

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

Amending Part 97 of the Commission's Rules and )  
Regulations to Redesignate Sub-Bands from Exclusively ) **RM-11769**  
Morse Code to Narrowband Modes, including CW and for )  
Other Purposes )

To the Commission:

**REPLY COMMENTS TO FILINGS THROUGH MAY 12, 2016**

COMES NOW, the undersigned Petitioner, JAMES EDWIN WHEDBEE, and for his reply comments states the following.

1.) There is a perception of the Petition that it is aimed at: (a) eliminating CW or otherwise rendering CW somehow less important/useful, (b) making a significant change to the amateur radio service rules, and (c) giving more privileges than has previously been proposed in similar proceedings. I'll address those concerns in order below.

2.) CW is not being targeted for elimination or reduction at all. A semantic change in how modes are described refers to anything which isn't a voice or image emission as "symbol communications," including CW, but CW itself isn't going away. There are two (2) sub-bands in the amateur radio spectrum, 50-50.1 MHz and 144-144.1 MHz which are CW-only...that's it unless you are a Novice or Technician operator. I've asked the FCC to permit RTTY and data (the other two forms of "Symbol Communications") in the 50-50.1 and 144-144.1 MHz sub-bands of 6 and 2 meters, respectively. The ARRL in a separate proceeding has already asked the FCC to give RTTY and data to Novices and Techs on 80 and 15 meters. I'm asking the FCC to do the same for Novices and Techs on 40 and 10 meters. Those are the "big" changes. Everything else stays the same.

3.) Most of the emails I've received regarding this proceeding have been polite, civil, and answered. Amateur radio operators want to know why there's a need for proceedings such as this. It's simple. One of the most powerful telecommunications services, television broadcasting, is having a huge chunk of its spectrum reverse auctioned. Minimum bids are anywhere from \$25 million to over \$600 million per 6 MHz TV channel. That means some of these bidders are willing to pay upwards of \$100,000,000 per MHz of spectrum. Amateur radio is at a significant disadvantage to television broadcasting and most other radio services in that we're expressly prohibited from having a pecuniary interest in our communications services. Moreover, our chief advocates, including ARRL, are nowhere near capable of tackling a telco giant willing to pay up to \$100,000,000 per MHz of our spectrum. Consequently, our sole remaining defense is how well we utilize the spectrum we already have, i.e., number of QSOs per unit of spectrum per hour. How much spectrum do we have? How much is that worth at \$4,000,000 per MHz much less \$100,000,000 per MHz? Shouldn't we be more proactive? Utilization is our only weapon...they are not going to pay us for our spectrum when they take it...and when we have whole sub-bands and bands lying more or less fallow, those become easy targets. Time to put the targets to better use. Do I love CW? Yes. Do I want CW to go away? No. Will adding data and RTTY (i.e., "Symbol Communications") make a few area of our spectrum a bit more crowded? I hope so...really, I do. We need it to survive as a radio service among moneyed interests who'd otherwise take it away from us. If that makes me unpopular, so be it: I can live with that.

4.) Some of the commenters have suggested I need to listen to the CW contacts on the bands which are subject to this proceeding. I have. My shack has all-mode transceivers for both 6 and 2 meters, and in any given year here in a large metropolitan area, around 4 CW QSOs are heard between 144 and 144.1 MHz and around 10 CW QSOs are heard between 50 and 50.1 MHz (mainly owing to Scattered E Propagation rather than local users). We can't defend these particular frequencies with utilization data because those are too quiet as CW-only sub-bands. We need more hams in those frequencies, so I'm proposing more uses for those frequencies to increase utilization. There may be other (even better) ideas, but this one serves to enhance our efficiencies through increased emission modes.

5.) I anticipate having service rules published to ECFS by Sunday next at the latest.

May 13, 2016

Very respectfully,

/s./ James E. Whedbee

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Petitioner