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Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of

Amendment of Commercial Operator Rule
Sections 13.14d(2), 13.201, and 13.203 to
simplify, clarify and reduce the Morse Code
proficiency requirements of Commercial
Radiotelegraph Operator licenses.

RM _____ - _____

By W. Lee McVey, P.E.,

Petitioner

To: Chief, Public Safety and Private Wireless
Branch, Wireless Telecommunications Bureau

PETITION FOR RULEMAKING

I. Summary

1. This petition seeks the amendment of Commercial Radio Operator Rule Sections 13.201, and 13.203, to simplify and relax Commercial Radiotelegraph Operator licensing requirements consistent with recent amendments to the Amateur Radio Service; and the amendment of Section 13.14 d (2), to correct its inconsistency, since Amateur Extra Class licensees still receive credit for Commercial Radiotelegraph Operator Morse Code Elements 1 and 2, even though the Amateur Extra Class Morse proficiency requirement has been reduced to 5 words per minute (WPM), effective April 15, 2000.

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II. Background

2. In its recent revision of Part 97.503 (a) of the Amateur Radio Service rules, the Commission simplified licensing requirements and reduced requirements for telegraphy proficiency:

**“This document revises the Amateur Radio Service rules to simplify the Amateur Radio Service operator license structure; streamlines the number of examination elements; and reduces the emphasis on telegraphy that underlies the current license structure to the greatest extent possible..”
(65 FR 6550, February 10, 2000)**

In so doing, the Commission greatly reduced the telegraphy requirements for the various Amateur radiotelegraph examination elements to a maximum of 5 WPM code proficiency for all but the no-code Technician license and simplified the licensing process by reducing the number of license classes from six to three. The justification for these changes included the prospects of enhanced participation and significant reduction in costs to the Commission:

“This action will allow current Amateur Radio Service licensees to contribute more to the advancement of the radio art; reduce the administrative costs that the Commission incurs in regulating this service and streamline our licensing processes; eliminate unnecessary requirements that may discourage or limit individuals from becoming trained operators, technicians, and electronic experts..” (65 FR 6550, February 10, 2000)

3. The present Commercial Radiotelegraph Operator license structure as denoted in 47 C.F.R. § 13.201 (b) consists of three licenses, which require four separate telegraphy element examinations. Elements 1 and 2 for the Third and Second Class licenses and Elements 3 and 4 for the First Class license. The examinations consist of separate elements for code groups

per minute (GPM) and text, at differing rates: 16 GPM for Element 1; 20 WPM for Element 2; 20 GPM for Element 3 and 25 WPM for Element 4.

4. 47 C.F.R. § 13.14 d (2) permits holders of the Amateur Extra Class license to receive credit for Elements 1 and 2. Since April 15, 2000, all Amateur Extra Class examinees have been required to achieve only 5 WPM Morse Code proficiency. This rule is inconsistent with the proficiency requirements now at 47 C.F.R. § 13.203(b) 1-2.

III. Recommendations

5. Petitioner requests that the Commission eliminate the Third Class Radiotelegraph license; reduce the required Morse Code proficiency of the Second Class Radiotelegraph license to 5 WPM; and reduce the Morse Code proficiency of the First Class Radiotelegraph license to 13 WPM.
6. If amendments requested in 5. above are adopted, petitioner requests revision of 47 C.F.R. § 13.14 d (2) to permit 5 WPM credit for all General Class or higher Amateur licensees; and 13 WPM credit for Amateur General, Advanced and Extra Class licenses issued prior to April 15, 2000. Notwithstanding the decision on amendments requested in 5. above, petitioner requests revision of Section 13.14 d (2), consistent with the requirements at 47 C.F.R. § 13.203 (b) 1-2, in order to continue to allow Element 1 and 2 telegraph proficiency credit for Amateur Extra Class licenses issued prior to April 15, 2000.

IV. Results and Benefits from the Adoption of Recommendations

7. Adoption of the above recommendations will reduce Commission administrative costs; eliminate inconsistency in Commission radiotelegraph proficiency requirements; and serve to promote and encourage additional licensees, including petitioner and others from the Amateur Radio Service, to seek licensure in the Commercial Radiotelegraph Service.

Dated this 13th day of June, 2001

By 

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