

DOCKET FILE COPY ORIGINAL
344 Sucky Lane
Hendersonville, N.C.
28791

May 30, 1998.

Re: RM 9267

Gentlemen,

Please be advised the the request for re-allocation of 420-430 MHz. paired with 440-450 MHz would have a very negative effect on emergency communication in this area.

I am active in both ARES and RAOES and have recently purchased dual band (2m-70cm) equipment to help in emergency communications.

Please reject this request for re-allocation of these 70cm frequencies.

Sincerely,
Walter F. Wernsing.
K04JN

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0&T

ExCellular[®]
Communications, Inc.

Mailing Address • P. O. Box 7328
Orange, California 92863-7328
Shipping Address
1178 North Tustin Avenue
Orange, California 92867-6006
(714) 744-4300 • Fax (714) 744-2524

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ExCellular[®]
Communications, Inc. Steven L. Vickers
President

1178 No. Tustin Ave. • Orange, CA 92867-6006
(714) 289-5101 • Fax: (714) 744-1154
Mailing Address: P.O. Box 7328 • Orange, CA 92863-7328
email: vickers@excellular.com

May 31, 1998



MOTOROLA
Authorized Dealer & Service Center

Ms. Magalie Roman Salas
Secretary, FCC
Room 222
1919 M Street, NW
Washington, DC 20554

Subject: LMCC Petition for Rulemaking (RM-9267)

Dear Ms. Salas:

I am in support of the Petition for Rule Making filed by the LMCC seeking new spectrum allocations for private wireless users. I applaud the FCC for quickly placing the petition on public notice.

I am the President of a Wireless Solutions Company named, ExCellular Communications. There are 10 employees and we are located in the city of Orange, in the County of Orange, California. ExCellular has been in business serving 35000 customers since 1984.

The lack of spectrum in our business has made the customers turn to alternative cellular and PCS solutions that don't always fit their needs. Being a dealer, the lack of private wireless spectrum in the 150 MHz, 450MHz, 800 MHz and 900 MHz bands has affected our ability to meet the communications needs of our customers. We have had to turn business away. Our inability to provide our customers with their own radio systems has hurt our profitability. It has decreased their productivity and possibly jeopardized the safety of their employees.

The benefit of new spectrum is new devices and technology for everyone to experience. In conclusion, I urge the FCC to address these issues quickly as the problems associated with the lack of spectrum are increasing. Thank you for taking the time to read this and I remain

Sincerely,

Steve Vickers, President
ExCellular Communications

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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.

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 black ink, reading "Robert W. Denman". The signature is written in a cursive, flowing style with a long horizontal flourish at the end.

Robert W. Denman, WA2JGC
1344 San Mateo Drive
Punta Gorda, FL 33950-6311

May 30, 1998

Michael C. Tope, 3944 East Mountain View Avenue, Pasadena, Ca 91107

June 1, 1998

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

Dear Mr. Secretary:

I am writing to oppose the Petition designated RM 9267 for the following reasons:

- 1: I am a frequent user of the 420 - 450 MHz amateur radio band.
- 2: I use it for the following purposes:
 - a. FM Voice/Phone Patch
 - b. Emergency Communications Capability
 - c. Packet Data Communications
 - d. Long Distance Communications (DXing)
- 3: I use the following modes:
 - a. FM voice repeater
 - b. 1200 baud FSK packet
 - c. weak signal (CW/SSB)
- 4: I participate in emergency communications systems such as the W6UE - Caltech Amateur Radio Club emergency repeater which rely heavily on the availability of the 420 - 450 MHz band for amateur radio purposes.
- 5: I have personally made a significant monetary investment in the 420 - 450 MHz band (~\$1000 US).
- 6: If the 420-450 MHz band is taken away, I would be reticent about making similarly large investments in other amateur bands, since the door would be wide open for FCC to act similarly against other amateur allocations.
- 7: If the 420 - 450 MHz band is re-allocated, I believe that the effects on the already overcrowded two-meter spectrum here in Southern California would be devastating. In light of this situation, I expect that my emergency service activity, which would necessarily have to shift to the 2 meter band, would be significantly curtailed.
- 8: I am licensed as W4EF, am an Extra Class licensee, and have been a Commission licensee since 1979.

Sincerely,

Michael C. Tope
Michael C. Tope

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Federal Communications Commission
Secretary of the FCC
Washington, D.C. 20554

Ref: RM-9267

Dear Commission:

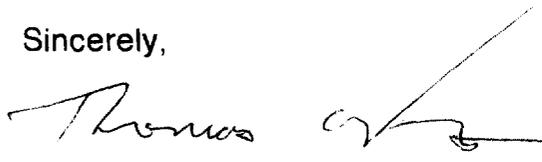
As a licensed Amateur Radio operator I want to go on record as being strongly against the petition under consideration, RM-9267.

I am active on many Amateur Radio frequencies that promote the public welfare through emergency, disaster and public service communications. The frequencies stated in RM-9267, (420 MHz to 430 MHz and 440 MHz to 450 MHz) 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 in Southern California.

Amateur Radio has proven to be a successful secondary user to the military radar 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.

Amateur Radio operators in Southern California can continue to be a vital communications resource to the public during emergencies and disasters if RM-9267 is not approved.

Sincerely,

 5/25/98
THOMAS A. FOX N6ZLJ
775 S. EL MOLINO AVE
PASADENA, CA 91106-3825

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Emergency Services Coordinating Agency

23607 Hwy. 99, Suite 3-C • Edmonds, Washington 98026-9272 • (206) 776-3722 • Fax (206) 775-7153

27 May 1998

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

Subject: RM-9267

Dear Sir or Madam:

Recently, the Land Mobile Communications Council filed a petition to reallocate the 420-430 MHz and 440-450 MHz radio bands from the Amateur Radio Service to the Private Mobile Radio Service. This would severely impair the ability of the Amateur Radio Service to provide the emergency communications and public-interest services that Amateur Radio has provided to communities all across America for many years.

Amateur Radio is well established in our area, with radio stations in our fire departments and with trained radio operators standing by to provide emergency communications in case of earthquake, floods, major fires--urban fires or forest fires--search and rescue operations, when traffic volume on our present radio system overwhelms our resources, or when a failure in the system renders it unusable for a time. The stations and the operators are provided to our cities free of charge and respond whenever they are needed. The stations that we have all use the 440 MHz frequencies, and the petition by the LMCC, if passed, will destroy our stations' ability to provide these necessary communications.

These frequencies are used for the safety of our communities--our cities and our people. Do not put them into hands that will use them for profit and not for the public good. There are many other options that the LMCC could pursue. Do not eliminate an important and valuable resource to our communities. Please reject RM-9267.

Sincerely,

Lyn Gross, Director
Emergency Services Coordinating Agency

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List A B C D E OET

Gari Berliot
5326 Knightsbridge Road
Madison, WI 53714

May 28, 1998

Secretary, FCC
Washington, DC 20554

Reference: RM 9267

Sir,

I am fully opposed to the element of RM 9267 which deals with taking the 420 to 450 Mhz Amateur Radio Band and reallocates its use to the Land Mobile Communications Council. This smacks of piracy and is unreasonable.

For many years the Amateur Radio Community has properly utilized this UHF band with ever increasing voice, data, linking and control functions. The investment in time, money and physical resources is extensive; and the usage continues to grow at a vigorous rate.

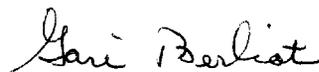
There are extensive networks of all of the mentioned uses. Relocation would be impossible. The cost burden of "orphaned" equipment would be tremendous and unreasonable. Growth would be killed.

Presently, this band has a large and growing population of voice repeaters, control frequencies for those repeaters and voice/data links between cities and states. These functions serve not only the Amateur Radio Community but the Red Cross, the Amateur Radio Emergency Services (ARES) and other emergency communications such as local disaster events, assisting the local law enforcement authority, searches for lost children and other functions.

These past years the commercial interests have attempted to gain notice through the sale or loaning (for a price) of radios to emergency response groups. Or a donation of equipment (tax deductible of course) to these groups. On the other hand, the Amateur Community has always responded on a totally volunteer basis. This not only provides equipment but assets in terms of the people to assist the authority covering the event as well. The "commercial" interest will provide hardware only; with communication coverage that is no better than that which the Amateur Radio Operators provide.

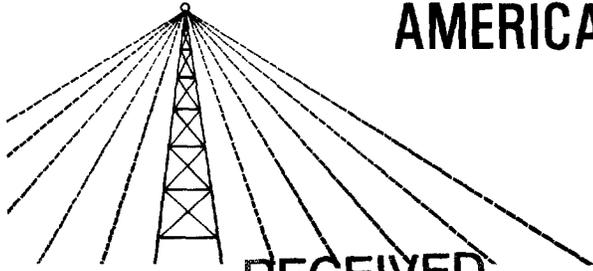
Please reject this totally unreasonable demand by the Land Mobile Communications Council (LMCC). It has but one purpose, profit for their client base. The "good of the community" doesn't have a place in their equations.

Thank you for your time and attention.



Gari Berliot - NG9V

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AMERICAN RADIO AND MICROWAVE CORP.

207 Old Mill Road, Royersford, PA 19468
Phone (610) 948-0260/0261 • FAX (610) 948-0271

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RECEIVED

JUN - 4 1998

June 1, 1998

FCC MAIL ROOM

Ms. Magalie Roman Salas
Secretary, FCC
Room 2221919 N Street, NW
Washington, DC 20554

Subject LMCC Petition for Rulemaking (RM-9267)

Dear Ms. Magalie Roman Salas:

We are writing this letter in support of the petition for rule making filed by the LMCC seeking new spectrum allocations for private wireless users.

Our company is a small two-way radio dealer serving many private radio users. The systems we maintain are for schools, factories, contractors, security firms, and hospitals. All of these entities require instant two-way communications with a high degree of reliability in terms of system coverage as well as costs.

Commercial systems alone cannot adequately service our clientele. They need their own radio systems for that, more spectrum needs to be allocated to alleviate present and future needs.

Thank you for considering this letter supporting the LMCC filing.

Sincerely,

Jack Hinks
President

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Reference RM-9267

Carl Robinson
1109 Tyler Rd NW
Huntsville AL, 35816

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

Dear Sirs,

It has come to my attention that the LMCC is leaning on the FCC for re-allocation of portions of spectrum which cover the 420 to 450 Mhz band for the PMRS. I wish to register my concern and opposition to this as an amateur radio operator.

I am very concerned that any change in the primary user of the 420 to 450 Mhz band would seriously impact Amateur Radio services as the secondary user. Along with numerous other amateur radio operators in Huntsville, I am involved in various facets of public service utilizing the 440mhz band. As trained severe storm spotters, we have continued to provide vital information to the weather service through what has been a difficult transition period as the Huntsville office has been phased out. **Links for both voice and digital communications with the Birmingham weather service office are now an essential part of our public safety support during severe weather events.** These systems have also provided vital communications links for Red Cross personnel in the field following tornado disasters in our area. In addition, phone link systems operating in this band continue to provide vital communications links for search and rescue efforts in remote areas of our county not accessible by commercial cellular means.

The amateur radio community has over 20 active channels in the Huntsville and surrounding areas providing vital public services. I respectfully urge the commission to find alternatives to the re-allocation of 420-430 and 440-450 Mhz to PMRS. Thank you for your consideration and hard work.

Sincerely,

Carl C. Robinson, W4FHK

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**WEST VIRGINIA AMATEUR RADIO, INC.
POST OFFICE BOX 144
HURRICANE, WEST VIRGINIA 25526**

MAY 20, 1998

RE: R. M. 9267

**TO: SECRETARY OF THE
FEDERAL COMMUNICATION COMMISSION
WASHINGTON, D. C. 20554**

DEAR SECRETARY:

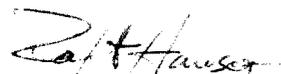
WEST VIRGINIA AMATEUR RADIO, INC., IS AN ORGANIZATION OF LICENSED AMATEUR RADIO OPERATORS. WE MAINTAIN A REPEATER ON THE FREQUENCY OF 444.225 MHZ IN THE CURRENT AMATEUR RADIO 70 CM. UHF BAND. OUR CONCERN IS WITH THE R.M. 9267 DEMAND OF THE LAND MOBILE RADIO COMMUNICATION COUNCIL TO HAND OVER THE FREQUENCIES OF 420-430 MHZ AND 440-450 MHZ TO THE PRIVATE MOBILE OPERATIONS AS PRIMARY USERS.

WEST VIRGINIA AMATEUR RADIO, INC., PROVIDES EMERGENCY COMMUNICATION THROUGH THIS VITAL LINK OF OUR SERVICE AREA IN AND AROUND CHARLESTON, WEST VIRGINIA. NOT ONLY ARE THERE OTHER REPEATERS IN THIS AREA, BUT MANY OF US ALSO USE SIMPLEX FREQUENCIES, SUCH AS 446.000 MHZ, AND OTHERS, AS A MEANS TO PROVIDE COVERAGE WITHIN THE VALLEYS AND CITIES OF OUR MOUNTAIN STATE.

ON BEHALF OF THE LICENSED MEMBERS OF WEST VIRGINIA AMATEUR RADIO, INC., WE REQUEST A DENIAL TO THE LAND MOBILE RADIO COMMUNICATION COUNCIL, AS NOT BEING IN THE PUBLIC'S INTEREST, AND CONTRARY TO AMATEUR RADIO'S PRIMARY FUNCTION TO PROVIDE EMERGENCY COMMUNICATIONS WITHIN THESE LISTED FREQUENCIES.

PLEASE SAY NO TO R.M. 9267

SINCERELY,



**ROBERT HANSON, KB8QKY
PRESIDENT, WVAR, INC.**

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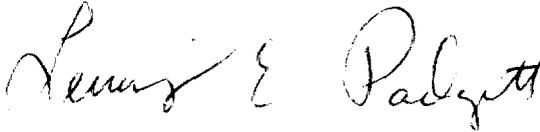
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Secretary, Federal Communications Commission,

I am a FCC licensed technician. I am writing to express my disagreement with the request for ruling to change 420-430 MHz and 440-450 to a land mobile service. Please consider the effect of this change. Amateur Radio operators have always been a lifeline of support during natural disasters and local emergencies. Additional consideration must also be given to the educational resource that amateur radio offers.

Please know that many others and I strongly oppose RM-9267, "proposed Reallocation of 420-430Mhz and 440-450 MHz from the Federal Government to the Private Mobile radio service.

Thanking you in advance for your time and effort in this issue.
Lewis E. Padgett



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KB7ZDS

Garry L. Miller
7812 Leschi RD SW
DOCKET FILE COPY ORIGINAL WA.98498

Phone (253) 582-4333
Fax SAME

May 27, 1998

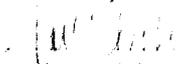
Secretary
Federal Communication Commission
Washington, DC 20554

SUBJECT: **RM-9267**

On April 22, 1998 the Land Mobile Communications Council (LMCC) filed the subject petition to reallocate the frequency bands 420 - 430 and 440 - 450 MHz for the use of the Private Mobile Radio Service. These bands are now heavily used by radio amateurs, operating in the Amateur Radio Service, for a variety of public service and public interest communication. The reallocation proposed by LMCC is incompatible with these operations and would severely impact the ability of amateur radios operators to provide their widely known emergency communications.

As you know, the Amateur Radio Service Provides emergency communications during many natural disasters such as floods, earthquakes, forest fires, ect. as well as search and rescue operations. These services are provided voluntarily and free of charge. The UHF spectrum between 430 and 450 MHz is a vital link in our ability to provide these services and would be a tragedy to reallocated these frequencies to the LMCC for profit making purposes.

There are many other options available to the private sector for mobile operations without disputing a valuable and essential portion of the amateur radio spectrum. I urge the FCC to deny the subject proposal.


Garry L. Miller
KB7ZDS

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Before the
 FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

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

Comments in response toPetition for Rulemaking, RM-9267

1. I believe that the proposal to grant primary status in the 420-430 and 440-450 Mhz (70cm band) to the Private Mobile Radio Service (PMRS) would severely restrict the 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. I believe these frequencies play a critical role in the amateur's ability to provide emergency, public service, and public interest communications.

2. The large number of organizations represented by the Land Mobile Communications Council (LMCC) would possibly fill such a large number of communications channels, that Amateur radio communications would not be able to coexist-exist on a secondary basis.

3. The Amateur Radio Service has a long tradition of investigation and research towards the most efficient use of the radio spectrum. This proposal, if enacted, would remove an area of spectrum where fundamental signal research has been done.

4. The 70 cm band is the second most popular of the Amateur Service's VHF/UHF allocations with thousands of FM and digital repeaters, repeater and remote control links, FM simplex channels, digital networks and backbones, amateur television, and satellite uplinks and downlinks nationwide. The amateur usage of this band has expanded to the point that in heavier populated areas there is no remaining spectrum space available.

5. The Land Mobile Services have not made efficient use of their presently assigned spectrum. 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.

6. The National Weather Service (NWS) SKYWARN program, has thousands of trained volunteers who use Advanced Packet Reporting System (APRS) on 440 Mhz linked repeaters. The NWS's Doppler radar system has been ineffective, and the NWS has adopted APRS as the SKYWARN packet standard. Loss of the interference-free use of 70 cm would prevent amateurs from performing life saving emergency services, such as advising the public and the NWS of emergency shelter locations, road closures, storm and disaster created transportation obstacles, tornado and hurricane watches.

7. 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 contradicting its own stated purpose.

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8. 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.

9. At present, in the United States, the Amateur Radio Service is secondary to military radiolocation (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.

Wherefore, the premises considered, I believe that the Land Mobile Communications Council has not shown that its need for this RF spectrum is greater than the continuing needs of the Amateur Radio Service and has not shown any initiative to improve effective use of its current spectrum allocations. I believe that the LMCC proposal is incompatible with continued amateur use of this band. I strongly urge the Commission to terminate the proceedings in RM-9267.

Respectfully submitted,

A handwritten signature in black ink that reads "Mick C. Pier". The signature is written in a cursive, slightly slanted style.

Mick C. Pier / kc7tvm
May, 27 1998

In Reference to RM 9267

Dear Secretary,

I am writing this letter to ask you not to take the 70 cm band away from Radio Amateurs. Myself and many others rely every day on this band for communication and emergency services. The 440 band serves as a lifeline for many amateurs who, due to age or economics, do not or can't afford other methods of contact with the rest of the world.

Radio amateurs have made many important contributions to the science of communication and should not be penalized, especially not for commercial interests.

Sincerely,

Andrew Meltzer

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Ms. Magalie Roman Salas
Secretary, FCC
Room 222
1919 M Street, NW
Washington, DC 20544

5-26-98

Re: LMCC Petition for rulemaking (RM-9267)

I Brent Wilts am a present private radio communication user.

The user of the private communication is an essential tool for our business. We could not effectively run our organization without radio communications.

Over the past several years we have experienced more congestion's from other radio user breaking up our conversations which has caused hardship through our organization.

The spectrum is congested in our area. The present and future demand for private communications is drastically on the rise in our area.

I understand that the FCC is in the process of reviewing future spectrum for private radio users.

I urge the FCC to react quickly and in favor to increase spectrum for private radio communications.

Sincerely

Brent Wilts

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Ms. Magalie Roman Salas
Secretary, FCC
Room 222
1919 M Street, NW
Washington, DC 20544

5-26-98

Re: LMCC Petition for rulemaking (RM-9267)

I Bruce Smith am a present private radio communication user.

The user of the private communication is an essential tool for our business. We could not effectively run our organization without radio communications.

Over the past several years we have experienced more congestion's from other radio user breaking up our conversations which has caused hardship through our organization.

The spectrum is congested in our area. The present and future demand for private communications is drastically on the rise in our area.

I understand that the FCC is in the process of reviewing future spectrum for private radio users.

I urge the FCC to react quickly and in favor to increase spectrum for private radio communications.

Sincerely



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

May 20, 1998

DOCKET FILE COPY ORIGINAL

In the matter of

Amendment of Part 97 of the)
Commission's Rules to Reallocate)
Most of the 70cm Amateur band to) RM No. 9267
the Private Mobile Service)

To: The Secretary
Federal Communications Commission

I wish to register my opposition to the demand issued to your office by the Land Mobile Communications Council (LMCC), to immediately reallocate most of the 70 centimeter Amateur band over to the private land mobile service designated as the primary user.

The 70 centimeter band has many different uses by amateur radio operators on a secondary user basis for some time now. Amateur television is used in many of the larger cities between 420-430 MHz. During pending severe weather to an area, many times amateur television stations will re-broadcast weather radar from GOES or NOAA satellites or local television stations. Local amateur radio weather nets use this information to help local government officials manage operations during severe weather.

As a hobby, amateur's have enjoyed the spectrum between 430-435 MHz, considered to be what we call weak signal communications. This further enhances our ability to keep our equipment and antennas in good condition, which we know will be useful in times of local or national emergencies.

The area from 435-438 MHz is where some of the amateur satellites operate either as an uplink band or downlink band. Much time and resources have gone into building, launching and maintaining satellites once they are in orbit. It would be a terrible waste to reallocate these frequencies, which if done, would make these particular satellites totally useless for U.S. amateurs. Not all of the satellites are U.S. owned. There are other countries that have satellites in orbit that use this band, such as Argentina, Italy, Japan, and Korea. Also a new multi-international satellite known as Phase 3D soon to be launched, will have 70 centimeter frequencies among others.

Finally, the 440-450 MHz. portion of the band is where many amateur FM repeaters operate. In almost every city of 20,000 inhabitants or more in every state, there is at least one repeater on this band, with the large metropolitan cities having many such repeaters. Many of these repeaters are sometimes linked together to vastly increase the area that can be covered during severe storms and other disasters that may cover many counties or whole states. Many of these repeaters, a lot of which are amateur radio club owned, would have to be abandoned if we lost these frequencies.

If the LMCC should succeed in acquiring any of this band for their use, then it is only fair that the amateur radio interests be protected to the extent of providing equivalent radio frequency spectrum. While our earth bound repeaters and amateur television

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systems can be relocated to other frequencies, the same is not true for the 70 centimeter satellites already in space.

Therefore I respectfully request that the LMCC's Petition For Rulemaking be denied.

Sincerely,

A handwritten signature in cursive script that reads "Richard M. Raitt".

Richard M. Raitt, WA5VKS
1713 Armstrong Drive
Plano, TX 75074-5078

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

| | | |
|---|---|----------------|
| In the Matter of |) | |
| |) | |
| A Proposed Reallocation of the 420 to 430 MHz |) | RM-9267 |
| and 440 to 450 MHz Spectrum from the Federal |) | |
| Government to the Private Mobile Radio Services |) | |

TO: The Commission:

Comments on Petition for Rule Making
 Submitted by the
Land Mobile Communications Council

1. The Land Mobile Communication Council's (LMCC) Petition for Rule Making seeking an allocation of additional spectrum for the Private Mobile Radio Services (PMRS) should be modified so as to eliminate the RF spectrum allocation requests in the 420 to 430 MHz band and the 440 to 450 MHz band.
2. The Amateur Radio Service (ARS) currently shares these two spectrum allocations on a secondary basis with the Federal Government which is the primary user. Specifically, the U.S. military services use these two allocations on an infrequent and geographically limited peacetime basis. The joint use of these allocations by these two sets of users has proven to be an efficient, practical, dual-use of this spectrum. ARS use of this spectrum does not interfere with the limited peacetime military use and in wartime, the entire allocation is available for military use without dislocating any

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3. In most areas of the United States, the ARS licensees have developed extensive repeater systems¹ that serve a variety of purposes. Some of these purposes are special event volunteer public service audio, video, and data communications; experiments in networked RF communications systems; and numerous weather and disaster emergency communication operations.
4. Volunteer public service communications are usually done for non-profit or charitable organizations with very limited resources. These communications services involve a lot of health and welfare inquiries under very real time constraints - excellent rehearsal for major emergency communications service.
5. The ARS has many times been the only two-way radio communications service available in times of severe weather, forest fires, earthquakes, etc. There is no way to put a dollar value of this 'standby infrastructure' of people and self-financed equipment that works other than to say its commercial equivalent has cost the public hundreds of millions of tax dollars and billions more in commercial user fees - and history proves it usually breaks down in a major emergency situation.
6. The LMCC petition suggests that perhaps the ARS and PMRS could share these two spectrum allocations. This is not

¹ *The American Radio Relay League Repeater Directory (1998-1999 Edition)* lists 6637 coordinated 70 CM repeater systems. This number does not include link frequency coordinations within these two 70 CM allocations.

technically feasible. The current arrangement within these allocations works because of a defacto "time-sharing" (peacetime/wartime) between the ARS and the U.S. military. There would be no practical time-sharing between two user groups wanting to use the same spectrum in the same manner at the same time.

7. In the present Washington political climate, the only way the ARS is going to reduce its exposure to loss of its secondary user spectrum allocations where the Federal Government is the primary user, is for the ARS to become the primary user with the Federal Government having preemption rights in a declared war or national emergency.
8. In conclusion, I ask the commission to remove the Federal Government / ARS spectrum allocations of 420 to 430 MHz and 440 to 450 MHz from consideration in the LMCC Petition for Rule Making.

Respectfully Submitted,



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

Ref: RM-9267

Dear Commission:

As a licensed Amateur Radio operator 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 stated in RM-9267, (420 MHz to 430 MHz and 440 MHz to 450 MHz) 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 in the United States.

Amateur Radio has proven to be a successful secondary user to the military radar 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.

Amateur Radio operators in the United States can continue to be a vital communications resource to the public during emergencies and disasters if RM-9267 is not approved.

Sincerely,

Joseph P. Lane
 W4ZEEI

3

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