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

In the Matter of: )  
Amendment of Part 97 of the Commission's ) WT Docket No. 04-140  
Rules Governing the Amateur Radio Services) )  
) )  
) )  
) )  
) )  
To: The Commission

**OPPOSITION**

TO THE ARRL  
PETITION FOR PARTIAL RECONSIDERATION  
and  
PETITION FOR PARTIAL STAY OF EFFECTIVE DATE OF RULE

Submitted by :  
William Houlne  
2732 Grove Street  
National City, CA 91950-7605  
December 12, 2006

1 Specifically and with extreme particularity, **I oppose** the "request for a stay"  
2 and the "request for reconsideration" currently proffered by the ARRL (each  
3 submitted 12-11-2006). While a minor issue exists, it does not require a  
4 major shift in frequency reassignment from what is already set into motion.

5  
6 The ARRL is famous for grand standing when they do not get their way. How  
7 else do you explain two documents, eight pages and fifteen pages in length ?  
8 The matter could have simply been handled in two pages including the title  
9 page. As I have to present a rebuttal, I will have to do it in three pages.

10  
11 First, I must counter one point made by the ARRL. They claim to have run a  
12 survey in the year 2001 that is, partially, the basis for their argument.  
13 This survey is unpublished and it **DID NOT** include, to my knowledge, the whole  
14 Amateur radio community of some odd six hundred thousand. Indeed, the ARRL  
15 reported that it had only 4744 responses. That is **less than 5 percent** of the  
16 total membership of the ARRL and **less than 1 percent** of the total Amateur  
17 community. **Hardly a significant factor !** Besides, without publishing the raw  
18 data to substantiate their conclusions, such a survey is worthless.

19  
20 Here are the ARRL's own words, referring to the survey, published in their RM-  
21 10413 rule request; " . . . While wideband telephony remains the most popular  
22 operating mode in the HF bands, and that preference is reflected in the survey  
23 results, (emphasis added) **there is a somewhat offsetting issue of importance in**  
24 **these regulatory changes, which is to preserve portions of the narrowband**  
25 **segments for narrowband data communications . . . "** It is apparent that even  
26 their own membership favored telephony over vast wastelands of space where

1 only a few digital signals and little if any CW stations operate, except  
2 during contests.

3

4 The Commission has already fixed one problem for the ARRL. They corrected the  
5 wide band issue for the infamous "WINLINK" (J2D emission) mode. So now we can  
6 have **commercial** high speed email regardless of the law and treaties currently  
7 in place. Surprise, the ARRL wants to have it in the automatic mode as well.

8

9 A slight correction of one minor rule part is all that is needed to fix the  
10 problem. Simply change a couple of numbers listed in 47CFR97.221(b),  
11 realigning the auto mode with the new data band between 3.5 and 3.6 MHz. May  
12 I suggest showing the numbers as 3.580 to 3.595 MHz.

13

14 See ? Such a simple solution and I used less than three pages. I really hate  
15 to sound so snippy, but in the face of all the grand standing it is hard to  
16 maintain one's composure. My apologies. I think it was simply a  
17 typographical error, on the FCC's part, by whomever was typing all the  
18 corrections. After all it was a lot of detail to keep track of.

19

20 Respectfully submitted,

21

22 William Houlne

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