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November 23rd, 1998

FCC Secretary
Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
1919 "M" Street, NW Room 222
Washington, DC 20554

Dear Secretary Salas:

Enclosed is a computer disc which was recorded on Microsoft Word, version 7, using Windows 95. It contains a response to the biennial Regulatory Review -Amendment of Part 97 of the Commission's Amateur Service Rules, FCC WT Docket 98-143.

In the event that the enclosed disc is damaged or unreadable, I have enclosed a printed copy of the contents of the disc.

Thank you very much for considering my point of view on the above proposed amendment.

Sincerely,

Rhinchart J. Huttelmayer

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FEDERAL COMMUNICATIONS COMMISSION

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Washington, D.C. 20554

In the matter of 1998 biennial Regulatory Review—Amendment of Part 97 of the Commission's Amateur Service Rules, FCC WT Docket 98-143:

Proposed Changes in License Structure:

In response to the proposal to eliminate the Novice and Technician Plus classes of Amateur Licenses: it appears that the majority of Amateurs today are entering Amateur radio via the Technician class of license. Therefore, I am in agreement with the proposal to eliminate the Novice class license. I also agree that the Technician Plus license should also be eliminated, since the primary purpose of a Technician license is for operating privileges in the spectrum above 50 MHz.

Since the current Novice bands see very little activity, it is recommended that these bands be reallocated and the 200 watt power restriction eliminated according to the proposal submitted by the American Radio Relay League as follows:

The 3.5 MHz. portion of the Novice band should be reallocated as follows: 3.675 to 3.7 to code and digital modes and 3.7 to 3.725 to voice.

the 7 MHz. Novice portion should be reallocated as follows: 7.1 to 7.125 code and digital modes and 7.125 to 7.15 to voice operation.

The 21 MHz. Novice portion should be reallocated as follows: 21.1 to 21.150 to code and digital modes and 21.150 to 21.2 to voice.

With the elimination of the separate Novice code sub-bands, it is recommended that current Novice and Technician Plus licensees be allowed to operate in the other parts of the code bands, with a power output of 200 watts, where they are likely to find much more activity.

With the elimination of the Novice and Technician Plus licenses, the American Radio Relay League proposal to "grandfather" the present Novice and Technician Plus licensees and give them a General class license, as if they had already earned this privilege, does not seem feasible. The purpose of upgrading and earning advanced privileges is to study and pass an examination to earn these privileges. In addition, these Amateurs, by not having taken a General class examination, have not proven that they have the technical competence necessary to hold this class of license. These licensees should be required to take the code and written examination for the General class of license. An exception to this would be the Technicians licensed prior to 14 February 1991. These Technicians should continue to receive credit for the General written examination.

Examination Changes:

In regards to the proposal of lowering the code speeds for the Amateur exams, it is recommended that the code speeds should be as follows: five words per minute for the General Class and twelve words per minute for the Amateur Extra.

In compensation for the lower code speeds, there should be additional technical questions on the written examinations. These questions should include material covering the newer digital communications technologies, as well as additional questions on rules and regulations. The questions for the examinations should increase in difficulty with each higher class of license examination, with the questions for the Amateur Extra being the most difficult.

It is recommended that the present number and content of questions from the present 10 general topic areas set forth in 97.503 of the rules for the various Amateur examinations should not be decreased. Rather additional questions concerning the newer digital communications technologies and questions concerning rules and regulations should be added. The required number of questions from each of the topic areas should still continue to be set by rule.

It is recommended that the Federal Communications Commission should specify that the Morse code examination method should be one minute of solid copy. In addition, it is also recommended that the Commission reinstitute a sending test. Many Volunteer Examiners today believe that if a new Amateur can copy the code, he or she can also send. However, all too often on today's Amateur bands we hear new Amateurs that cannot send properly. To quote from the International Radio Regulations that require Amateurs licensed to operate below 30 MHz.. " must demonstrate an ability to send correctly by hand and to receive correctly by ear, texts in Morse code signals."

As for required physician's waivers for Morse Code testing (with reference to RM-9196) it is recommended that an applicant with a disability be required to attempt a required code speed test with reasonable accommodation before a physician's certificate would be accepted by the Volunteer Examiners. However, the Volunteer Examiners should not have access to relevant medical information from physicians, since this would violate the physician and patient confidentiality relationship and therefore would constitute an invasion of privacy.

Amateur Rules Enforcement:

It is proposed that the Amateur Auxiliary be authorized to gather irrefutable evidence of rules violations, such as tape recordings and radio direction findings and submit the evidence to the Federal Communications Commission or a Legislative Judicial Court for prosecution.

Respectfully Submitted by,

Rhinehart J. Huttelmayer, WB2QWH
8831 Point Avenue
Niagara Falls, New York 14304

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This page has been substituted for one of the following:

- o An oversize page or document (such as a map) which was too large to be scanned into the RIPS system.
- o Microfilm, microform, certain photographs or videotape.
- o Other materials which, for one reason or another, could not be scanned into the RIPS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.

W. Shette