

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

IN THE MATTER OF

Amendment of Part 97 of the)	
Commission's Rules to Amend)	
§97.317 by Removing Reference to)	RM-11767
the 15 dB Gain Limitation)	

To: The Commission:

I support the Petition of Expert Linears America, L.L.C. for the Commission to issue a Notice of Proposed Rulemaking to eliminate the 15 dB gain limitation on amplifiers that appears in 47 C.F.R. §97.317(a)(2).

§93.317(2) is a vestige of the past and addresses a problem that has been solved by technological development and rulemaking. Originally a component of the Commission's effort to ensure commercial RF amplifiers approved for use in the Amateur Radio Service were not sold to Citizens Band Radio Service users, technology now permits commercial RF amplifiers to be designed to be incapable of operation in the Citizens Band Radio Service 26-28 MHz band.

Further, the Commission redirected its focus from technological limitation in WT Docket No. 04-140 to prohibiting in §95.411 the attachment of any RF amplifier capable of amplifying the signal of a CB transmitter operating in the 26-28 MHz band.

But, in doing so it failed to eliminate the no longer necessary 15 dB amplification restriction.

Technological advancement since the original adoption of the restriction and the Commission's 2006 Order in WT Docket No. 04-140 has permitted the development of vastly more efficient and spectrally pure Amateur Radio transmitters, many of which, while capable of operation from 160m to 6 meters, fit in the palm of one's hand and emit signals of a quality only dreamed of by Amateur Radio transmitter manufacturers in 1978, and even in 2006.

The power output of these small transmitters is necessarily limited due to their size. Although the Amateur Radio Service has long been permitted to operate at a power output up to 1500 watts, no presently legal commercial Amateur Radio Service approved amplifier can, due to the 15 dB limitation on amplification, permit a user of such new transmitter marvels to operate at the legal limit — without kludging together multiple legal amplifiers. The latter solution, implemented improperly, can result in RF pollution during operation.

Since the Commission has chosen to address the CB amplification problem by making it illegal, there remains no need to isolate the U.S. market by prohibiting the importation and sale of amplifiers capable of greater than 15 dB amplification that are readily available to the rest of the world.

Those who argue the relaxation of the restriction will permit, or encourage, illegal operation, fail to recognize the reality of a worldwide market in technology where anyone wishing to obtain illegal or impermissible devices may obtain them, if they are bent on evading the law. The argument also ignores the reality that those who want to operate illegally in the Citizens Band Radio Service or the Amateur Radio Service can already do so with ease.

The relaxation of the 15 dB amplification restriction on RF amplifiers approved for use in the Amateur Radio Service would create a level market place, encourage the use by Amateur Radio licensees of more efficient transmitters and encourage further development of the science and art of radio.

The undersigned respectfully requests the Commission to approve the Petition of Expert Linears America, L.L.C. to eliminate the 15 dB amplification restriction while maintaining the restriction that such amplifiers may not permit amplification between 26-28 MHz.

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