

To the Commission:

This further responds to the filed Comments of IEEE 802 LMSC (c/o: Mr. Carl Stevenson, 4991 Shimmerville Rd.; Emmaus, PA 18049). I note the following comment: "5. The ARRL contends that upgrading the amateur and amateur-satellite service allocations in this band would not impose constraints on co-frequency Part 15 (and Part 18) devices "because this band is located at the lower edge of the segment in which such devices operate, and because of the geographic separation typically encountered between amateur-satellite stations and Part 15 and Part 18 devices."5/ 6. However, we are compelled to note that the ARRL has, in two separate Proceedings currently before the Commission, challenged the Commission's fundamental authority to authorize unlicensed Part 15 operations on the basis that they might possibly cause interference to amateur operations.

I would like to respond by suggesting to the Commission that the ARRL has, as does everyone else, the right to comment on proposals pending before the Commission regarding authorizing Part 15 or 18 devices. Their concerns are legitimate as the users of Part 15 or 18 devices often have less technical sophistication than Amateur Radio Service and Amateur Satellite Service operators. Moreover, because of their nature, Part 15 and 18 devices tend to proliferate frequencies to a much greater density than transmitters in the Amateur Radio or Amateur Satellite services. Additionally, Amateur Radio and Amateur Satellite services are expected to maintain their transmitters to a higher degree of spectral purity, so as to minimize interference. In contrast, Part 15 and 18 devices are routinely culpable for the interference radio amateurs experience. Temperature and age of those Part 15 or 18 devices add to their potential out-of-band operation. Finally, Part 15 or 18 devices are always secondary to a licensed use of a given frequency, so that the licensed service can be protected. Therefore, it should be expected that the ARRL will have something to say when Part 15 or 18 devices are proposed in or near frequency segments where the Amateur Radio or Amateur Satellite services operate. Unless IEEE 802 LMSC is suggesting it cannot be a good neighbor within these frequencies, the proposed spectrum use shouldn't be problematic for either group of users.

Finally, I have a problem with the IEEE 802 LMSC suggestion that the Amateur Satellite service upgrades be restricted to the downlink only. The Amateur Satellite service is weak-signal in nature, and therefore, Part 15 or 18 devices ought to protect the licensed (Amateur Satellite) service's use of those frequencies. Finally, amateur radio operators have repeatedly demonstrated in the past that the downlink from one satellite can be used to transmit into the uplink of another, thereby facilitating greater communications capacity. Unless the IEEE 802 LMSC comment was suggesting that Part 15 or 18 devices cannot confine their signals to their own assigned frequency(ies), it seems logical that the ARRL would need a protected band for inter-satellite signals.

I hope the Commission will consider these views as it proceeds in this matter. I hope the Commission will also consider the tenor of

others' views if those views suggest that adjacent frequencies might experience interference for which there is no history to prove, or which if later proved would have to be resolved in favor of the Amateur Satellite service. To these ends, I am...

Most respectfully yours,

/s./ James E. Whedbee  
James Edwin Whedbee, NOECN...