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Before the
Federal Communications Commission
Washington, D.C. 20554

FCC MAIL ROOM
In the Matter of WT Docket No. 98-143

1998 Biennial Regulatory Review--
Amendment of Part 97 of the Commission's
Amateur Service Rules

Comments on Notice of Proposed Rule Making

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Comments:

1 Reducing the number of licenses from 6 to 4:

I commend the Commission in its quest to simplify the structure of amateur radio licenses. The Commission cites the potential reduction of number of classes of operator licenses as (1) relieving VEs from the tasks of preparing and administering unnecessary examinations and (2) easing the Commission's burden of oversight and maintenance of license databases. To the extent that the proposal moves in that direction, the proposal is valid. However, it does not go far enough.

a. The license structure should be reduced from six to three classes: Technician, General, and Advanced. There is no logical or technical need for three grades of HF licenses. The current Advanced and Amateur Extra Classes should be combined into a single class of license, with current holders of the Advanced and Amateur Extra licenses moved to a single advanced HF license class (possibly with a new license name). The current General Class license serves as the basic HF license; but why do we need two *advanced* HF licenses? A single advanced license simplifies the licensing process, yet still provides upgrade incentive for amateur radio licensees. Additionally, combining the present Advanced and Amateur Extra Class licenses into a single advanced license would make better use of the HF frequency spectrum. The distribution/density of stations operating across what is now the General-Advanced-Amateur Extra sub-bands is a poor use of the HF spectrum. Present HF spectrum allocated solely to the current Amateur Extra license is grossly underutilized. General Class and Advanced Class HF frequency spectrum is crowded. By combining the present Advanced and Extra Class licenses into a single advanced license and a corresponding reallocation of HF frequency sub-bands between the combined advanced license and the General Class license, we could make far better use of the available HF spectrum. **I urge the Commission to combine the present Advanced and Amateur Extra class licenses into a single new advanced class of license.** The efficiency and savings recognized by the Commission in proposing a reduction from 6 to 4 license classes would be significantly amplified by a reduction from 6 to 3 license classes.

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b. The deletion of the Novice license class and the use of the Technician license class as the introductory license class appears appropriate. However, I do not feel the Commission is being fair to those individuals who currently hold the Technician Plus license. I absolutely disagree with the statement in the NPRM that "...Technician Plus Class licensees predominantly use FM voice and digital packet technologies on the amateur VHF and UHF bands." My direct experience in operating the HF bands confirm that many Technician Plus licensees operate both 10 meter SSB and code on the 40 meter amateur bands. These licensees should not lose these privileges. **I urge the Commission to grandfather all current Technician Plus licensees to the General Class license.** These individuals have surpassed the Technician level by passing General-level theory and a code test administered by objective examiners. They possess both theory and code proficiency. It is only fair to grant them the General Class license if the proposed restructuring is approved. Additionally, the small number of Technician Plus licensees makes such a grandfathering of present Technician Plus licensees to the General Class license a reasonable action that does not compromise the integrity of the licensing structure or the good faith of each operator who previously passed the requirements for the Technician Plus license. Also, with the proposal to grandfather current Novice licensees to Technician, the grandfathering of all current Technician Plus licensees to General Class is consistent and reasonable.

2. **Greater Volunteer Examiner Opportunities:** The Commission's proposal to allow Advanced Class licensee's to administer General Class license examinations and General Class licensees to administer Technician Class license examinations appears both reasonable and prudent.

3. **RACES Station Licenses:** The proposal to phase out RACES station licenses appears both reasonable and prudent. Maintaining the RACES station license process is an unnecessary burden on the Commission's limited resources.

4. **Privatization of Certain Enforcement Procedures:** This is a very difficult area to evaluate. Actions such as encouraging individuals bringing complaints of interference to the Commission to include a draft order to show cause to initiate a revocation or cease and desist hearing proceeding are of great concern to me. **The Commission should take no action that would allow one amateur licensee to place another's license or operation at jeopardy unless an absolute burden of proof rests with the complaining party.** The presumption of innocence is the primary pillar of our justice system and must be maintained in all proceedings. Additionally, it is unfair to require a licensee to respond to the intimidation of frivolous or unfounded accusations which may be filed by another licensee who is less-than-reasonable or inappropriately motivated. Rather than create an administrative nightmare or risk abuse of the system, I do not believe the Commission should move in this direction at this time.

5. **Telegraphy Examination Requirements:** I concur with the majority in the ARRL survey who agree that "for the foreseeable future, it is important to retain the Morse code requirement in international regulations." I further support the position that we should maintain a code proficiency requirement in licensees issued in the United States. However, the present levels of code proficiency do not seem justified. As noted in Paragraph #1 above, I recommend the Advanced and Amateur Extra Classes be combined into a single advanced HF

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license class. Code requirements for such a class should be in the 10-15 wpm range. This range establishes a good threshold from which those licensees who operate code can increase their proficiency as required by the demands of their communications. The introductory HF license, proposed to be the General Class, should be lowered to the 5-7 wpm range. Operating demand and desire to upgrade to an advanced class license should drive additional proficiency among this group of licensees. Additionally, it is not reasonable to set the General Class proficiency at 13 wpm if the General Class license is to become the introductory HF license. Further, I concur with the Commission's concern for potential abuse if physician's certifications related to disabilities. One needs only to look at the abuse now experienced in the "handicapped parking" arena to see how such abuse becomes rampant. While this proposal may be well-intended, the potential for abuse far outweighs the potential benefits of the proposal.

6. **Written Examinations:** The volunteer examination procedures have lifted an administrative burden off of the Commission and appears to be basically working well. **However, I strongly recommend that VEs and VECs not be given additional flexibility in determining the specific contents of written examinations.** The examinations must remain standardized across the United States. With regard to examination content, the current topics covered were reasonable at the time they were drafted, but not current and should be revised. With the present proliferation of commercially manufactured equipment and the miniaturizations of components and complexity of integrated circuits, much of the old technical theory appears outdated and unnecessary. While I believe the heavy emphasis on technical theory provides great basic electrical knowledge, it really does little to impact the typical operation of an amateur radio station on the air. A new emphasis on rules and on-air procedures may be more appropriate for the present environment. Again, as noted in Paragraph #1, the need for a quasi-professional license such as the Amateur Extra appears to have outlived its purpose. There should be only an introductory amateur license, one basic license conferring HF privileges, and a single advanced level HF license.

7 **Frequency Allocations:** Although not specifically addressed in the proposal, frequency allocations for various modes within existing bands are an integral part of some of the considerations bearing on this NPRM. If Morse code proficiency is deleted or significantly reduced, there should be a corresponding reduction in the sub-bands set aside for code operation, particularly the current HF Novice code sub-bands. Perhaps these Novice code sub-bands should be opened to voice communications (SSB). I say that with logic, not emotion. Personally I am an avid code operator.

Respectfully submitted for Commission consideration on October 5, 1998.



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