

Reference FCC Docket WT 05-235-subsequent petitions for modification. Ref file 6518808784, Russel D. Ward and file 6518808553, Anthony Gordon.

1. It is my opinion that since the effects of 05-525 have already been implemented and the rules modified, that the hearing of these two petitions is not warranted or justifiable. The context of the petitions noted if modified would nullify the intent of the proceedings and the rule changes which followed. These petitions would have to be heard as a new notice of proposed rulemaking and as new petitions not modifications to an existing R&O.

2. It is my opinion that the Amateur Radio Community is not best served by the hearing of these petitions. All arguments have been previously made and reviewed. I am not aware of procedural errors on comment periods and have no knowledge of evidence to prove otherwise that has been published by the FCC or ARRL.

3. It is my opinion that regulation of access to privileges within the Amateur Radio Services by performance of Morse Code proficiency will neither promote or inhibit the use of CW as a mode of operation. It will, at the least, open an opportunity for technically proficient individuals to join the ranks of Amateur Radio and provide opportunities to elmer interested Amateurs in the CW mode. CW requirements for proficiency has been observed as an artificial restraint which is not required of other modes of operation. The current privileges of HF access for Technicians with use CW only fulfills the requirement for Morse Code proficiency for Technician HF Access. Therefore, both petitions would seem moot in their objectives to block access by arguing technical qualifications requires CW proficiency which has already been argued.

4. It is my opinion that the FCC, the Amateur Radio Community, and the ARRL would NOT be best served by opening new requests for modification to this R & O. If they wish to submit a Petition to recind WT Docket 05-525 would be another, however, this does not appear to be the case with these petitions.

Respectfully submitted,

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