

Comments on RM-10787 Filed by the NCVEC

Gentlemen,

I would like to take this opportunity to file comments in regards to RM-10787 filed by the NCVEC to eliminate Element 1 testing in order to obtain a license grant from the FCC in the Amateur Radio Service. I would like to thank the Commission for the opportunity to express my opinion on this matter.

I would like to comment on some of the following main points in the NCVEC Petition:

II. Telegraphy requirement in the Amateur Service

The petitioners are correct in stating that manual telegraphy is one of literally dozens of individual modes that are allowed to be used within the Amateur Service. However, all of these modes are grouped into three main categories - analog telephony, digital and manual telegraphy. A license grant by the FCC allows the holder to operate ANY authorized mode on any authorized band - within the limits of the holders license grant and withing the allocated sub-bands listed in Part 97. The petitioner states "The amateur radio operators examination does not require a practical demonstration int the ability to use any other mode - ...". In fact the exams do require familiarity with analog telephony procedure. For example, the current Technician Class examination has 2 questions in Subelement T6 that deal directly with operating procedures using analog telephony. There are also questions on the exam dealing with digital modes as well. Again, in the current General Class question pool, there are numerous questions about operating digital modes. The statement previously quoted while "technically correct" is misleading. There is no way other than a "practical demonstration" for an individual to show familiarity with CW. The current requirement for Element 1 fulfills the same purpose as the questions on the current examinations.

III. Morse code testing is a burden to the applicant

Any testing is a "stressful experience" to the person taking the test. The object of any examination, is to gauge the knowledge of the person taking the test. The more familiar the person is with the material being tested, the less of a "stressful experience" it is. To follow the logic of this statement by the petitioner, if the object is to create a less "stressful experience" to the individual taking the exam, then the petitioner should have requested that the Commission eliminate ALL tests for an Amateur Service license grant - this would certainly be much less of a "stressful experience" for the individual desiring a license grant in the Amateur Service.

V. Morse proficiency should not be required to operate in the voice mode

While I somewhat agree with this statement, to carry this forward, analog telephony and digital proficiency should not be required for those who only wish to operate on CW. Also, those who only wish to operate digital modes should not have to have proficiency in analog telephony or manual telegraphy either. The only alternatives would be to have "license grant endorsements" for operating specific modes, i.e. the "basic" license grant allows analog telephony only and the individual would have to "test" for the ability to use digital or manual telegraphy modes. The current method of testing assumes that the individual may operate more than one mode. If the petitioners point is the current opinion of the NCVEC, then since it is they who select the questions for the examination question pools - they should delete any and all questions dealing with mode specific operating procedures. Section 97.503(b) states

(b) A written examination must be such as to prove that the examinee possesses the operational and technical qualifications required to perform properly the duties of an amateur service licensee. Each written examination must be comprised of a question set as follows:

1. (1) Element 2: 35 questions concerning the privileges of a Technician Class operator license. The minimum passing score is 26 questions answered correctly.
- (2) Element 3: 35 questions concerning the privileges of a General Class operator license. The minimum passing score is 26 questions answered correctly.
- (3) Element 4: 50 questions concerning the privileges of an Amateur Extra Class operator license. The minimum passing score is 37 questions answered correctly.

There are no regulations that mandate the type, mix or topics of the questions in the exam question pools. This is left up to the NCVEC to derive, so they could have easily removed such mode specific questions from all examination question pools.

VI. An unnecessary burden on the VEC system

VE teams use either prerecorded tapes/CD's or a computer program to send the Element 1 exam. This is part of the duties of the VE teams and is much less of a burden than scoring exams, completing the appropriate paperwork and transmitting the results to their VEC's. Element 1 testing is just another part of the job and should not be considered a "burden".

For the current Technician class operator who has not received a CSCE indicating passing of Element 1, I find that the petition submitted by the NCVEC does not make much sense in their requests for changes to Part 97. They have not asked for changes to Section 97.305, so the only authorized mode that would be used in the 80m (3675-3725 kHz), 40m (7100-7150 kHz) and 15m (21.100-21.200 MHz) would be manual telegraphy. The use of digital modes or analog telephony would not be allowed under current Part 97 regulations or even their proposed changes to it.

97.307(f)

(10) A station having a control operator holding a Novice Class operator license or a Technician Class operator license and who has received credit for proficiency in telegraphy in accordance with the international requirements may only transmit a CW emission using the international Morse code or phone emissions J3E and R3E.

However, since the petitioners are requesting the end of testing on Element 1, those bands would not be useful to those who have not demonstrated a proficiency in manual telegraphy. Of course, they would have access to SSB and digital modes on the 10m band (28.100 MHz-28.300 digital and 28.300-28.500 MHz SSB) as well as, again, manual telegraphy. Even for individuals who currently do not have a license, the expanded access to the HF bands would be basically limited to SSB/data on 10m.

My main concern with this petition is not about what it proposes, but what it doesn't propose - or even address. That concern is the very real possibility that digital modes will encroach into the traditional areas that manual telegraphy is found in. While digital modes are decoded by computer, they can easily "reject" the signals from a station sending CW. However

the reverse is not true. Manual telegraphy is decoded “by ear” and digital modes can either totally obscure or greatly degrade the CW signal. This is even more of a threat due to the fact that the vast majority of stations using digital modes do not even listen to the received audio - that is directed into the computer and all “tuning” is done “on screen”. There is a very real possibility that the station using the digital mode would not even know that there was a CW station on the air! The Commission understands this and has addressed it in the recent past. In FCC-03-105 adopted April 29, 2003 the Commission granted 5 discreet channels in the Amateur Service in the 60m band and only allowing SSB voice operation. This was due to concerns from the NTIA - that Amateur stations would need to be monitoring the frequency “by ear” so they would know that the channel was already in use by the primary user, the Federal Government or could be instructed to vacate the frequency if need be. Use of digital modes, where the receive audio is usually not monitored, was obviously a concern of both the NTIA and the Commission.

If the Commission decides to eliminate Element 1 testing, I would hope that in the same Report and Order that the Commission would also change the applicable sections of Part 97 to include the following:

1. Restrict the mode of operation in the following bands to CW as defined in Part 97 ©) (1) :
1800-1825 KHz
3500-3025 KHz
7000-7025 KHz
14.000-14.025 MHz
18.068-18.078 MHz
21.000-21.025 MHz
24.890-24.900 MHz
28.000 - 28.025 MHz

2. Allow access to these bands by General, Advanced and Extra Class license holders.

This would maintain the “status quo” by allowing for an area for the use of manual telegraphy where it would be free from interference. As the Commission knows, it is perfectly legal under current Part 97 regulations to operate digital modes in the above mentioned band segments. Since the segments on the 80m, 40, 20m and 15m bands are currently available to only Extra Class license holders, if they were to be designated as CW only sub-bands, they should be opened up to General and Advanced Class license holders as well.

Thank you for taking the time to read and consider my comments on this matter.

Dennis J Ponsness
WB0WAO
Amateur Extra

