

Before the
Federal Communications Commission
Washington DC 20554

In the matter of:

Motion to Dismiss Petition) RM-11306

March 25, 2007

I, Albert J. Schramm, W3MIV, am an amateur radio licensee and member of the American Radio Relay League. The comments and objections I file in this dissent are mine alone, and they do not necessarily represent the views or position of any other individual or group.

I have previously filed comments in opposition to this petition via ECFS, and I now move to dismiss the ARRL's petition on the basis that it has been substantially altered by the ARRL, and that the public has not been given any opportunity to officially comment on these changes within an approved period as required by the Commission's procedures for public review.

Discussion

1. The petition was first filed by the ARRL in November, 2005, and issued the classification RM-11306 by the FCC. The petition was published for comment and received more than 1000 responses, almost all of which were in opposition to it.
2. Then, in February, 2007, more than a year after the initial filing, the ARRL again comes to the well with substantial revisions. Again, even though the official comment period had been closed for over a year, more than 400 additional comments accrued, again almost all in opposition.
3. In March, after the “discovery” of an “error” alleged to have been made by League's counsel, the ARRL again files an “Erratum” to substantially revise the petition yet again.
4. It would be manifestly unfair to move this petition forward in the face of the substantial opposition that is evident in the numbers of negative comments already filed unless ALL of the comments, even including those that have been made and added to the record after the normal cutoff date for such comments, have been taken officially into account. League's counsel should not enjoy privileges that are denied to members of the public with an interest in this petition.

5. Thank you for this opportunity to make my views in this matter known to the Commission. The ECFS is a wonderful public service that gives every citizen ready access to the regulatory decision making process.

Respectfully,

A handwritten signature in black ink, appearing to read 'AS', with a horizontal line extending to the right.

Albert Schramm, W3MIV