

there for me to use it to its fullest extent. I pray the FCC Commissioners leave it intact for future generations of Americans for learning and developing individual skills that are negotiable in the marketplace.

Part III – Flaw-Finding in the Proposal

As a technical writer with 20 years experience, the following comments concern the high degree of speculation and imprecision cited in the language of the *whole* Land Mobile Communications Council's (LMCC's) petition. As a writer, I am unimpressed by the imprecision of the proposal's speculation.

This speculation is just that: a proposal with (self-serving and wishful) information and statistics, but which offer no recognition nor remedy if the speculation is errant. There are no backup nor contingency fail-safe plans. It demonstrates lack of recognition of the realities of opposing views. In short, the proposal is flawed and invalid in regards to the use and value of the 420 MHz to 450 MHz Amateur Radio frequency band.

Overall, the text cites self-serving statistics and engages highly in speculation. The word

- *Perhaps* occurs two times.
- *Could* occurs 17 times.
- *May* occurs 24 times (not including the month of May).
- *Might* occurs 11 times.
- *However* occurs 26 times, showing differences of opinion or perceived facts.
- *But* occurs 14 times, sometimes in context similar to 'however' but frequently in speculative sentences.
- *Should* occurs 24 times, often as a statement describing action the FCC or other groups, agencies, or classes should take, or it appears in a speculative phrase.

This speculation is similar to that of the United Parcel Service freight carrier which petitioned for a new, narrow-band voice and data technology experiment in dispatching its trucks, and UPS pleaded for the 220 MHz to 222 MHz Amateur band. Ultimately, the new technology was abandoned, the need was fulfilled in other ways, and the reallocated

frequencies lay silent for a long time – despite the so-called pressing need for more communication channels. The reallocated frequencies, the need for which was forecast years earlier, are needed now by the Amateur service but cannot be recalled. A new hunt for Amateur Radio frequencies had to be conducted. As UPS found alternative frequencies and technologies, so can the LMCC industry. There is no need to pirate one group to maintain an existing technology. Let this need push new technologies and not perpetuate existing ones. Since the LMCC cites need in future years, then let it fund industry to develop the means to fulfill that need in time. Other spectrum users should not suffer for the lack of foresight of another user group. Just as a land bank cannot be retrieved, a frequency band cannot be recalled. Let us please demonstrate that we can learn from history and apply the lessons of not jumping for an immediate relief, but pressing forward for more far-reaching and useful solutions.

The LMCC's petition calls for "refarming" frequencies. This is a euphemism for reallocating frequencies just as a farm replenishes its crop. There is no way to refarm frequencies because frequencies cannot be replenished. LMCC clouds an objectionable practice with a socially acceptable, "politically correct" word, and the deviousness of the semantics should be noted also.

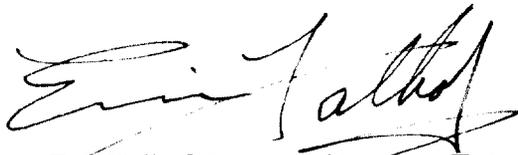
Furthermore, there is another internal inconsistency that makes the request for this frequency band invalid. LMCC concedes that the frequencies in the proposal are the second most busy frequencies in the Amateur spectrum. Yet, LMCC proposes that the whole band be reduced in size by 67% and that this be left for experimentation – not for growing uses! LMCC does not propose what to do with those displaced persons who engage in activities on these frequencies other than experimentation. The growth of the Amateur population demands that the frequencies be available for the future.

Part IV – Summary and Conclusion

There is too much speculation to make this a credible proposal, and there is insufficient remedy to redress any wrongs created by the proposal. Just as the LMCC claims that businesses need the frequencies for their commercial operation, the nation needs the frequencies for individuals such as myself to learn and train. If I were to engage in the same speculation as the LMCC, I would claim that an individual person might make the

next breakthrough (*to benefit the LMCC users!*) through exposure to Amateur Radio on the frequencies in question.

The LMCC's proposal is too unsure, too vague, and too risky to accept. Leave the 420 MHz to 450 MHz as an Amateur Radio frequency for those persons in the present and future generations of American workers who can translate their findings for the benefit of more than themselves. It is a cost-free, guaranteed payoff for America. *Perhaps* the FCC might consider making the Amateur service the primary user on these frequencies.

A handwritten signature in black ink, appearing to read "Eric Falkof", written in a cursive style.

Eric Falkof, K1NUN (Amateur Extra Class)

2 Hickory Hill Rd.

Wayland, MA 01778

May 28, 1998

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May 28, 1998

David J. Doiron
7001 W. County Road 850 N.
Gaston, IN 47342-9180

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

Dear Commission Members,

I am writing in regards to rulemaking petition **RM-9267**, sponsored by the Land Mobile Communications Council (LMCC), which is a request to reallocate 67% of the Amateur Radio spectrum allocation in the 420-450 MHz band to the Private Mobile Radio Service (PMRS).

I have been a licensed Amateur Radio operator (WA1MKE) for over 28 years. In addition I hold a Ph.D. in Physics (University of Iowa) with a research specialty in radio astronomy. As a result I have some unique expertise in the use of the VHF, UHF and microwave portions of the radio spectrum.

Current practice has the 440-450 MHz portion of this Amateur Radio band occupied by repeater operations. This is the second most populated repeater subband in Amateur Radio. In most areas of the country all channels are fully utilized. Here in Indiana many emergency nets that focus on weather reports depend on these repeaters. Regionally, packet radio networks rely on this portion of the spectrum for high speed data communications.

The LMCC proposal offers the use of these frequencies on a secondary basis with Amateur Radio, but the existing uses of the adjacent frequencies that the LMCC sites is incompatible with the data and repeater users. The LMCC offers no method as to how these frequencies would be shared with Amateur radio. In effect, Amateur Radio usage would cease.

Reallocation would require the movement of these repeaters to the 430-440 segment of the band. This segment is already occupied by users that are incompatible with repeater operation. One portion of this segment is an internationally allocated segment for satellite operation, another is devoted to weak signal and propagation studies. In addition there are non-amateur uses of this segment. Some Radio Astronomy observatories use this segment for astronomical observations (e.g. National Atmospheric and Ionospheric Center, Arecibo, PR). On occasion, the weak signal segment (near 432 MHz) has been used internationally for radio interferometry. Placement of only a portion of the repeaters in even the upper portion of this segment would make these frequencies useless for the present users by raising the noise levels to

Approved:
 DJD
 PE OCT

unacceptable levels. Astronomical research which used these frequencies in the past and whose future progress depends on these frequencies would be invalidated. Existing satellites would be at risk due to the new users. In summary, reallocation of the 440-450 MHz segment to the PMRS would damage the existing 430 to 440 MHz segment.

The financial aspects of this for Amateur Radio is devastating. By its very nature Amateur radio is non-profit. We are not compensated for the services we provide. The dislocation that would result in the final implementation of this rule making petition would be prohibitively costly and damage public safety needlessly. Dollars for moving repeater frequencies would have to come from funds that should be devoted to other emergency service needs. Other Amateur Radio users would suffer significant financial losses as their equipment would become useless.

What is surprising is that the LMCC proposes to use these frequencies as an extension of their present services which are technologically inefficient. As the representative of many profit driven enterprises they have chosen not to use their present spectrum allocations more efficiently but to squander even more spectrum in old, spectrum inefficient technologies. The LMCC has refused to make the investments that they should have made in spectrum efficient technology and thus they seek to overcome a shortsighted policy by imposing on more responsible users of the electromagnetic spectrum.

In conclusion I would request that the reallocation of frequencies proposed in RM-9267 be denied.

Sincerely



David J. Doiron, Ph.D.

May 15, 1998

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

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Comment on file: RM-9267
Original and four (4) copies enclosed

The following are my comments and arguments against the LMCC file RM-9267.

1. Personal Impact

- Licensed amateur radio operator with commercial radio experience for 27 years.
- I have invested the past seven years of personal time and considerable personal money in five UHF (420-450MHz) radio systems serving Northern California, and inter-connecting the entire state and Southwestern U.S. region, to promote amateur radio as a safe hobby and service to the general public.
- My combined *dedication to amateur radio and public service, since I was 16 years old*, personal public safety involvement as a volunteer firefighter, and my commercial radio experience have given me the skills, interest and ability to contribute significantly to the design, construction and operation of several very reliable "mission critical" 420-450MHz radio systems ready to serve the general public's interest.
- Discarding these efforts and displacing existing 420-450 MHz systems to other bands would have certain emotional as well as a predictable economic impact (below.)
- As a participant in commercial radio services, directly or indirectly related to the LMCC, I do not condone this type of action. Should this proposal be accepted I would strongly discourage anyone and everyone from participating in, investing in, contributing to, purchasing or subscribing to any future LMCC-related or member operated equipment or services. The LMCC should not be allowed to cause such economic impact, nor profit from it in any way.

2. Public Service

- Most of the 420-450MHz amateur radio systems in California are unique in their ability to modularly inter-connect various sections of our State, on-demand, because of the convenience of and our investment in existing 420-450MHz equipment. Displacing these systems into other occupied or new bands would involve not only major financial but also significant potential service outages during the transition.
- The 420-450MHz systems I am involved with have been significant contributors to or the *only* systems available to service the public needs in areas impacted by natural disaster (1989 Loma Prieta Earthquake, landslides, flooding, etc.)
- Where equal or less comparable commercial radio systems (LMCC related) failed during natural disasters, and are otherwise unavailable to assist the general public, amateur radio systems exist and are ready to meet the challenge where it counts - the lives and safety of our citizens. I challenge the LMCC to step up to meet, much less propose to meet those needs, on demand, without ANY cost to the public.

Handwritten text: "5" and "OET" (partially obscured)

3. Economic Issues Involved in Displacing Current 420-430 MHz and 440-450MHz Systems

- Note that the LMCC is a profit-motivated, revenue-based concern with pre-tax advantages.
- Note that the Amateur Radio community is individually funded out of post-tax dollars.
- A typical 420-450 MHz amateur repeater operation involves the following equipment and approximate costs:
 - \$100-\$2000 or more for commercial-quality radio equipment
 - \$250-1200 for band-pass filter protection
 - \$400-1200 for suitable transmission-line
 - \$200-\$800 of commercial-quality antenna(s)
 - Additionally, each user has \$250-\$750 invested in each personal radio to operate in this band and mode, with typically 25 or more users per system (avg. $\$500 \times 25 = \$12,500$)
- To change these systems to over to a comparable 1200MHz would involve the following replacement costs and equipment (each system):
 - \$2500 for near-equivalent radio equipment (provided by one supplier only)
 - \$250-1200 for band-pass filter protection
 - \$200-\$800 of commercial-quality antenna(s)
 - Total = \$4500
 - Economic loss by rendering existing 420-450MHz equipment useless (as listed in item above) will be approximately \$4000 per system.
 - Economic impact on user to purchase new equipment (avg. $\$500 \times 25 \text{ users} = \$12,500$) plus impact on loss of prior investment (\$12,500)
- The net economic impact per single system/group = $\$4500 + \$4000 + \$12,500 + \$12,500 = \$33,500$
- The net impact for the Northern California region (approx. 400 systems) = \$13,400,000 of individual private citizen/taxpayer after-tax money.
- Additionally, 25-50% of these systems are networked together to one or more other systems. The cost for each link setup (two required, one for each end of the link) is approximately \$3000 each end or \$6000 total. Estimating 100 inter-linked systems in Northern California yields an additional \$600,000 cost. This does not include the link equipment used by systems operating outside the 440-450MHz band, that would also lose their investment in 420-430MHz equipment.
- *This adds up to a \$14.0 MILLION dollar cost to California taxpayers to accommodate such a change, which could effectively bankrupt the Northern California amateur radio community.*
- Considering the same or double the amount of 420-430 MHz and 440-450MHz utilization by the amateur radio community in Southern California, *the LMCC is asking Californians to spend \$42 MILLION dollars to accommodate it's profit-making abilities.*
- Given similar conditions in other highly populated areas, Texas, Illinois, and much of the Eastern Seaboard, *the total domestic economic damage the LMCC would be inflicting could easily reach \$500 MILLION dollars.*

4. Under-Estimated Amateur Use of 420-450MHz

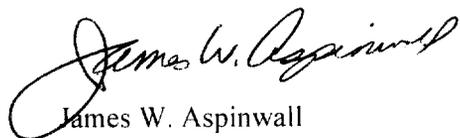
- The coordination and reporting of any/all amateur radio spectrum is voluntary, and any reporting is non-standard. Thus, local, state, regional and national/ARRL listings are inadequate as a research tool. The LMCC cannot discount amateur radio use of the spectrum based on existing published information.
- Reporting and awareness of 420-430MHz use is intentionally limited to discourage unauthorized operations and thus maintain our legality. 420-430MHz is used primarily as system control and linking spectrum to maintain our legal obligations. The systems and frequencies used in this band are a significant part of publicly available systems, but are not used directly by the system users, nor are the frequencies occupied published for direct use.

5. LMCC Occupation and Implementation in 420-450MHz Is Impractical

- LMCC has invested in and encouraged shift of operations to higher bands, opening much congestion in 450-512 MHz. It is under-utilizing 470-512. It has not been as successful or effective in it's use of 800-900 MHz allocations.
- The LMCC members profit significantly from the existence of amateur radio resources - with licensed amateur radio operators as their trained engineering personnel, and by using amateur radio bands as test beds for their development. It is counter to their own resources and purposed to pursue this change.
- Current semiconductor, IC and RF technology is focussed on higher frequencies, to facilitate miniaturization and convenience. 420-450MHz does not lend itself to significant miniaturization.
- 420-450 MHz is not suitable for advanced wide-band or digital media. Public would be better served by advanced technologies implemented at 800-900, 1800-1900 or other existing LMCC allocations (re: PCS, GSM, cellular, paging, personal wireless electronics, etc.)

In closing, I heartily recommend against any further consideration of RM-9267.

Respectfully,



James W. Aspinwall

Amateur Radio Operator: WB9GVF

329 Dallas Drive

Campbell, CA 95008

ROOM
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 Land Mobile Communications Council 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" the 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 440-540 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:

- Federal Emergency Management Association (FEMA)
- NOAA
- National Weather Service
- NASA
- U.S. Coast Guard
- U.S. Air Force
- U.S. Army
- U.S. Navy/Marine Corps

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California Air National Guard
California Highway Patrol
Los Angeles County Sheriff's Department
Los Angeles County Fire Department
Los Angeles City Police Department
Los Angeles City Fire Department
Los Angeles Unified School District
Ventura County Sheriff's Department
Simi Valley City Police Department
Simi Valley City Fire Department
Southern California Gas Company
Los Angeles Department of Water and Power
Louisiana State Police Department
Jefferson Parish (State of Louisiana) Sheriff's Department
Jefferson Parish Fire Department
New Orleans (State of Louisiana) Police Department
New Orleans Fire Department
Louisiana National Guard

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 Land Mobile Communications Council, 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 serve 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 Land Mobile Communications Council to share the Amateur radio allocations at 420-430 MHz 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.

Also, I request that the Chairman and each Commissioner send me a statement of their position and a record of their vote on RM-9267, either by U.S. mail or electronically via Email.

Sincerely,



Donald Jacob, WB5EKU
16031 Tuba St.
North Hills, CA 91343-1446
(818) 892-1823 Home
(213) 852-2431 Work
dejacob@flash.net (email)

24 May, 1998

cc: file

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

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In the Matter of)
) RM-9267
An Allocation of Spectrum for the)
Private Mobile Radio Services)

To: The Commission

**COMMENTS OF
THE CALIFORNIA PUBLIC-SAFETY RADIO ASSOCIATION
A CHAPTER OF
THE ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS
INTERNATIONAL**

RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
OCT 1998

The California Public-Safety Radio Association ("CPRA"), a chapter of the Association of Public-Safety Communications Officials - International ("APCO"), hereby offers the following comments in the above-captioned Petition for Rulemaking filed by the Land Mobile Communications Council ("LMCC"). CPRA represents the telecommunications and regulatory interests of all Public Safety services providers from throughout ten Southern California counties having a combined population in excess of 20 million.

On April 22, 1998, the LMCC filed with the Federal Communications Commission a Petition for Rulemaking seeking the allocation of additional spectrum to the Private Mobile Radio Service ("PMRS") in the 420-450 MHz band, 1390-1400/1427-1432/1670-1675 MHz band, and 960-1215 MHz band.

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CPRA, as a chapter of APCO, is a longstanding member of the LMCC and generally supports the Council's efforts to secure much-needed additional spectrum for use by the Private Mobile Radio Service, which includes Public Safety users and others. The Commission's recent allocation of 24 MHz for use by Public Safety in the 764-776/794-806 MHz band will not realize its full potential until the transition to digital television is complete, scheduled for 2006 or later. Further, the allocation falls well short of satisfying the needs of Public Safety as documented in the Final Report of the Public Safety Wireless Advisory Committee ("PSWAC"), which specifically called for the allocation of 2.5 MHz of spectrum for interoperability in bands below 512 MHz, as well as the allocation of an additional 70 MHz by 2010.

Included in the frequency bands recommended by LMCC for possible reallocation is the 420-450 MHz band, portions of which are made available to amateur radio. At present, these frequencies are used sparingly by military radar applications, and shared on a secondary basis by the amateur radio community. In Southern California, use of these frequencies by amateur radio is extremely heavy. Any significant use of this band by PMRS would effectively curtail its use by amateur radio, interfering with the ability of amateur radio to realize its full potential in assisting Public Safety in the aftermath of disasters and other emergencies. For this reason, CPRA is joining with APCO and others in asking that the Commission look elsewhere for appropriate spectrum that will satisfy the PMRS needs documented by the LMCC.

CPRA always supports efforts to satisfy the spectrum needs of PMRS, particularly those of Public Safety. With respect to the 420-450 MHz band, however, we have an obligation to support the incumbent use by amateur radio. Military radar makes only occasional use of this band, which enables

amateur radio to co-exist without suffering adverse consequences. If the spectrum was reallocated to PMRS, the heavy enterprise use by the industrial sector would render the band virtually useless to amateur radio. Since the 1950s, the amateur radio community has voluntarily made a significant investment in infrastructure specific to this band, and this plant is worthy of continued, long-term protection.

Amateur radio has a long and distinguished history of lending its assistance and expertise to Public Safety in times of overwhelming need. Through organizations such as the Radio Amateur Civil Emergency Service ("R.A.C.E.S."), amateur radio has used its spectrum for a variety of Public Safety, public service and public interest communications applications. It is in the nation's best interest that amateur radio continue to be viewed as a communications resource worthy of a level of protection and separation above and beyond that which could be accommodated by sharing spectrum with PMRS users. CPRA urges the Commission to accommodate the needs of amateur radio in considering the LMCC Petition for Rulemaking, and to remove from consideration any portion of the 420-450 MHz band.

Respectfully submitted,

CALIFORNIA PUBLIC-SAFETY RADIO ASSOCIATION



Jim Acosta, Chapter President
Post Office Box 39100
Downey, CA 90241

If adopted, the Land Mobile Communications Council's (LMCC) proposal to reallocate 420-430 MHz and 440-450 MHz will, as an inevitable matter of course, destroy the usefulness of the 420-450 MHz amateur radio band for several reasons.

As acknowledged by the LMCC in their petition, the 420-450 MHz band is popular with radio amateurs. One reason for this has been the harmonious mix between military and amateur use during the last 40 years. In my experience the military's radar is either unaffected by the relatively weak amateur radio signals, or frequency-agile enough to avoid harmful interference. Amateur stations receive noticeable interference from the military's radar; however, the itinerant pattern of the military's usage has made the situation tolerable for the hours or days on which it usually occurs. A similar harmony cannot exist between the thousands of carefully coordinated amateur radio installations and the predominantly full-term use of frequencies in many geographic areas by Private Mobile Radio Service (PMRS) licensees.

LMCC has also identified the 420-450 MHz band as appropriate for their needs based on the current PMRS sharing of 420-430 MHz in Detroit, Cleveland, and Buffalo. LMCC cannot validly gauge the potential level of conflict and interference based on this experience because 420-430 MHz amateur radio operation is completely prohibited in or near all of these cities (each city is north of line A, above which amateur radio operation in 420-430 MHz is prohibited by FCC rule 97.303(f)(1)).

PMRS' needs for immediacy, priority access, capacity, and reliability, which makes both their use and sharing with commercial services unacceptable, also precludes coexistence with amateur radio operation.

Finally, because of amateur radio's secondary status, the growth of PMRS use would displace amateur radio use more certainly than the feared relocation of incumbent PMRS licensees envisioned by the LMCC in their petition (par. 49).

Therefore, I strongly oppose this reallocation proposal in the LMCC's petition, and request that this part be excluded from any further action that the Commission takes in this matter.

Ronald G. Mayworm

W6TRO

P. O. Box 9435

College Station, TX 77842

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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
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To: The Secretary,
Federal Communications Commission

STATEMENT OF OPPOSITION TO RM-9267

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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

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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,

A handwritten signature in cursive script that reads "Maggie MacDonald". The signature is written in black ink and is positioned above the typed name.

Maggie MacDonald (KC2CYC)

1365 Donna Drive

Mattituck, New York 11952

May 25, 1998

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JUN 1 1998

FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

May 24, 1998

To: The Chairman, Commissioners, and Staff of the Federal Communications Commission

Subject: Comments on RM-9267

The Amateur Radio Service is allocated radio spectrum, were a private citizen may experiment with radio communication techniques. The radio spectrum allocated to the Amateur Service is in someways analogous to a park, in that it is set aside for private citizen use rather than for the use of a commercial entity. It is important that private citizens, who have had training and are authorized, continue to have access to the radio spectrum. The proposal set forth in RM-9267 would have the undesirable effect of removing a portion of the radio spectrum allocated to the Amateur Radio Service. As land is set apart for a park for the use of all citizens, so radio spectrum should continue to be set aside for the use of those citizens so inclined. The Amateur Radio community does not have the resources of the Land Mobile community and we rely on government agencies such as the FCC to level the playing field and look after the long term interests of the nation. Please **do not** reallocate the 420 – 430 and 440 – 450 MHz frequency bands to the Private Mobile Radio Services (PMRS) as proposed in RM-9267.

Reallocation of 420 – 430 MHz and 440 – 450 MHz frequency bands to the PMRS would have the following effects on Amateur Radio community in the Pacific Northwest. There are a number of repeater systems in the Pacific Northwest where multiple repeaters are linked together using auxiliary stations as provided for in Part 97 of the FCC rules. As an example, we have a repeater system which cover the state of Washington and another repeater system which covers portions of four states and one Canadian Province. The majority of the auxiliary stations used for linking such systems together operate in the 420 – 430 MHz and 440 – 450 MHz frequency bands. If the 420 – 430 and 440 – 450 MHz bands are reallocated to the PMRS, these repeater systems will have to shift their link operations to a different band or cease operating as a linked repeater

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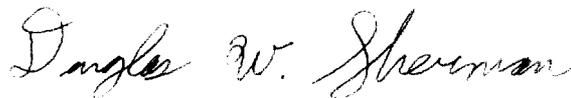
system. This will negatively impact the ability of Amateur Radio Operators to communicate using VHF and UHF radio equipment.

The majority of control links for repeaters in all amateur bands in the state of Washington are located in the 70 cm band. Remote receivers also get their audio to the transmitter via links on the 70 cm band. If 420 – 430 and 440 – 450 MHz bands are reallocated to the PMRS, these control and remote receiver links will have to be moved to other bands. This is technically feasible, but expensive, and will require frequency coordination with other operators, from a number of different services, at the repeater sites, not necessarily an easy task. At some repeater sites it may not be possible to get frequency coordination to move to other bands.

The effect to my family and myself, we are all Amateur Radio Operators, will be that we will have to purchase replacement equipment to attempt to achieve the same functionality that we now have. It would cost us approximately \$1800 to buy replacement equipment for the four members of my family. We would most likely not achieve the same functionality we now have. If 420 – 430 and 440 – 450 MHz were to be allocated to the PMRS, the resulting 70 cm Amateur band would not support the activity that is currently taking place on the band. This means some amateur service operations would have to move to other bands or cease. Operations that are moved to other bands, may not achieve the same functionality because of differences in propagation of radio waves in the different frequency bands. We currently use a repeater on 444.65/449.65 MHz almost everyday. This repeater has remote receivers, which relay their audio to the transmitter in the 440 – 450 MHz band. As is clearly evident, reallocation of the 440 – 450 MHz band would effect my family's communication ability. We use this band because it is less crowded and you can communicate while inside buildings and vehicles with a handheld radio, which you cannot do on lower frequency bands.

I am the equipment manager for the Radio Amateur Civil Emergency Service (RACES) organization in our community, Auburn, WA. If 420 – 430 and 440 – 450 MHz were reallocated to PMRS, we would have to buy replacement equipment in an attempt to maintain the same functionality we now have. As has already been pointed out, we would probably not achieve the same functionality. The cost of replacement equipment would be approximately \$3600. Again, one of the reasons to use the 70 cm band is to allow communication from inside a building that is not possible on lower frequency bands. Use of multiple bands, one of which is the 70 cm band, allows us to carry out communications with multiple sites at the same time with less interference.

In summary, allocating 420 – 430 and 440 – 450 MHz to PMRS would negatively impact Amateur Service operations. The current operations on the Amateur 70 cm band could not be supported in the proposed smaller band. Someone would have to pay in order to attempt to achieve the same functionality that the present frequency allocation allows. This will impact the everyday utility of the band and may harm the ability of Amateur Radio Operators to provide emergency communications. Please **do not** reallocate the 420 – 430 and 440 – 450 MHz frequency bands to PMRS.



Douglas Sherman
5921 37th Ct. SE
Auburn, WA 98092

From: Tony A. Stone
W4TAS
525 Sandy Creek Drive
Brandon, FL 33511

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JUN 1 1988

FCC MAIL ROOM

To whom it may concern:

Ref: Petition for Rulemaking RM-9267

The proposal by the LMCC is disturbing to me as I am active on the 430 Mhz to 450 Mhz amateur band, and plan to operate in the area of 1269 Mhz when the satellite is launched that operates in this band. My activities include FM operation between 440 and 450 Mhz, weak signal work around 432 Mhz and satellite operation around 436 Mhz.

I am also trustee of the Brandon Amateur Radio Society repeater operating on 443.5 Mhz and 448.5 Mhz. The repeater operates in conjunction with a VHF repeater on the 2 meter amateur band to serve approximately 115 members of the Brandon Amateur Radio Society.

These repeaters are available for ARES/RACES and Red Cross service whenever called upon. Several members of BARS are also active in ARES/RACES including the president of the organization.

I believe that relinquishing these frequencies to the LMCC would deprive the area of a valuable emergency resource in the case of an emergency or natural disaster such as hurricane Hugo. In this particular instance, amateurs provided valuable assistance to agencies providing disaster relief in the area. The aforementioned repeaters in conjunction with amateurs in the area could provide similar help.

TAS

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RE: RM-9267

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23 May, 1998

305 NW Paulson Rd.
Poulsbo, WA. 98370-8112

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JUN 1 1998

FCC MAIL ROOM

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

I am expressing my opposition to granting the Land Mobile Services usage of frequencies within 420 – 450 MHz. Presently assigned to Amateur Radio. The Land Mobile Communications Council (LMCC) proposal is incompatible with continued Amateur Radio use of the band. It is especially incompatible with the emergency communication mission of Amateur Radio.

The very first principal listed in Part 97, as a fundamental purpose of Amateur Radio is "Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications." Over the years the Amateur Radio community has upheld that principal by:

- ◆ Building and dedicating repeater systems to emergency communications
- ◆ Obtaining personal equipment that is compatible with the repeater systems
- ◆ Preparing, organizing and training for disasters
- ◆ Entering into agreements with numerous government agencies and disaster organizations to provide primary and supplemental communications when needed

All of this has been done with the selfless donation of personal funds, time and effort.

Many of these support communications systems use repeater and link frequencies in the 420 – 450 MHz. range. The cost of replacing these systems somewhere else in the frequency spectrum is absolutely prohibitive.

I hold positions as both the Amateur Radio Emergency Service (ARES) Section Emergency Coordinator for Western Washington and the Assistant State Radio Amateur Civil Emergency Service (RACES) for Western Washington. Part of the function of both those positions is to develop a communication plan that is both robust and functional during time of disaster. That will always be a work in progress but we have a workable plan. One third of the plan depends on established systems that use the 420 – 450 MHz. portion of the frequency spectrum, especially at the local level. The loss of this capability will cripple our ability to respond to the needs of the community.

There are those that will say that the Amateur Radio community has several other frequency bands in the VHF and UHF range but, 420 – 450 MHz. is the second most popular of these bands and therefore has a large existing equipment base already available for emergency communications. Additionally, Emergency Operations Centers (EOC) and other emergency communication hubs have the need to operate multiple frequencies simultaneously. That creates a hostile communications environment. The easiest and least expensive way to overcome the interference issues is to employ frequency diversification.

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On a personal level, I own two UHF repeaters in this band and link from UHF to VHF. All of this capability has been made available to local government on an as needed basis. The signed agreements are on file with the Kitsap County Department of Emergency Management. These repeaters have been integrated into the county's Emergency Communication Plan as primary communication paths to the city and county EOC's. The loss of the ability to operate between 420 - 450 MHz. will not only deny the EOC's the use of those paths but it will also deny them use of the simplex talk around frequencies.

I urge you *not* to grant the Land Mobile Service access to 420 - 450 MHz. and deny us the use of this important emergency management resource.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Bruette', with a long horizontal flourish extending to the right.

Edward W. Bruette, N7NVP

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1 JUN -1 1998

re: RM-9267

Secretariat
FCC MAIL ROOM
Federal Communications Commission
1919 M St. NW
Washington, D.C. 20554.

May 25, 1998

Gary Bargholz
Amateur Radio Station N9UUR
Chairman, The Wisconsin Association of Repeaters
8273 North 53rd Street
Brown Deer, WI 53223

I write as an Amateur Radio operator, and the Chairman of the Wisconsin Association of Repeaters (which represents all of the Amateur repeater owners and operators in Wisconsin) in opposition to RM 9267.

The Land Mobile Communications Council (LMCC) has issued a formal rule making request (designated RM 9267) that the FCC immediately reallocate most of the 70 centimeter band to private mobile operations, with private land mobile designated as the primary user. Currently, The Federal Government (specifically, the Department of Defense) has the primary allocation for this segment, and Amateur Radio has a "secondary allocation" between 420 and 450 MHZ. Amateur frequencies are some of the few relatively clear frequency bands available in the event of widespread disaster. Historically, this is one of the primary reasons Amateur Radio shares frequency with the military. When an emergency situation occurs, trunked radio or cell phone systems overload quickly and deprive emergency management personnel of their use. Amateur spectrum is relatively "controlled" with trained operators who understand the value of a clear frequency in a disaster. Amateur Radio has demonstrated and proven that the shared use of this band with our current primary allocation neighbor works very well.

The 70 centimeter band is the second most popular of the Amateur Radio Services' VHF and UHF allocations. Across the US there are thousands of Amateur FM repeaters operating from 440 to 450 MHZ, with a variety of modes in use every day in the 420 to 430 MHZ segment. Here in Wisconsin, we have 11 Amateur TV Repeaters using 420 to 430 MHZ, and 121 Voice Repeater Coordinations. The 70 centimeter band is also used to link voice and data (Packet Radio) systems together across our state. We have over 120 dedicated "links" in operation as well. This represents hundreds of thousands of dollars of equipment, resources, engineering design, and labor to install and maintain these systems here in Wisconsin. Most of our systems are custom designed and "hand made" by volunteer groups and individuals, the actual or "real value" costs involved are therefore not assessable. The loss of this frequency to Amateur Radio would necessitate our moving these operations to another (probably higher frequency) band. This would result in the need for more closely spaced receiver location sites, and all new equipment (at substantially greater costs) to obtain the same performance and coverage we have now. The loss of access would also result in more crowding and interference in the part of the band left to us, and in other bands as well, as we would have to try and move many operations away from 70 centimeters (some cannot be moved, such as our satellite up and down links). The financial and logistical implications of the possible loss of this band are staggering to the Amateur Radio community.

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