

**REQUEST FOR CERTIFICATION**

**AS A**

**COMMERCIAL OPERATOR LICENSE EXAMINATION  
MANAGER (COLE MANAGER)**

**FROM**

**ELKINS INTERNATIONAL, INC.**

**DALLAS, TEXAS**

**SUBMITTED TO WT DOCKET NUMBER 98-228**

**FEBRUARY 19, 1999**

Elkins International, Inc. hereby requests authorization through a Memorandum of Agreement with the Federal Communications Commission as a Commercial Operator License Examination Manager (COLE Manager). Elkins International, Inc. is a sister company to The Elkins Corporation and Elkins Institute, Inc. (the three together will hereinafter be referred to as “the Elkins Companies”). These companies are owned and operated by Elkins family members including Bill Elkins, Laura Ann Elkins, Laura Sue Elkins, Lee Ann McPherson and Sue Ann Elkins.

The Elkins Companies are involved in the distribution and marketing of training materials and content via distance learning technologies as well as in certifications of capabilities or knowledge. The Elkins Companies have a Strategic Alliance with the Intel Corporation using Intel technology to distribute real time and server stored educational and certification material to clients. These materials and certifications are licensed for international distribution through agreements with entities like the University of Dallas, Texas A&M University, American Media division of Provant (a \$100,000,000 training company) and General Physics Corporation (a \$250,000,000 training company). The Elkins Companies also work with smaller

educational entities such as Mercomms Unlimited, Applied Professional Technology, and various Maritime Academies. In this arena the Elkins Companies currently serve as a Chief Examiner for National Radio Examiners currently certified by the Commission as a COLE Manager. The Elkins Companies currently service approximately 100 test centers throughout the United States, American Territories, and American installations overseas.

One of the Elkins Companies, Elkins Institute, Inc., was one of the original COLE Managers at the inception of the COLEM system and has since periodically been the largest of the COLE Managers for the FCC and always at least second largest. Due to the large financial difficulties of one of Elkins Institute's subsidiaries caused by a dispute with Oracle Corporation, parent company guarantees to EDS became effective causing Elkins Institute financial difficulties as well. This resulted in the sale of certain Elkins Institute assets including a license to use the Elkins Institute name. Only one employee went to the purchasing entity and he was not involved in the management or operation of the COLE Manager Agreement with the FCC. A dispute raised by the purchasers of the assets regarding where the FCC MOA

resided caused the FCC to cancel its agreement with Elkins Institute, Inc.

Considering the facts that the Elkins family (including Bill Elkins senior) has worked without interruption with the FCC regarding its exams, the writing of its exams, the giving of its exams and training for its exams for over 50 years; that the Elkins family operated one of the FCC's most successful COLE Manager operations; and that they still manage a high percentage of the FCC's commercial exams through National Radio Examiners, it should be clear that the Elkins Companies are qualified to operate as a COLE Manager. Further, our partnership with Intel will allow us to set up very sophisticated testing operations that file electronically upon MOA approval by the FCC. There will be no "start up" time necessary as we are in operation now on a written exam basis. It is also clear that we can operate on a worldwide basis as we are currently doing that. In addition, General Physics Corporation has agreed to make their 85 classroom locations available to us for FCC testing upon new certification from the FCC. These rooms have excellent distribution throughout the United States and are also located in many overseas locations for the benefit of mariners and service men and women. The existing infrastructure is

supporting over 100 sites. It is expected that once we can give many of our previous examiners evidence of our new certification they will return also. With General Physics, what we have now, and our earlier group of examiners that will be at least 250 sites world wide with an existing service infrastructure. Our sites typically do more tests per site than COLE Managers that have more sites because they are involved with the “need” for FCC licenses. General Physics does a lot of government, military, and maritime training and is also very involved with those “needing” the licenses.

It is intended that our fee schedule be \$50 for the first element and \$25 for each additional element per exam session. We will make all FCC Commercial exams available. All sites will be available 5 days a week during normal business hours by appointment. After hours and weekend tests will be available by special arrangement at all locations. Most of our examiners are located in educational institutions. Some are large colleges and Universities and others small aviation or maritime facilities. We do not allow examiners to give exams to employees or family members of employees of their institutions. Teachers are not allowed to give exams to students if the student has been in his class. In most cases administrators that are

used to dealing with our administrators located in the office of the institutions give the exams for interested parties referred by us, the FCC, or from within the institution.

This request for certification is being made in the name of Elkins International, Inc. Elkins International is not a subsidiary or parent company to any other corporation. Elkins International has no loans, contracts, or encumbrances of any kind. The management of The Elkins Corporation and Elkins Institute, Inc. will transfer all necessary records, systems and personnel to Elkins International for quality operation. This will insure that there is no future problem created in the COLEM operation caused by something in another company that had absolutely nothing to do with the COLEM operation as happened recently.

There is obviously some historical and goodwill benefit from operating under the name "Elkins Institute". We have operated under that name for over 30 years with clients, students, and examinees numbering literally in the 100,000's. We still own Elkins Institute, Inc. and The Elkins Corporation owns a d.b.a. (doing business as) "Elkins Institute" that we can easily transfer to Elkins International, Inc. However, our competitor now has the right to use that name also and

is likely to request that name from you or try to use it later. The Commission can look at this in two ways. If the Commission is willing to re issue the "Elkins Institute" name, we would like Elkins International, Inc. to invoke its d.b.a. and use that name. However, that could simply prolong a squabble that all of us would like to end if BFT is awarded an MOA also. In that case it would be our suggestion that the FCC require the applying party (no matter who it is) to use its corporate name and not its d.b.a. That would not give us what we would like but would eliminate further dispute if BFT is awarded an MOA.

We appreciate this opportunity to work with the Federal Communications Commission and hope to continue a long relationship. Please let us know if you have further questions at the below address, phone, or e mail. Thank you for your continued consideration and co operation.

Elkins International, Inc.

18824 Fortson Avenue

Dallas, Texas 75252

by\_\_\_\_\_

President

phone: 972-248-4455

fax: 972-398-0556

e mail: [elkins@eitn.com](mailto:elkins@eitn.com)

mailing: PO Box 797666 - Dallas, TX 75379