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RECEIVED PHILIP E. GALASSO

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January 29, 1999

Secretary  
Federal Communications Commission  
Washington, DC 20554

To Whom It May Concern:

Enclosed is a Petition for Rulemaking to amend Sections 97.111 and 97.113 of the Commission's Rules and Regulations. I am submitting the original and four (4) copies, in keeping with Part 1 of the Commission's Rules.

Sincerely,



Philip E. Galasso

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**FEB 5 1999**

**FCC MAIL ROOM**

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

PETITION FOR RULEMAKING

In the Matter of:

- ) The Amendment of Sections 97.111 and 97.113 of the
- ) Commission's Rules Regarding the Transmission of
- ) Information Bulletins by Stations in the Amateur Radio
- ) Service and the Prohibition of Broadcasting by Such
- ) Stations.

INTRODUCTION: I, Philip E. Galasso, have been a licensee in the Amateur Radio Service since September, 1968 and currently hold an Amateur Extra Class license with the station callsign K2PG. This station is active approximately ten hours per week, primarily on frequencies between 1.8 and 148 MHz.

Over the years, certain stations in the Amateur Radio Service have been transmitting information bulletins on a variety of frequencies with a variety of emission types. Most of these transmissions are very useful to amateur radio operators, as they keep these operators informed of special events and changes in the Commission's Rules. An example of such a station is W1AW of the American Radio Relay League, Inc. in Newington, CT. However, abuses of the permission granted under Section 97.111 (b) (6) of the Commission's Rules have cropped up in recent years, particularly on bands below 50 MHz. The most glaring example of such abuse of this provision of the Rules is the activity of a certain amateur radio station in Maine. This station is being operated as a de facto broadcast station and operates for hours on end with simultaneous voice transmissions (AM and SSB modes) on several Amateur Radio Service frequencies. These transmissions include professionally-produced recorded material and "call-in" shows resembling the "Talk Radio" programming of many stations in the Broadcast Services (Part 73). Transmitter power is considerable and these transmissions tie up frequencies that could be used more productively for other purposes. In contrast to this, the W1AW bulletin transmissions seldom last more than ten minutes on voice or thirty minutes on CW and digital modes.

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**Information Bulletins - 1**

These abuses have not been noticed on frequencies above 50 MHz. Many VHF-FM amateur repeater stations transmit information bulletins on a weekly basis. These transmissions are generally short in duration (typically 15 minutes or less) and the localized nature of VHF repeater coverage prevents frequencies from being tied up on a national or international basis.

Meanwhile, the Internet provides a means of disseminating information to amateur radio operators and others on a timely basis. No radio frequencies are needed. However, some amateur radio operators do not have Internet access. I therefore propose that the Commission continue to permit amateur radio stations to transmit information bulletins, but with restrictions on time and frequency use. I further propose that the Commission require stations desiring to engage in the transmission of information bulletins to obtain a special endorsement on their station licenses for the transmission of such bulletins on frequencies below 50 MHz.

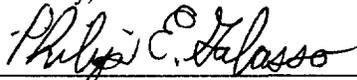
**NATURE OF PROPOSED RESTRICTIONS:** Section 73.701 (c) of the Commission's Rules defines the term "transmitter hour" as "one frequency used on one transmitter for one hour". I would like to propose that the Commission add this definition to Part 97 of the Rules and that amateur radio stations desiring to transmit information bulletins on frequencies below 50 MHz be required to request transmitter hours for this purpose from the Commission as a part of a proposed endorsement of the station license. This endorsement should only be required for the transmission of information bulletins on frequencies below 50 MHz and it should contain a list of the frequencies used by the station, the emission type(s) used for these bulletin transmissions, and the number of transmitter hours authorized for each frequency. In no case should the total number of transmitter hours per station exceed two (2) per week and the duration of a bulletin transmission should not exceed fifteen (15) minutes on voice or thirty (30) minutes on CW and digital modes. Furthermore, each station engaging in such bulletin transmissions should be limited to two (2) frequencies per amateur band: one for voice transmission and one for non-voice (CW, digital, image) transmission. In order to free up more frequencies for general amateur communications, simultaneous transmissions of information bulletins on more than one amateur band below 50 MHz should be prohibited. The number of such endorsements issued should be limited and they should be allocated regionally on the basis of projected coverage of the stations.

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CODE PRACTICE TRANSMISSIONS. During any discussion on this Petition for Rulemaking, the topic of code practice transmissions, defined as "transmissions necessary to assisting persons learning, or improving proficiency in, the international Morse code" (Section 97.111 (b) (5)), may arise. Such transmissions are currently permitted under Section 97.111 (b) (5) of the Commission's Rules. As long as the Commission continues to require proficiency in the international Morse code for obtaining any class of amateur radio operator license, code practice transmissions should continue to be authorized without restriction. There have been no known abuses of this provision of the Commission's Rules.

SUMMARY: Abuses of Section 97.111 (b) (6), which permits one-way transmissions necessary to disseminate information bulletins by amateur radio stations, have begun to proliferate on the Amateur Radio Service bands below 50 MHz. These abuses preclude the use of amateur radio frequencies for the two-way communication normally found in the Amateur Radio Service. The restrictions on one-way transmissions proposed in this Petition for Rulemaking would discourage such abuses. Those amateur radio operators desiring to disseminate information bulletins to other amateur radio operators should be strongly encouraged to use the Internet for this purpose or to purchase time on stations in the various broadcasting services (Part 73).

Dated this 29<sup>th</sup> day of January, 1999

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