

In reference to: RM-11769  
RM-11769 should be denied.

What problem is this Rule Making trying to address? The requestor's unproven rejection of Morse Code radio telegraphy (A1, CW) as a viable mode of communication is a specious justification offered for these changes. The requestor offers no other reasoning for considering the proposed Rule Making. As such, RM-11769 offers no benefits or *raison d'etre* (reason for existence) of this Rule Making.

By definition, this is an Amateur Radio Service. From the definition of amateur: origin: late 18th century: from French, from Italian *amatore*, from Latin *amator* 'lover,' from *amare* 'to love.' For 'to love' one mode to cause the sacrifice of another mode of communication is not what the Amateur Radio Service is about.

Regardless of the requestor's intent of what these wider mode digital communications would be used for in the HF bands. In practical use the Amateur Radio community would likely use these modes for digital voice. Digital Voice is voice channel bandwidth mode that does not belong in the currently allocated narrow band/mode CW and Digital allocations. In addition, the even wider digital bandwidth communication modes proposed in RM-11769 for the HF "Voice" bands offer no rationale for their consideration.

In other FCC proceedings for regulated radio services, e.g.: VHF Aviation and Public Service bands, the FCC has discontinued wide band communication 'channels' and replaced them with narrower bandwidth 'channels.' This promotes better spectrum efficiency by allowing a greater number of communications channels within the same, or equivalent, spectrum space. This Rule Making is not about efficient spectrum use nor is it about narrow bandwidth mode communications. This Rule Making is about allowing wider band digital communications in the currently allocated CW and digital only bands. Wider signals, in the existing MF, HF and proposed LF Amateur Radio allocations, are not the technological innovation the Amateur Radio Service needs.

Paragraph 4, the requestor offers no substantiation of his "manifest under-utilization" claims.

Paragraph 3 and 4 with regards to the requestor's claim "this has been proven grossly inefficient" the requestor offers no proof or citations as evidence of his "grossly inefficient" claims nor does he define what grossly inefficient means. While attempting to define an efficient use of narrow bandwidth as an argument against CW; the issue of narrow bandwidth efficient communication modes is not again used as a justification for the requested rule making.

Paragraph 5, the requestor implies that there currently exists a weak signal, very narrow band mode that can be decoded in a short period of time. This is contrary to information theory and the teachings of Claude Shannon, Harry Nyquist et al. Never-the-less, RM-11769 is not about implementation of efficient spectrum use.

Paragraph 6 states "Nostalgia for retention of Morse Code telegraphy-only sub-bands..." This wording would lead one to believe that Morse Code Telegraphy (CW) is an obsolete and dead mode of communication. This is not the case. There is activity in the CW sub bands and there is evidence that it is healthy and increasing [Cite: "Is CW Dead," Walter B. Fair, Jr., W5ALT, available by WEB search].

Paragraph 10, the requestor's "foregoing reasons" offer no researched proof in support of his claims.

Paragraph 12 discards international agreements defining emission designators. The requestor substitutes an incomplete set of designators which only define messaging and "image" communications. Ignoring, for example, command & control, telemetry data and spread spectrum modes and uses.

Paragraph 12 attempts to redefine communications with potential deleterious effects.

The comment "...without intent to convey aural or visual information other than such symbol(s)" is especially troubling. If incorporated, as stated, into Part 97 regulations, there will be an exploitable loop hole where symbol mode communication processing could be believed to not require detection of a current "voice" or "picture" mode communication and thus interfere with a previously existing communication. Audibly checking a frequency for use before using that frequency should be the objective of all operators and radio communication systems.

Paragraph 16 reveals the intent of the rule making is not a request to allow additional narrow band mode communication services above 1.8 MHz. For MF and HF, RM-11769 defines a digital mode as occupying 2,800 Hz wide. While not stating such use, this rule making will allow digital voice in the current digital and CW band allocations of the amateur radio services.

Paragraph 16 and 17, what value is limiting the "Symbol" communications to 200 HZ if you also allow 1200 HZ digital voice in the same frequency/band allocations?

Paragraph 17 by requesting even wider modes of communication in the Amateur Radio Phone band allocations above 1.8 MHz would create even higher levels of interfering communications in those bands. Wider signals, in the existing HF Amateur Radio allocations, are not the technological innovation the Amateur Radio Service needs.

Paragraphs 17 through and including paragraph 32 are all subjects of International agreements and ITU regulations and should be removed from this Rule Making.

Paragraphs 33 through and including paragraph 41 should be separated from this RM and separately submitted. Combining licensing privileges, creating new mode classifications and reassigning frequency use allocations into a single Rule Making confuses the issues involved.

RM-11769, as noted by the requestor's statement "if it would expedite consideration thereof, rather than treating this document as a petition for Rulemaking, the Commission may consider it as an Informal Request and proceed, sua sponte, as if originally couched in such language" are essentially a re-write of a portion the FCC's part 97 regulations relating to the privileges of the Amateur Radio Service Licensees.

This offer should be refused by the FCC.

Furthermore, if considered, this Rule Making should be subject to a wider audience than normally given a Request for Rule making. One would normally expect this wide a ranging change in regulations should be an issue from and/or before the FCC Board of Commissioners. If this Rule Making is not dismissed, I respectfully request

additional time for comment be allowed or the comment period be reopened for this

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proposed Rule Making request.

Respectfully submitted  
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