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

In the Matter of:	)	
	)	
Amending Part 97 of the Commission's Rules	)	Docket/RM No._____
and Regulations to Create Special Experimental	)	
Authorization within the Amateur Radio Service	)	

To the Commission:

PETITION FOR RULEMAKING

COMES NOW the Petitioner, JAMES EDWIN WHEDBEE, who pursuant to Sections 1.41 and 1.401 of the Commission's rules and regulations (47 CFR §§ 1.41 and 1.401) respectfully petitions the Commission to issue a Notice of Proposed Rulemaking at its earliest possible convenience amending Part 97 of the rules and regulations to authorize special limited low-power and time-limited experimental operation by all licensees on all amateur service frequencies. As good cause therefor, Petitioner states as follows.

1. As for standing, Petitioner has held an amateur radio license since October 1981.

2. Since the late 1990s, with respect to amateur radio seeking an allocation of LF spectrum, numerous amateur radio licensees have resorted to applying for experimental radio station licenses to operate, collect data on, and report activities to support a rulemaking for LF and low-MF spectrum. Given that one of the stated reasons for the amateur service's existence is experimentation in radio arts and sciences, requiring amateur radio operators to resort to obtaining experimental radio station licenses is needlessly duplicative and cumbersome. Moreover, the need to get such licenses outside the amateur radio service undoubtedly deterred others from gaining experience within the radio frequencies for which the experimental licenses were granted. This petition seeks to eliminate that necessity and allow amateur service licensees to gain experience across the radio spectrum in a way which promotes the radio arts and sciences, enhances innovative use of the radio spectrum, and maximizes the efficient

use of existing radio spectrum allocated to the amateur service.

3. Petitioner suggests, as Section 97.225 of the Commission's rules and regulations, that all amateur service licensees be authorized to conduct special time-limited and very low power radio-frequency experiments on all amateur service frequencies on the terms and conditions stated below.

[a] Within the LF bands, experimental operations are limited to 1 milliWatt ERP with a maximum bandwidth of 150 Hertz.

[b] Within the MF bands, experimental operations are limited to 10 milliWatts ERP with a maximum bandwidth of 150 Hertz.

[c] Within the HF bands, experimental operations are limited to 25 milliWatts ERP with a maximum bandwidth of 3 kiloHertz.

[d] Within the VHF bands, experimental operations are limited to 100 milliWatts ERP with a maximum bandwidth of 20 kiloHertz.

[e] Within the UHF bands, experimental operations are limited to 100 milliWatts ERP with a maximum bandwidth of 6 megaHertz.

[f] Within the SHF bands, experimental operations are limited to 100 milliWatts with a maximum bandwidth of 20 megaHertz.

[g] Within the EHF and higher bands, experimental operations are limited to 100 milliWatts with a maximum bandwidth of 20 megaHertz.

[h] This proposed new section requires spurious emissions be reduced at least 20 deciBels below the level of the main transmission.

[i] Finally, the proposed new section allows for the Commission to grant amateur service licensees a waiver to conduct experiments on future frequencies allocated in Final Acts by the World Radiocommunication Conferences but for which the Commission has not yet allocated. This last provision eliminates future need for licensing outside the amateur radio service to determine suitability

of those frequencies for amateur service use.

[j] The entire proposed new section is stated in Appendix A hereof and is incorporated herein by reference as if fully set out hereinbelow.

[k] The proposed new section requires a station log be maintained with respect to this type of experimentation. The intent of requiring a log, in this case, is to provide useful and objective data for future rulemaking proceedings while maintaining accountability and oversight over experimentation conducted outside the normal operating privileges of an amateur radio operator.

4. In terms of the overall impact on the amateur service, lower class licensees operating on frequencies outside those authorized in Subpart C of Part 97 for their operator class are gaining useful experience and understanding those operators may use in upgrading their licenses; the experimentation promotes innovation within the amateur service; and, the proposed section minimizes regulatory impact by not specifying an emission but rather by requiring signals be maintained within a given bandwidth.

WHEREFORE, the foregoing considered, the proposed rulemaking is in the public interest, convenience, and necessity, which would be better served by the Commission's issuance of a Notice of Proposed Rulemaking and prompt grant hereof.

Respectfully Submitted:

November 12, 2015

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PETITIONER

APPENDIX A – PROPOSED RULE WITHIN PART 97

§97.225 - **Special Experimental Operation**. On a non-interference and unprotected basis within ITU Region II only, and notwithstanding Subpart C of this Part, all amateur radio licensees regardless of operator class, may conduct time and power limited experiments transmitting RF energy on all Amateur Service bands and using any unencrypted emission within the stated bandwidths and maximum power levels described below for the frequency bands given, including communications with other amateur service stations authorized on the frequency upon which the experimentation is being conducted. For experimentation authorized by this section, transmissions are limited to not longer in duration than two minutes per transmission nor a longer duration than ten minutes for any exchange of communications between stations, during which all transmissions must begin and end with the station identification of the licensee conducting the experimentation. Licensees conducting experimentation under this section shall record and keep as part of the station records for a period of two years, in a written station log, the physical location of the transmitter and antenna with which experiments are conducted, the time, date, frequency(ies) used, power output expressed in milliWatts ERP, any other station with which communications were exchanged, and a briefly stated purpose for the experiment (i.e., 'antenna testing,' 'new emission mode,' 'testing licensee-built transmitter,' etc.). Any electronically maintained station log must be capable of physical reproduction in writing (i.e., by printing). Experimentation under this section in the 60 meter band and the 219 to 220 MHz sub-band is not permitted. On all frequencies below 1.8 MHz, only fixed station operation is authorized.

(a) LF: 135.7 to 137.8 kHz, 150 Hz Bandwidth, 1 milliWatt ERP;
(b) MF: 472.0 to 479.0 kHz, 150 Hz Bandwidth, 10 milliWatts ERP;
(c) MF: 1.8 to 2.0 MHz, 150 Hz Bandwidth, 10 milliWatts ERP;
(d) HF: 3.5 to 4.0 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(e) HF: 7.0 to 7.3 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(f) HF: 10 to 10.15 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(g) HF: 14 to 14.35 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(h) HF: 18.068 to 18.168 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(i) HF: 21 to 21.45 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(j) HF: 24.89 to 24.99 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(k) HF: 28 to 29.5 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(l) HF: 29.5 to 29.7 MHz, 3 kHz Bandwidth, 25 milliWatts ERP;
(m) VHF: 50 to 54 MHz, 20 kHz Bandwidth, 100 milliWatts ERP;
(n) VHF: 144 to 148 MHz, 20 kHz Bandwidth, 100 milliWatts ERP;
(o) VHF: 222 to 225 MHz, 20 kHz Bandwidth, 100 milliWatts ERP;
(p) UHF: 420 to 450 MHz, 6 MHz Bandwidth, 100 milliWatts ERP;
(q) UHF: 902 to 928 MHz, 6 MHz Bandwidth, 100 milliWatts ERP;
(r) UHF: 1.24 to 1.3 GHz, 6 MHz Bandwidth, 100 milliWatts ERP;
(s) UHF 2.39 to 2.45 GHz, 6 MHz Bandwidth, 100 milliWatts ERP;
(t) SHF: 3.3 to 3.5 GHz, 20 MHz Bandwidth, 100 milliWatts ERP;
(u) SHF: 5.65 to 5.925 GHz, 20 MHz Bandwidth, 100 milliWatts ERP;
(v) SHF: 10 to 10.5 GHz, 20 MHz Bandwidth, 100 milliWatts ERP;
(w) SHF: 24 to 24.25 GHz, 20 MHz Bandwidth, 100 milliWatts ERP;
(x) EHF: All Amateur Service bands above 47 GHz, 20 MHz Bandwidth, 100 milliWatts ERP;
(y) Spurious emissions from special experimental transmissions shall be suppressed at least 20 dB below the main carrier; and,
(z) For frequencies newly allocated to the Amateur Service by the World Radiocommunication Conference in Final Acts to amend the ITU Radio Rules and Regulations but for which rulemaking proceedings to implement same are not yet pending before the Commission, and pursuant to a waiver requested and granted to the licensee for such newly allocated frequencies, an authorized bandwidth between 60 Hertz and 6 kiloHertz (as applied for in the waiver request) and a maximum power of one (1) to one hundred (100) milliWatts ERP (as applied for in the waiver request) may be employed for experimentation aimed at establishing suitability of such frequencies for allocation to the Amateur Service by the Commission in a rulemaking proceeding intending to implement those Final Acts of such World Radiocommunication Conference as to the Amateur Service. Nothing within this subsection shall be construed as an allocation of spectrum, nor as creating a right in the spectrum subject to such waiver. Any renewal of the underlying amateur service license is a renewal of such waiver according to the exact conditions and terms thereof.