

16 March 2016

Proceeding Number: RM-11759

Petitioner: ARRL (Christopher D. Imlay, 14356 Cape May Road, Silver Spring, MD 20904)

Nature of Petition: Amendment of Part 97 of the Commission's Amateur Radio Service Rules to Facilitate High-Frequency Data Communications.

Abstract: I offer statements opposed to the American Radio Relay League's (ARRL) petition and urge the Commission to dismiss it. A suggestion for an alternative procedure is given.

Robert L. Atkinson, a licensee in the U.S. Amateur Radio Service holding an Amateur Extra Class license since 1975, and a Life Member of the ARRL, files the following comments by deadline:

A large part of the basis for the ARRL's decision to petition the FCC was some sort of majority consensus drawn from "400 comments" solicited by an ARRL "HF Band Planning Committee" and "over a thousand responses" to a call for comments in ARRL media, i.e. the pages of QST, the ARRL's journal, which would only be seen by ARRL members. Regardless of whether or not this exposure is sufficient, approximately 1400 American radio amateurs responding, is less than 2/10 of one percent of the total number of US licensees, which according to the ARRL, numbers over 700,000 licensed radio amateurs. We have no way of knowing if this is a representative cross-section of American amateur radio operators, or an ad hoc special interest minority seeking special treatment.

Ironically, the ARRL's proposal seeks to return the 3600-3650 KHz segment to General and Advanced (no longer being issued) Class licensees, which runs counter to the League's former philosophy of incentive licensing, which would have had that 50 KHz from 3600 to 3650 as an additional reward for General Class licensees who upgrade to Amateur Extra.

Another stumbling point concerns Canadian amateurs. Not reported in American amateur

radio media as far as I know, is a statement made last year by Radio Amateurs of Canada, part of which I will include below:

"Most of the proposed ARRL changes increase the sub-bands allocated to digital operations by extending the existing frequency limits upwards into band segments usually used for phone communications outside the US. While the RAC Band Planning Committee understands and supports the ARRL's goal to provide additional space to accommodate the growth in digital modes, the proposed changes will have unintended consequences. As Canadian phone operations in the 80m and 40m bands take place primarily below the current US phone sub-bands to minimize mutual interference, the effect of the proposed changes would be to reduce the space available to Canadian Amateurs. On 40m and 20m, the proposed changes would also negatively impact DX phone operations throughout the Americas, and the rest of the world."

--<http://wp.rac.ca/rac-comments-on-arrrl-proposed-changes-to-us-hf-band-plans/>

I believe analog radiotelephone operating is much more popular and heavily used by American amateurs who have stations capable of transmission and reception on 75/80 meters. While I operate both radiotelephone and telegraph modes, I submit that the current sub-band for radiotelegraph and data is adequate the vast majority of the time, and the FCC's assessment of the status quo 10 years ago which mirrors mine today, was correct, and their band division by mode was fair and reasonable and continues to be so today. I predict granting the ARRL's request would lead to increased congestion on the 75 meter portion of the band.

However, opinions do not form a sufficient foundation for action. Therefore, I

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suggest that a much more accurate assessment of spectral occupancy and use by mode of transmission may be made by examining the range from 3500 KHz to 3650 KHz, using modern analysis equipment such as direct digital conversion receivers which can take a "snapshot" of the spectrum at random intervals over a period of one year. I have tuned a radio receiver across that part of the 75 and 80 meter U.S. amateur allocation and regularly found the 3600 to 3650 KHz range populated with analog radiotelephone signals while the 80 meter portion informally thought of as the CW segment, roughly 3500 to 3560 KHz, was practically empty. I find this paradoxical considering ARRL's report of a record number of active licenses issued, so evidently few new hams are taking up radiotelegraph operating. As this is an unscientific analysis, a more rigorous band use study should be undertaken since the previously mentioned technology for this analysis is available, and I believe currently in use by the FCC, albeit for other purposes.

Therefore, I think the FCC should issue a Notice of Inquiry, seeking data from concerned members of the U.S. amateur population, such as spectrum display "screen shots" or spectrum data files, possibly supplementing the FCC's own capability for geographically dispersed spectrum monitoring and occupancy data collection at random times.

I suspect such analysis will conclusively reveal that the current CW sub-band is lacking only occasionally on a handful of days annually, during which amateur radio "contests" are held. These are operating events, during which participants attempt as many trivial information exchanges with other participants as possible, in a defined time frame. I think the issuance of a NOI is common with other rule making procedures in the past, and since this petition partly hinges on spectrum usage, and we now have the capability for data analysis from which facts maybe drawn, we should proceed with a one year period of analysis. I propose one year to include an annual propagation cycle. Let us have data and resulting facts, as to how our frequencies are actually used, determine the parcelling of our 75 meter allocation, rather than responses to an ARRL solicitation from a small number of their members.

Respectfully submitted,

Robert L. Atkinson