alone more than 400 operators attend "Skywarn" schools, sponsored by the National Weather Service, each year. Further training is provided by regularly scheduled RACES (Radio Amateurs Civil Emergency Service) and ARES (Amateur Radio Emergency Service) training nets. To test operating skills and equipment RACES amateurs are required to provide communications for charitable and public events. All costs of these efforts are borne by licensed Amateur Radio Operators. Citizens of Lancaster, Tx., Oklahoma City, Ok., Nashville, Tn. and many other cities can testify to the effectiveness of trained communicators equipped with mobile transceivers powered by generators or batteries at a time when other modes of communication are destroyed or jammed to capacity. These operators utilize the 2 meter and 70 cm bands to provide communications. In Dallas County the 70 cm band is reserved for the most important communications, medical emergencies. In actual disaster and emergency situations repeaters and linked radio networks set up and maintained by licensed amateurs, are available to provide long-range communication.

This proposal, if accepted, may effectively end amateur emergency communication on 70 cm. It will not be possible for amateur operators to rebuild networks in a short period of time and many will be unwilling or unable to invest their time and money to create a new system which will again be in jeopardy from other organizations desiring radio spectrum. Let the LMCC pursue more effective use of the spectrum they are allocated before attempting to decrease spectrum allocated to other users.

Sincerely,



Jim Liston
KB5ZAX
520 Classen Dr.
Dallas, TX 75218

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FBI/DOE 094