

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

Amending Part 97 of the Commission's Rules and Regulations to Redesignate Subbands from Exclusively Morse Code to Narrowband Modes, including CW and for Other Purposes)

COMMENTS by David B. Tumser, W4DBT

To the Commission:

I fully concur with the comments submitted by Donald B. Chester, K4KYV without change or amendment. I recap his comments herein:

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To the Commission:

This Petition proposes five substantive changes to Part 97 of the Commission's rules:

- (1) A semantic change in the wording in Part 97 of how modes of emission are described, to refer to any mode that is not a voice or image emission as "symbol" communications.
- (2) To establish, for the first time ever, enumerated bandwidth limits to all amateur emissions.
- (3) To allow Novice and Technician licensees to transmit RTTY and data modes in HF band segments where these licensees are presently limited to the use of CW only.

(4) To allow all licensees to transmit RTTY and data modes in the present CW-only segments of the 50 MHz and 144 MHz bands.

(5) To relocate the boundary between the RTTY/data and the Phone/Image subbands in the 75/80m band from 3600 kHz to 3650 kHz.

1. Although it would have no effect on operating privileges, this proposal to change the Part 97 nomenclature of the CW/RTTY/data subbands to “Symbol” has some merit. When referring to the non-phone/image segments of the HF bands, “CW/RTTY/data” is a cumbersome phrase. The inclusive term “symbol” would be consistent with the Commission’s previous decision to rename the AM/SSB/FM/SSTV/facsimile subbands as “Phone/Image”.

2. The proposed specific, enumerated bandwidth limits on all amateur modes of emission would impose an unnecessary burden of compliance on the part of licensees, and one of enforcement on the part of the Commission. With only a few exceptions, the U.S. amateur radio rules have never imposed specific bandwidth limits on transmitted signals. The rules on bandwidth have generally been left vague, probably intentionally, based on “good amateur practice”, “no more bandwidth than necessary” and “good engineering practice” per §97.307(a), (b), (c), allowing amateur licensees the maximum flexibility for experimentation and self-instruction in the radio art.

Despite a record number of amateur licensees in the FCC data base (presently at more than 700,000), activity and congestion on the HF bands in recent years, for a number of reasons, has noticeably dwindled compared to one or two decades ago. Petitions and rulemaking proposals to impose specific bandwidth limits at times in the past when the amateur bands were more congested than at present, were rejected by the Commission. There is no compelling reason to impose such limits now.

3. The present CW-only privileges enjoyed by Novice and Technician licensees in the HF bands have served as a substitute for the defunct Novice subbands, allowing entry-level licensees the opportunity to develop CW skills with on-air practice. Those licensees wishing to operate RTTY and data modes have the option of upgrading to General class or higher. This requirement is consistent with the long-time concept of

Incentive Licensing.

4. The minuscule 50 and 144 MHz CW-only segments were put in place for the benefit of weak-signal VHF communications, which would be severely disrupted by the white-noise type of interference that typically results from digital data transmission, and by strong FSK signals from various modes of RTTY. Since there is adequate spectrum available for other modes in these bands outside the frequencies of 50-50.1 MHz and 144-144.1 MHz, allowing RTTY and data transmissions in these segments would serve no useful purpose.

5. I believe the Commission made the correct decision per the Report and Order of Docket 04-140, October 4, 2006, authorising 3600-4000 kHz for voice communication. This has resulted in better use of spectrum and a more equitable division between users of narrowband and wideband modes. The petitioner has not made a convincing argument in his request to modify the existing 3600 kHz boundary between the 80m RTTY/data and the 75m phone/image sub-bands. An identical proposal has been filed under another pending petition, RM-11759; please refer to my comments to that Petition for further elaboration of why I oppose this change.

6. In conclusion, I would recommend that the Commission CONSIDER the proposed change to the wording of the Part 97 rules, to refer to non-phone/image sub-bands as "Symbol", but DISMISS the proposed specific bandwidth limits, DISMISS the proposed expansion of Novice and Technician HF CW privileges to include RTTY and data transmission, DISMISS the proposal to allow RTTY and data emissions in the 50.0-50.1 MHz and 144.0-144.1 MHz band segments, and DISMISS the proposed relocation of the 3600 kHz boundary between the 80m RTTY/data sub-band and the 75m phone/image sub-band to 3650 kHz.

Respectfully submitted for your consideration,

Donald B. Chester