

NØYGM

KEN KNIGHT
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Colorado Springs, Colorado 80918
El Paso County ♦ DM7B



Ken Knight
Amateur Radio Operator DM7Bov

NØYGM
All Mode Radio Communications

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28-May-1998

RM-9267, Secretary
Federal Communications Commission
1919 M Street NW
Washington, DC 20554-0000

DOCKET FILE COPY ORIGINAL

Dear Sir:

I am an Amateur Radio Operator. I am writing to you out of my concern of the proposed decimation of the 70CM Amateur Radio Band by Private Mobile Radio Service, a commercial enterprise.

Reallocating the 70CM Amateur Band to Amateur use on a secondary basis is not an option. The requested frequencies for this are 420-430MHz and 440-450MHz. The first part of the band is currently actively and rather heavily used by Amateur Radio operators for weak signal activities such as Earth Moon Earth (EME) bounce. This is done by the mode of CW. The second portion of the band is currently and actively used by Amateur Radio for FM simplex and repeater use.

This proposed reallocation would be catastrophic to Amateur Radio Operators and society in general. I will elaborate. 70CM, as an Amateur Band, is not a major contributor to ever increasing RFI problems that are felt by all of us on lower frequencies. Amateur Radio operators for weak signal work currently use 420-430MHz. For weak signal Earth Moon Earth signal bounce, legal limit RF power can be safely applied in close proximity residential settings without major concern for RFI. Amateur Radio operators have invested substantial personal financial resources to be able to do this. If this band is reallocated, there must be financial compensation to all Amateur Radio operators that have invested into this band and mode. This mode well supports long distance communications with like stations around the world. Reallocating this portion of the band would remove this communications ability, at a serious detriment to the human population around the world. This communication has proven itself invaluable. Amateur Radio operators primarily for FM simplex and repeater use heavily use the portion of the band 440-450MHz. 446MHz is the FM simplex frequency. In our area, 448.45MHz is a primary repeater for general use as well as emergency communications. Individuals have invested their own personal financial resources in supporting repeater operations. Loss of this, like EME, must result in

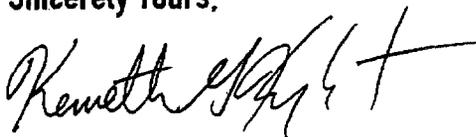
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List A B C D E OST

compensation, which is substantial, to the private owners of these repeater systems. Just this past weekend, I was involved in a personal activity with Skywarn on 446.1MHz FM simplex. This frequency is actively used here for point to point communications during Skywarn activities. Loosing this frequency could result in loss in human life, during a severe weather event!

Private communication industry will continue to place ever-greater demands on radio frequency allocations. The Amateur bands have already been stripped to a minimum. Of course, these are the easiest bands to go after. It is morally and ethically wrong to take these frequencies away from Amateur Radio. Private communications concerns should be allowed to grow. RFI is an increasing problem. In my location, a recent paging system transmitter was added in the 155MHz range. When this system comes on, it causes serious problems for my neighbors and myself. My Amateur Station is truly a weak signal station and I employ suppression on all of my bands to include low pass and band pass filters to ensure harmonic attenuation. It seems as though that private communications are not concerned with this. They should be allocated frequencies that minimize impact to Amateur communications and RFI in the community. There are many frequencies open above 2000MHz, for example. It makes most economical sense to have the newcomers, i.e., commercial interests, spend some of their money on research and development of open high band frequencies. Leave the Amateur Radio frequencies alone!

In conclusion, the 70CM Amateur Radio band must be left alone. Life, health and welfare are at stake if these frequencies are lost. Reallocating these frequencies will result in serious and severe financial impacts to Amateur Radio operators. Secondary Amateur Radio allocation is not practical, given all the impacts. Amateur Radio bands must be protected for the best interest on society as well as moral and ethical considerations. Thank you for your time in reviewing my feelings concerning this matter.

Sincerely Yours,



Kenneth G. Knight
ARS: NØYGM—DM78ov

24426 Valencia Way
Laguna Niguel, CA 92677
June 29, 1998

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

DOCKET FILE COPY ORIGINAL

Gentlepersons, It has come to my attention that you are considering primary user reallocation of portions of the 70cm radio band from Government to Land mobile use. As an active Amateur on this and other bands I believe it would be a mistake to change primary users on these frequencies. In my experience of this band I have monitored frequent calls for help from persons on nearby highways and communications of weather warnings during storms. If Land mobile users are given primary use of these frequencies without a 'real workable' plan to coexist with the Amateurs these public service oriented calls mentioned would cease to exist, being replace by 'Joe please deliver the pizza to 123 13th Street.' I realize there is great pressure from many groups to chip away the national treasure of Amateur radio. Please resist them. Thanks for your time.

Sincerely,
Michael Check
Michael Check
n9ktr/6

Office of the Secretary
FCC Docket

024

024

May 27, 1998

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

RECEIVED
MAY 29 1998

Ref: RM-9267 PETITION FOR RULEMAKING

DOCKET FILE COPY ORIGINAL

To Whom it may concern:

It is important to open up frequencies to commercial interests to aid in the growth of our communities and great country.

The freeing up of frequencies should not be done at the expense of amateur radio designated frequencies especially in the 70 cm band.

We have an estimated one hundred 70 cm amateur-use (privately funded) repeaters throughout Wisconsin. Our amateur radio operators use these and other bands for communication, training, and emergency purposes. We have an active ARES (Amateur Radio Emergency Services) group here in Eau Claire. We also teach 5th graders to take the test be HAMS for the Mission Eau Claire program. These kids are licensed to use the 70 cm band. Our group, as well as groups like ours, assists Red Cross and others in times of disaster to communicate where other forms of communications fail. Periodically, in some disasters, all phone lines and systems (including cell phone systems, computer access lines) are disrupted so that the only communication is done by radio

Eroding amateur radio operator access to bands and frequencies weakens the civil defense strength of our country.

Amateur radio enthusiasts voluntarily invest time (for training and practicing skills) and money (for equipment including repeaters) into their hobby to be ready to help our communities and nation in times of need. The erosion of amateur bands will, in the end, hurt those in need the most. Hams have a long and meritorious history of helping others.

Support our volunteer amateur radio system in America by not only not limiting access to the 70 cm band, and by expanding bands and frequencies available to HAMS.

Sincerely

Richard B. Kelly

Richard B. Kelly
KB9RBN

4320 Markgraff Road
Fall Creek Wisconsin 54742

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DOCKET FILE COPY ORIGINAL

Docket: RM-9267

1 1998

To: The Secretary, Federal Communications Commission

I am writing you in regards to docket RM-9267 in which the LMCC has petitioned your office for the reallocation of the Amateur 70cm band. I am Trustee of a local repeater network which provides emergency communications for the County of Monroe. This system includes four 70cm repeaters located in the 440-450 MHz band under attack by the LMCC request.. Rochester, NY contains many buildings, some being evacuation centers, that only 70cm will penetrate. There is a nuclear power plant within 10 miles of Rochester which is reviewed by the NRC. Volunteers use both 70cm handheld and base transceivers bought by The Office of Emergency Preparedness using both state and federal money. This 70cm equipment is used for radiological reports, evacuation coordination, health and welfare, and many other RACES and ARES activities. We also provide local communication for charity events using 70cm equipment. Again, this is necessary because of 70cm penetration ability within an urban environment. There are over 32 FM repeaters within the Rochester area between 440 to 450 MHz. Many linked repeaters, including my own, use 70cm links. As your are aware, Amateurs can link only using 220 MHz and above. Having lost part of our 220 MHz band already, makes 70cm all that more important for communication links and backbones.. Please resist the temptation to be influenced by big business. Help the Amateur protect the services they provide to the American public and the good will they express as a US Citizen.

Bob Shewell, N2HJD
 5 Rosewood Ter.
 Rochester, NY 14609

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May 26, 1998

MAY 1 1998

DOCKET FILE COPY ORIGINAL

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

RM 9267

In the matter of the proposed reallocation of the 70 centimeter band.

My name is Robert M. Rogers; my amateur call sign is WN7V. I wish to voice my concern, and dismay, over the possible loss of a portion of the 70-centimeter band, as noted in RM 9267.

I use this band extensively for emergency and disaster communications, while traveling around the country, as well as at home, here is Washington State.

Amateurs have spent thousands of dollars, personally, as well as amateur groups, to establish repeaters for personal and emergency uses. This frequency spectrum is used extensively for links between various UHF, VHF, and HF bands. This gives a broad spectrum for coverage, especially during any disasters. As you know, the amateur operators provide extensive emergency communications services during disasters. They are usually the first, if not the only communications provided during the critical time immediately following natural disasters. Amateurs can be mobilized very rapidly, and provide the needed communications services to any agencies.

The loss of any part of the 70-centimeter band now allocated to the amateurs would deal a severe blow to the ability of amateurs to assist in any form of emergency communications.

I hope that the Federal Communications Commission and those individuals responsible for this proposal would recognize what the possible loss of any portion of the 70-centimeter band would be to the amateur service, as well as the communications necessary during any disaster situation.

Sincerely,



Robert M. Rogers
19766 N.E. 156th Place
Woodinville, WA 98072
(425) 788-3129

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List A B C D E OET

Paul W. Seabern
4775 Bunnelle Avenue
La Verne, CA 91750-2422
(909) 599-1470

May 26, 1998

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

DOCKET FILE COPY ORIGINAL

REF: Petition RM-9267

Dear Commission:

I am a licensed Amateur Radio operator and a member of the Edgewood Amateur Radio Society in West Covina, California. I would like state my strong opposition to RM-9267 as proposed by the Land Mobile Communications Council.

Our club has a long history, over 40 years, of being dedicated to disaster and emergency communications. The use of the 70 cm Amateur band is critical to our support of Red Cross Disaster communications in West Covina and also to assisting thousands of motorists each year with highway emergencies via our communications system.

The Edgewood Amateur Radio Society maintains an important repeater on 447.300 MHz on Johnstone Peak that services all of the Los Angeles basin. This repeater system allows our club members to assist with many public service events throughout the year. Like all of our repeater systems, it continues to be an emergency resource to the community, and at no cost to the tax payers, supported completely by the membership of our club.

Our club also maintains a vital VHF repeater system that assists the public, on a daily basis, with highway type emergencies. This dual-site system, W6FNO, is linked on the 420 MHz to 430 MHz band and allows radio coverage over much of Southern California. Year-after-year, a team of licensed hams is handling over 4000 calls, aiding the motoring public through the use of the W6FNO repeater. The effectiveness of this system would be greatly impaired by interference from the land mobile users under RM-9267. A serious loss to public service in our area.

RM-9267 puts 420 to 430 MHz and 440 MHz to 450 MHz in grave jeopardy. The technical language in RM-9267 does not give any viable solutions to the very likely problem of interference between the proposed Private Mobile Radio Service, as the primary user and the long standing use by Amateur Radio as a responsible secondary user. Such RF interference would cause a loss to our club operations that could never be replaced. Please do not approve this misguided petition.

Sincerely,

Paul W. Seabern

Paul W. Seabern, KO6VG

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1998
DOCKET FILE COPY ORIGINAL

Doug Pelley
WB7TUJ
Box 4355
Mesa, Az. 85211-4355
602-892-2929 FAX 892-6250 wb7tuj@evergreen.com

05/19/98

Ref:LMCC Petition to absorb the 420-450 Mhz spectrum
RM-9267 Secretary
Federal Communications Commission
1919 M. St. N.W.
Washington D.C. 20554

To who it may concern,

I have been a very active amateur radio operator for going on 25 years now and much of my operating is and has been in the 420-440 and 440-450 Mhz spectrum.

I am an active member of the nationally known "Cactus Intertie System", which is the largest linked system in the United States. This system links between Houston, Tx and Northern California, with many links into the Western and Southwestern United States. This system, along with many more smaller systems are made up entirely with repeaters in the 440-450 Mhz spectrum and connected together by point to point links in the 420-440 Mhz spectrum.

This system, like the many others, provides a communications path to keep in touch with family and friends hundreds of miles away. This system, along with many other systems and stand alone repeaters in this spectrum, provides for experimenting with radio. Where do you think most radio technology improvements have come from over the years?...from the Amateur community, aka "The Hams". And if that is not enough, these systems have provided personal welfare relief to thousands of people during several earthquakes, floods, hurricanes and other natural disasters where commercial common carriers have either failed or have been turned off to keep the lines open for "official agencies" etc.

If this spectrum was taken away from Amateur use, these linked systems, as well as many good stand alone systems would have to cease operation, thus depriving the radio experimenter and public servant, ie. the Amateur Radio Operator, of precious spectrum. The general public would also be deprived of the great service that Amateur operators provide. Thousands of dollars, not from huge corporations, but from tiny individual pocket books will have gone to waste and the now very overcrowded 144-148 Mhz spectrum and other spectrums will become even more overcrowded and will be rendered useless. Please reject this petition. Thank You.

Sincerely,


No. of Copies rec'd 074

List A B C D E F G T

DOCKET FILE COPY ORIGINAL

REFERENCE: RM-926 RECEIVED

THOMAS E. FARRELL (W3RCJ)
1912 BURNWOOD ROAD
BALTIMORE, MD 21239

JUN 1 1998

MAY 29, 1998

FCC MAIL ROOM

OFFICE OF THE SECRETARY,
FEDERAL COMMUNICATIONS COMMISSION
ROOM 222
1919 M STREET NW,
WASHINGTON, DC 20554

DEAR SIR:

I WISH TO EXPLAIN HOW THE LOSS OF ACCESS TO THE 420-430/440-450MHZ BAND SEGMENTS WOULD AFFECT MY USE OF THE BAND.

I OPERATE HERE ON THE LOWER PORTION OF THE BAND USING THE FREQ/S. 421.25, 426.25, 434.25 AND 439.25 MHS. MY OPERATIONS ARE USING THE ATV MODE. WE ALSO ARE USING 421.25 MHS FOR LINKING AND REPEATER OPERATIONS FROM BALTIMORE TO THE SOUTHERN AREA OF MARYLAND. WE ALSO PROVIDE ATV (VIDEO) COMMUNICATIONS FOR THE "R.A.C.E.S." GROUP IN THAT AREA. I HAVE \$3,000.00 INVESTED IN EQUIPMENT FOR USE ON THIS 70 CM AMATEUR BAND. I AM A MEMBER OF THE C.A.T.S "CHESAPEAKE AMATEUR TELEVISION SOCIETY". I AM RETIRED AND OPERATE ON THIS BAND BOTH DURING THE DAY AND NIGHT USING MY ATV "AMATEUR TELEVISION" STATIONS.

WE PROVIDE EMERGENCY ATV FACILITIES "R.A.C.E.S." FOR THE AREA BELOW THE BALTIMORE AREA.

SINCERELY;

THOMAS E. FARRELL (W3RCJ)

Thomas E. Farrell

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

May 26, 1998

1 1998

RE: RM 9267

Dear Sirs:

As a licensed Amateur Radio operator I want to go on record as strongly against the petition under consideration, RM-9267. I am active on many Amateur Radiofrequencies that promote the public welfare through emergency, disaster and public service communications.

The frequencies bands 420 MHz to 430 MHz and 440 MHz to 450 MHz, proposed for reallocation by this petition, are very important to our continued success in serving the public through our work. These frequency band segments include important linking, control, and repeater systems that are used daily by a large number of amateurs in South and Southwest Texas.

My everyday use of these frequencies helps to maintain a vital link between Corpus Christi and San Antonio. This is to insure this link is available when the next hurricane hits the Texas coast. This link will be the primary assistance link for the evacuation the people in accordance with state disaster plan. I urge you not to do anything which will disrupt this vital link.

I have been licensed for eight years, and I personally use many different frequencies within these sub bands EVERY DAY. Experimental communications; complex linking systems; remote control of transmitters and receivers operating on these and many other amateur bands; Public service exercises; and real disasters. I operated on several systems of stations on these sub-bands during the major disaster exercises and actual disasters that Have impacted this region of the country.

Amateur Radio has proven to be a successful secondary user to the government radiolocation operations on these frequency bands. RM-9267 contains no technical solutions to prove that Amateur Radio users could continue to use these bands without serious interference if land mobile communications become the primary user.

Commission approval of any PMRS (or similar) allocation on this or any amateur frequency band will effectively terminate any Amateur Radio operations within the specified band. Amateur Radio operations in South Texas which is a vital communications resource to the public during emergencies and disasters will be very badly damaged by the loss of 49Percent of the available VHF amateur spectrum below 900 MHz.

I respectfully urge the Commission to DENY the above specified portions of RM-9267.

Sincerely,

Paul H. Roper
Paul H. Roper

N5SUE

1127 Haltown
San Antonio, Texas 78213-2022

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JUN ~~May 29~~ 1998

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

Re: RM-9267

Gentlemen: I am a long time ham radio operator and I am writing you concerning the above rule making proposal. I am involved in local ham radio emergency communications which utilize the 420-430/440-450 MHz radio spectrum. For example, I am the trustee of the Palm Beach County Chapter of the American Red Cross which utilizes a ham radio UHF repeater on 443.300 for tactical communications. Loss of access to this frequency could have serious consequences during the next hurricane or other disaster in central Palm Beach County. Loss of access to this band segment would also negatively impact existing legal ham radio users throughout Palm Beach County, the State of Florida and the nation.

While current and future communications technology provides virtually instant access to anyone on the globe, it is important to remember that these systems are sensitive to disruption by malfunction and overloading. The recent malfunction of the Galaxy IV satellite is a reminder of that sensitivity. In another recent example, southern Dade County Florida was without any form of communications following Hurricane Andrew. It was the ham radio operators that provided communication for the hours following that great disaster. This is a need that will continue to be in demand in the future. I urge the Commission to consider not only the economic issues of the telecommunications industry, but also the existing amateur radio users that continue to provide emergency and health and welfare communications for our citizens during emergencies.

Based on the above, I believe that the referenced rulemaking proposal would be harmful to the first response emergency communications capability provided so well by ham radio operators over the years and I urge the Commission not to support it.

Sincerely,



Louis J. Devillon, K4ZRP,
PBC Red Cross Repeater Trustee
1258 Holly Cove Drive,
Jupiter, FL 33458

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List A B C D E

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OET

Tuesday, May 26, 1998

Paul Webster
117 S. Cottonwood Dr.
Brookside UT 84782-6011

DOCKET FILE COPY ORIGINAL

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

Dear Mr. Secretary;

RE: RM-9267

I want to register my objection to the referenced proposal. I use the 440 MHz amateur radio band daily for personal communications. Repeaters that I use on other bands use 440 MHz links to make the backbone systems that I rely on for safety and convenience while traveling on I-15 and other highways, on which I drive 280 miles daily. Also being a Clark County Radio Amateur Civil Emergency Service (RACES) member our local communications are on 440 MHz. The effects of this proposal would be to jeopardize these communication uses. Amateur radio provides a service to the community (both national and local) that could not be feasibly replaced without an amount of money and time far exceeding that available to local entities. Please help us in continuing to provide this service to the community by denying this proposal.

Sincerely,



Paul Webster
Amateur Radio Call Sign KC7QJR

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List A B C D E OUT

Re: RM-9267

DOCKET FILE COPY ORIGINAL

1 1998

Dear FCC,

I am writing in regard to what I see as a proposal from the LMCC asking for spectrum in the 420-450 MHz area. This falls into the Amateur 70cm band. Reassigning this spectrum will severely hamper one of the Amateur volunteer disaster communications.

I am from North Carolina and in the aftermath of Hurricane Fran, the linked repeater connecting Raleigh to Wilmington was about the only communications form available to the coast. During this emergency, Hams were a vital liaison between services such as State Emergency Center, Red Cross, Salvation Army, Police and rescue crew. Had it not been for the 70 cm band this would not have been possible as the phone lines and cellular systems were down. I ask you in this case if you were there, would you want Amateur Radio operators to be able to use equipment and systems to help out?

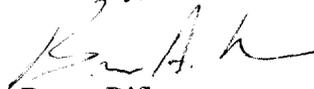
Many organizations rely on the communications provided by hams on the 70cm band. IE: Nonprofit organizations during walk a thons, The Red Cross, The Salvation army, FEMA, Local Emergency groups, even the National Weather Service.

I am sure that LMCC can aquire spectrum in another portion of the spectrum, 70cm need to be left alone as it with the Amateur Radio Operator are a national resource in the time of need. I have been monitoring LMCC's spectrum here and I find it is really underused by them a the present.

LMCC when looking at spectrum will have to purchase new equipment for the given frequencies no matter when the frequency. Amateur Radio Operators invest their own money in transmitters(many are very expensive to a person) and have established repeaters on the frequencies.

I ask that you deny this proposal immediately and ask LMCC to find other bands to establish their systems.

Sincerely,



Bruce Rifleman
NE4E

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List A B C D E

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DOCKET FILE COPY ORIGINAL

Gary Steven, Covington AE4NN
P.O. Box 215
Linwood, North Carolina pz2729 *1998*

28 May, 1998

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

COMMENTS OPPOSING RM-9267

Dear Commissioners,

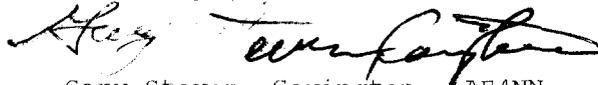
I am writing in opposition of the petition by the Land Mobile Communications Council to reallocate a significant portion of the 420-450 MHz Amateur Radio Service band to the Private Mobile Radio Service.

I am currently Emergency Coordinator for Davidson County Amateur Radio Emergency Service. Amateur Radio's primary contribution to the public come from Emergency and Public Service communication. The VHF and the UHF bands both are essential to the local communications in emergencies.

Although the LMCC suggests possibly making some spectrum available to Amateurs in the 1400 MHZ area, this would leave Amateurs with useless UHF equipment bought with personal funds. No equipment is available to suit Amateur needs in the 1400 MHz either. The large PMRC market is much more likely to spur hardware development for those frequencies than the Amateur market.

In conclusion, the LMCC proposal would create a great hardship on Amateur Radio Operators and hinder the effectiveness of emergency communications. I urge the Commission to deny the LMCC's request to reallocate the Government/Amateur Radio spectrum between 420-450 MHz.

Sincerely,



Gary Steven, Covington AE4NN

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RECEIVED

JUN 1 1998

April Kingsley
224 Riverside Drive #4D
New York NY 10025
212-665-0230

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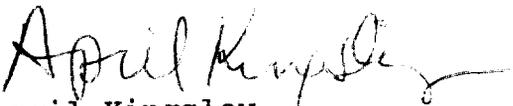
May 29, 1998

RM9267
Secretary
Federal Communications Commission
1919 M Street NW
Washington DC 20554

Dear Secretary:

It has come to my attention that the LMCC has requested the reallocation of 420-430Mhz and 440-450Mhz bands from Federal (and Amateur Radio) use to PMRS use. As a new amateur radio licensee (KC2BSU), that would cost me the use of UHF/VHF bands I generally use, so I sincerely hope you do not accede to their request.

Sincerely,


April Kingsley

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FCC MAIL ROOM

JUN 1 1998

RECEIVED

John L. Czukkermann
7 Skyline Dr.
LaGrangeville, NY 12540
Daytime Phone: 914-435-6409
Amateur Callsign: AB2EP
E-mail: czuk@iname.com

May 28, 1998

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

DOCKET FILE COPY ORIGINAL

I am writing this letter to comment on the petition for rule making RM 9267, submitted by the Land Mobile Communications Council (LMCC). I feel that the LMCC proposal is not compatible with continued Amateur use of the 70cm band. My intention is to share with you the impact to Amateur radio operators with respect to our ability to serve the public interest in times of localized and widespread disasters, with the likely loss of our current use of the 70cm band resulting from adoption of RM 9267. I also intend to point out several inconsistencies and ambiguities in the LMCC's arguments for reallocation of the 70cm spectrum currently used by Amateur radio operators.

Support for Disaster Relief

The single most significant reason that the FCC has preserved allocation of precious electromagnetic spectrum for the Amateur Service is for our general service to the public and emergency communication support during times of disaster. Amateur operators serve the Federal, State, and Local governments through the Radio Amateur Civil Emergency Service (RACES) during times of disaster. RACES is a key element in disaster relief plans from FEMA down through local county governments, where natural and man-made circumstances have resulted in the localized or wide-spread loss of communication infrastructure. Amateur operators also serve volunteer disaster relief organizations such as the American Red Cross in a similar fashion and are crucial to these organizations' disaster relief plans.

The 70cm allocation is critical to amateur disaster relief activities, which include among other things

- Damage assessment and reconnaissance
- Reporting of public health and welfare
- Communication support during initial and ongoing disaster relief coordination

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A specific example is how I personally use 70cm when maintaining communications during disaster drills; a method I would employ when called upon for disaster relief. By the very nature of many disaster relief activities, amateurs are required to monitor and report various situations which in many instances requires us to be on foot; mandating the use of hand-held transceivers in order to maintain communications. In order to maximize my operating time (as dictated by battery capacity), I use my mobile radio as a high power auxiliary station in order to maintain adequate communications with coordinating agencies. I use the lowest power on my hand-held transceiver in order to communicate via my local mobile transceiver. It is the 70cm band that enables me to communicate through my auxiliary station. With the loss of the 70cm band, my ability to support disaster relief activities in ways meaningful to disaster relief agencies such as FEMA, Red Cross, and local agencies would be completely eliminated.

Our state and local governments have invested in communications infrastructure, of which the 70cm amateur allocation is a critical element, that has taken many years to develop and optimize. The 70cm allocation used by amateurs is used for both local repeater operation as well as critical digital mode links to emergency agencies, such as the National Traffic System's Packet Backbone. The loss of the 70cm allocation used by amateurs would cripple a key aspect of emergency communications and would take years to recover. This would impact us locally, in Dutchess County NY where the county finances and maintains at least one 70cm repeater whose sole purpose is disaster relief communication support. The impact of reallocating the 70cm band currently used by the amateur service is also at the state level where the State Emergency Management Office (NY SEMO) has invested in 70cm equipment to support statewide voice and digital links. I am certain that NY is not the only state whose plans for emergency communications in support of disaster relief would be severely hurt if the LMCC petition for reallocation of the 70cm band was adopted.

One of the key emergency communication resources that exists here in South-Eastern NY State is a linked repeater system know as "The NorthEast Connect". This repeater system supports communication throughout New York State's eastern corridor, and is accessible from many other states including Pennsylvania, Connecticut, Massachusetts, and Vermont. This resource is critical to the American Radio Relay League's Eastern New York Section and its entire Hudson Division emergency preparedness. The NorthEast Connect relies on 70cm for both local access and links that give this unique resource its wide-area coverage. Loss of the use of the 70cm allocation used by amateurs would eliminate this important communication resource.

Problems with LMCC Justifications for RM 9267

One major argument the LMCC makes in justification of its proposal is the adverse impact to public safety and disaster communications given the current state of affairs in PMRS, and where the current state of affairs is projected to lead. The large majority of LMCC's membership has an inherent commercial interest and any public safety concerns are secondary. In times of true emergencies, the most involved members of LMCC are likely limited to utilities such as phone

and electric. The response by Amateur operators to disaster is truly in the public interest...the WHOLE public interest, including families as well as businesses. Examples of our service during disasters include this winter's Northern NY Ice Storm, some of the devastating tornadoes in the Midwest this spring, the Oklahoma City bombing, PanAm Flight 800, and the major hurricane landfalls (Hugo, et all) of the past decade. All of these responses relied on using multiple Amateur Service allocations among which 70 cm was crucial.

Arguments that include the needs of the National Forest Service use for 70cm make little sense, especially when LMCC includes in the argument the Forest Service's need for building penetration. Furthermore, LMCC suggests that the alternative of using cellular services is not an option due to the lack of cellular coverage and the non-viability of building new cellular towers in the Forest Service's remote locations. Radio Frequencies in the 400Mhz range are line of sight with little propagation beyond line of sight. Therefore, applications such as those of the National Forest Service would require towers for repeater installation to accommodate the extended coverage needs of such a user in the 70cm band. If building cellular towers is not a viable option, certainly building towers for 70cm capability to satisfy wide area coverage on 70cm is not an option either.

LMCC proposes that Amateur use of 70cm remain secondary to PMRS, but provides no studies or proposals on how PMRS and Amateurs could effectively share 70cm. Based on what LMCC has described, the reality of this proposal is that Amateurs will loose effective use of 70cm, thereby dismantling and disabling much of our capability to respond to communication emergencies in times of disaster.

LMCC argues that alternatives to the 70cm allocation would have a heavy monetary impact to its constituency. Adoption of this proposal will have a monetary impact to not only amateur radio operators, who are private citizens that gain no monetary benefit for their activities, but also to Federal, State, Local government disaster relief agencies, and volunteer disaster relief organizations who have also provided monetary support to Amateurs in support of emergency preparedness. If this proposal is adopted, I will personally have lost a significant investment in radio equipment. I have currently invested over \$1100.00 in radio equipment that operates on both the 2m and 70cm bands, what I considered the very minimum investment in order to adequately serve disaster relief agencies in times of disaster. This investment includes a battery operated hand-held transceiver (2m/70cm) and a mobile transceiver (2m/70cm) in my car, as well as antenna and power related items essential to effective operation. Although my investment is small compared to that of members of LMCC, my ability to purchase new equipment is also more severely limited than LMCC's membership. I am an individual who purchased radio equipment for personal use as part of a hobby, using personal time to train myself and satisfy the necessary FCC license qualifications, and volunteering my personal time to support members of my community during times of disaster. These community members include individuals, and families. My equipment is not used to generate new funds that could be readily used to further

purchase more equipment and my investment is not tax deductible. The LMCC membership can much more easily afford building infrastructure to support their businesses than can private individuals.

LMCC points out Nuclear Regulatory Commission requirements for reliable primary and backup communications between several different agencies and facilities under emergency conditions that would overwhelm public or third party systems. The implication is that without adoption of this proposal, these communications are in jeopardy. The LMCC doesn't take into consideration the impact to emergency response teams such as those in Westchester County NY, home of the Indian Point Nuclear Power facility, where Amateur operators are relied upon as vital members of roving radiation monitoring teams. These teams employ Amateur services on 70cm for the Automatic Position Reporting System (APRS) to aid in pinpointing team locations as well as general communications support. APRS makes use of 70cm Amateur service digital repeaters to communicate GPS information.

The LMCC proposal is quite clear that they are suffering from severe spectrum shortages for current and future PMRS applications. These shortages are primarily in congested urban areas and not a problem in less urban areas. LMCC is proposing allocation of 70cm spectrum on a national basis to solve the problems that are more localized in nature. While they claim they are trying to avoid spectrum warehousing, this is exactly what is being proposed.

From my perspective, the LMCC proposal is a way to resolve on ongoing conflict between PMRS and CMRS at the expense of the Amateur service. I believe the overall negative ramifications of the proposed LMCC solution far outweigh the benefits.

Thank you for your consideration in this matter.



John Czukkermann

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

26 May 1998

RE: RM 9267

Dear Commission:

As a licensed Amateur Radio operator (callsign W6KK) I want to go on record as being strongly against the petition under consideration, RM-9267. I am active on many Amateur Radio frequencies that promote the public welfare through emergency, disaster and public service communications.

The frequencies bands 420 MHz to 430 MHz and 440 MHz to 450 MHz, proposed for reallocation by this petition, are very important to our continued success in serving the public through our work. These frequency band segments include important linking, control, amateur television and repeater systems that are used daily by a large number of amateurs in Southern California.

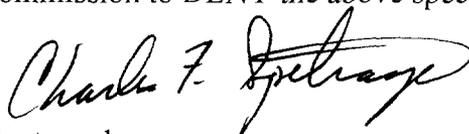
I have personally built and maintain a large packet radio system that uses frequencies in these sub-bands for linking. This system was used in recent California earthquakes as a means to provide health and welfare traffic until the public communications systems were repaired. I see nothing that indicates how these frequencies can be shared with land mobile stations. I also use voice repeater systems in this spectrum. Experimental communications, complex linking systems, remote control of transmitters and receivers, public service exercises, these are the day to day uses of this spectrum.

Amateur Radio has proven to be a successful secondary user to the government radiolocation operations on these frequency bands. RM-9267 contains no technical solutions to prove that Amateur Radio users could continue to use these bands without serious interference if land mobile communications become the primary user.

Commission approval of any PMRS (or similar) allocation on this or any amateur frequency band will effectively terminate any Amateur Radio operations within the specified band. Amateur Radio operations in Southern California which are a vital communications resource to the public during emergencies and disasters will be very badly damaged by the loss of 49 Percent of the available VHF amateur spectrum below 900 MHz.

I urge the Commission to DENY the above specified portions of RM-9267.

Sincerely,



Charles F. Spetnagel
5327 Carol Ave.
Alta Loma, California 91701

Office of Code and Radio

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FEDERAL ROOM

Re: RM-9267

JUN 1 1998

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

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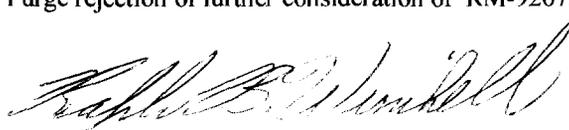
Re: RM-9267

Mr. Secretary:

I have carefully reviewed RM-9267 petition from the Land Mobile Communications Council (LMCC). I feel that their petition should be denied further consideration by the FCC for the following reasons:

1. Careful examination of the list of members in the LMCC leads me to believe that not all of the members of the LMCC have been properly informed of this petition and it's contents. A number of these member organizations have the potential to, or currently do, benefit greatly from amateur radio furnished auxiliary communications services. These free auxiliary services would be negatively impacted or eliminated with the adoption of the petition proposals...particularly regarding the frequencies in the 400 Mhz range which are currently used extensively by the Amateur Radio Service.
2. I believe that the FCC should fully investigate the true motivation behind this proposal. It has the essence of a covert but highly profitable commercial venture hiding behind the veil of a non-profit membership organization.
3. The Amateur Radio Service infrastructure is currently under heavy development. Public Safety communications systems are becoming more and more centralized in nature. This makes them more prone to overload and failure in the event of emergencies and disasters. The decentralized nature of the ARS is bringing an increasing list of requests and opportunities for the ARS to furnish auxiliary communications using more and more modes and frequencies. The second most used frequency range used by the ARS is in the 70 cm band. The 2 meter band is pretty much saturated with repeaters and services across the country. There is little room for meaningful expansion of services. The ARS is turning to the 440 frequencies to expand and furnish needed services. There is nowhere else in the spectrum that is logical for the ARS to economically expand these services.
4. Reallocation of the 440 frequencies away from the ARS would represent a highly objectionable and unjust situation for thousands of individuals and groups within the ARS. Many millions of private, volunteer dollars have been invested to provide repeaters and digi-peater services to the benefit of the public and to some of the members of the LMCC. If the reallocation were to take place, there would be reason for much public outrage and lawsuits over the millions of dollars worth of then useless equipment being held by members of the ARS.
5. I have personally funded a brand new repeater on the coordinated frequency pairing of 442.500/447.500 for use in Saginaw, MI and several surrounding communities. We had no available repeater in this band until now. The use of this repeater will be primarily to link the American Red Cross, the County Emergency Operations Center, Public Safety and Fire departments, and five hospitals together. This was not previously possible because we could not use our local VHF 2 meter repeaters from inside the steel reinforced buildings involved. The buildings soaked up the signals. My new repeater in the UHF range has now made inside communications possible because of the better penetration inherent to the frequency. My repeater is made available to RACES by a Memorandum of Understanding. I have personally invested over \$3000.00 in this service. I ask nothing in return. Please protect the frequencies being used by the ARS. If the frequencies were reallocated to the LMCC, all these services, the benefits to the community, my money, and the money and efforts of thousands of others . . . would be gone. I urge rejection of further consideration of RM-9267.

Sincerely,
Ralph B. Winchell - N8UT
5354 Baker Rd
Bridgeport, MI 48722
(517) 777-8147



Co-Founder Amateur Radio Education Alliance <http://www.area-ham.org>

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of)
)
The Land Mobile Communications Council) **RM-9267**
Request for Primary Reallocation of the)
420-450 MHz (70 cm band) to the)
Private Mobile Radio Service (PMRS))

Comments in Response to Petition for Rule Making, RM-9267

At present, before the Federal Communications Commission (FCC) is Petition RM-9267 requesting the reallocations of frequencies in use by Amateur Radio. The facts and information in Petition RM-9267 fails to properly present the true facts available and/or misrepresent information necessary for the FCC to properly review the Land Mobile Communications Council (LMCC) request. I am requesting at this time that the Secretary of the Federal Communications Commission take into considering the following:

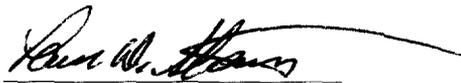
1. The Land Mobile Services have not made efficient use of their presently assigned spectrum. There has been little use of **narrow bandwidth modulation techniques**, such as **compandored modulation, digitized techniques, and narrow band FM**. As the demand for spectrum needs increases, it is only logical that the FCC mandate more efficient use of existing spectrum rather than hindering other radio services which are making effective use of assigned spectrum. With the increasing use of cellular phone services, the need for transceivers and repeaters for mobile use should be declining rather than increasing as the petitioner suggests.
2. Private Mobile Radio Service (PMRS) would severely restrict Amateur Radio use of these frequencies and greatly hinder, if not eliminate, the public service and **emergency communications** use of these frequencies by amateur operators. The 70 cm band is very popular among radio amateurs, and plays a critical role in the amateur's ability to provide emergency, public service, and public interest communications.
3. Amateur Radio has demonstrated the ability in providing Emergency Communications in times of disasters, Nationally and locally when other forms of communications were down, not available, or none existent for over 50 years. Amateur Radio Emergency Service (ARES) is and has been in assistance during this time at NO cost to the public and government agencies in times of need. PMRS could NOT replace this service or the communications provided by the very nature of their structure, nor have they presented in RM-9267 a established procedure for the replacement and operational structure that could provide needed Emergency Communications as that which already exists with ARES and RACES.

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4. One of the five traditional objectives stated by the FCC as a basis and purpose for the existence of the Amateur Radio Service is, "To provide emergency or public service communications when normal communications are disrupted." Implementation of this subject proposal would create such a constriction of the 70 cm band, that the FCC would be violating the intent of its own stated purpose.
5. The frequencies used by the Amateur Radio Service were never intended as a pool of frequencies which could be raided at will by other radio services. Amateur operators have millions of dollars invested in equipment to utilize the 70 cm band. This investment was made with the understanding that the FCC would protect the interests of the Amateur Radio Service in the future.
6. In Washington State the K7PP Repeater System provides daily communications North into Canada, East into the States of Idaho and Montana, South into Oregon, and West with Satellite Links into the State of Hawaii. In addition the system provides Emergency Auto Patch direct to over 100 Law Enforcement, Fire, Search & Rescue, and the U.S. Coast Guard dispatchers for over 6,200 registered users. By granting the LMCC Petition, it would close down this system that relies heavily on the UHF (70 cm) frequencies to provide these services daily and in times of life threatening emergencies.
7. At present, in the United States, the Amateur Radio Service is secondary to military radio location (radar) in the 420-450 MHz band. Originally the Amateur Radio Service had the **primary allocation**, but during the 1950s the Cold War made National Security a high priority and the Amateur Radio Service was given a secondary status. The Cold War is now over - it is time to reallocate the Amateur Radio Service as a primary user of the 70 cm band.

Therefore, the FCC has not received full and accurate evidence and facts to grant the Land Mobile Communications Council's request. If a reasonable investigation time is granted with hearings within the affected areas provided for, I am sure that the FCC would conclude that the request put forth in the Petition submitted my LMCC in RM-9267 is without merit, standing, or within the FCC guideline for the best utilization of frequencies.

Respectfully submitted.



Paul D. Staudt - KC7FTE

May 29, 1998

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JUN - 1 1998

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Before the

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

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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. The following is a partial list of agencies that I have assisted with providing emergency communications via Amateur Radio using the 420-450 MHz band:

- ***** Insert your list of supported agencies here *****

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,

Genevieve R. Moore, KB6RVG

*Genevieve R. Moore, KB6RVG
2745 Rippey Rd
Loomis, CA 95650*