In the Matter of

Notice of Proposed Rule Making and Memorandum FCC 10-106
Opinion and Order on Reconsideration

Review of the Commissions Part 95 Personal WT Docket No. 10-119
Radio Services Rules

RESPONSE TO NOTICE OF PROPOSED RULE MAKING AND MEMORANDUM OPINION AND ORDER ON RECONSIDERATION

I. Background

1. My name is John Moore and I am a member of the Lakes Area GMRS Repeater Group. I am a current GMRS licensee and active GMRS user with my family.

2. The Lakes Area GMRS Repeater Group was formed to provide an outlet to alternative sources of communications to our members families, free of charge, and to foster cooperation and sharing of repeater resources. It was the result of many years of hard work and perseverance, as well as out-of pocket expense.

II. NPRM Response: Streamlining of Part 95 Personal Radio Services

1. Streamline: I summarily agree with streamlining the rules. I feel that the question-answer format is easier to read, easier to understand and excludes rules that may be vague or open to multiple interpretations. By including all basic rules into a new Subpart A, this will alleviate much of the confusion many people have with understanding rules.

2. Technical Rules: I agree with streamlining technical rules also, provided such streamlining still allots for the differences allowed in each service. We see no harm in channelizing all of the GMRS frequencies, as those who are licensed GMRS users and repeater owners will seek repeater information, but will allow channelized numbers for easier relay of information.

3. Frequency Tolerance: I find no issue with the updated frequency tolerance, as this would put the rules in line with communications equipment availability and technical specifications of the current day.

4. Power Limits: I believe that GMRS radios should continue to be measured in Transmitter Power Output (TPO) and not Effective Radiated Power (ERP). I feel and suggest that all radios in Part 95 be measured in TPO, as we believe it would be easier for both users and manufacturers to stay within power limits as prescribed.

5. Unwanted Emissions: I agree with this section.

6. Voice Scrambling: I vehemently oppose any voice scrambling, coding, or other voice-obscuring technology in GMRS and agree with the Commission.

7. Crystal Control: I feel this section should be removed. I believe that with the availability of solid-state radio equipment, this rule is obsolete and should be discontinued.

III. General Mobile Radio Service Specifics

1. Station Licensing: I vehemently oppose totally removing the licensing requirement for GMRS stations. It is my opinion that, in most cases, people who are licensed are more responsible with their stations due to the fact that their actions are accountable, traceable, and licensing shows a good-faith effort in following the rule of law.

2. We feel that historically, the FCC removes licensing requirements to radio services when the agency is no longer able to enforce rules due to its ineffectiveness or rouge behavior beyond its scope of enforcement. FCC enforcement of illegal repeaters has been somewhat commendable, but the ubiquity of FRS/GMRS combination radios made available by retail outlets had gotten out of hand. It is also common knowledge the reason for this NPRM is that the FCC is unable to enforce its rules in its current form. Simply creating the FRS in the same frequency band, I feel, was a poor decision and lacked foresight, unless, of course, one was to surmise that the FCC has had every intention of deregulating the GMRS. I also disagree with any reference to the unlicensed nature of Canadas GMRS; the United States should never have to change its rules to what other countries are doing. In retrospect, I offer these suggestions:

a. All radios 2 watts and under are licensed by rule. This alleviates the licensing problems that accompany FRS/GMRS radio combination packs found at retail outlets. This is, of course, what the FCC has been looking to do for some time.

b. All mobile radios, portable radios over 2 watts, base stations, and repeater systems should be used by licensed people.

c. Similar to Amateur Radio, licensed users and non-licensed users should cooperate in frequency sharing. However, in the case of interference issues, the preference should be given to the licensed user.

d. Station identification rules should be kept for all licensed operations, specifically with mobile radios and repeater systems.

e. License term increased from 5 years to 10 years to alleviate administrative burden. However, in order for the license to be cost-effective, what does the FCC propose to do with the fee structure? Changing the term under current regulations may increase the license fee, which is, of course, counter productive to the statements made in the NPRM.

3. Eligibility: It is my opinion that persons of any age, if United States citizens, should be able to obtain a GMRS License. I disagree, however, with allowing businesses to be eligible for GMRS frequencies. There has been a significant amount of spectrum set aside for business operations. We actually disagree with business usage of the Family Radio Service, for the same reason aforementioned. Even though many public service-related groups such as REACT and CERT use GMRS, I would not be very open to licensing groups as it defeats the purpose of the service. Fact of the matter is, if radio service groups were allowed to license as groups, then businesses would also be allowed, as it would be discriminatory not to.

4. Portable Devices:
a. As stated earlier, I agree with licensing by rule any portable 2 watts and under. I disagree, however, with the Commission that all portable radios in GMRS should be kept at 2 watts. There are many Part 95 certified portable radios that can be and are used in GMRS. I also disagree with comments referring to RF exposure, as the nature of GMRS is short communication bursts at inconsistent times. I cite the Amateur Radio Service, specifically the UHF band, where many radios may be used at 4 watts or more and are used more often, as well as people walking around with cellular phones supplanted to their heads.
b. I agree with excluding mobile operation, as typically the antenna is located away from the user.
c. I agree with small base stations being changed to 5 watts power. We also agree with the 6.1 meter (20 foot) rules otherwise as currently written.
5. Narrowbanding GMRS: I strongly disagree with any narrowband mandate to the GMRS as completely unnecessary and cost inefficient. At current, GMRS is already narrowbanded in some forms; sometimes called splinter frequencies. I believe narrowbanding GMRS serves no purpose as the spectrum already allots for it if users wish to use them. I also believe that many repeaters owners would be hit with unnecessary expenses to update repeater equipment to remain compliant. I request that any attempt to narrowband GMRS by mandate be stricken.
6. Section 95.29(g): I agree with removing this rule.
Comment
I understand the Commissions attempt to streamline the Personal Radio Services, but I am afraid that some of the proposals in the process will destroy the GMRS, which I believe to be the jewel of the Personal Radio Services. Many of my peers are located in areas with poor and/or spotty cellular phone coverage and rely on GMRS repeaters for every day communication. I am deeply offended that the Commission would even cite the term other commercially available options, as prevailing thought is that the Commission is in the pockets of business and not working honestly for the citizens. It should not even be a suggestion that a person should have to rely on a commercial communications network to communicate, if that person could have the means of communication beyond a .5 watt, inefficient, foreign- mass-produced toy radio. Not everyone wants to rely on cell phones for their sole communications resource, nor should a person have to. Time and time again, disasters and emergencies have struck that rendered cellular systems out of service either by damage or user overloading. A working GMRS repeater system, for instance, often times provide an alternative method of communication in both emergency and everyday use. We feel that by removing the repeaters and higher-powered radios from GMRS is not only a disservice to citizens, but another usurpation of liberty from the citizens by the government.
Furthermore, by removing licensing and repeaters from the GMRS, the FCC decision will result in the losses of millions of dollars nationwide to current repeater owners and GMRS system users. These losses will manifest in the inability to sell radio equipment; costs incurred in the removal of antenna, coaxial cables, radios, and facilities from antenna sites; the losses and/or uselessness of current GMRS systems in many homes. Notwithstanding the man hours invested in securing, building, and

maintaining the sites many of these systems are at. Some repeater systems, similar to quite a few used in the Lakes Area GMRS Repeater Group, are worth millions in equipment, infrastructure, investment, and upkeep. Removing repeaters from GMRS will simply cost GMRS repeater owners a lot of money, much of which will never be reclaimed.
The GMRS is alive and well in the United States and there are quite a few of us out here working together to build solid systems to use at no cost to the average licensee. I understand the FCC is looking to make the service better available and accessible to everyone, which is its job. However, even if GMRS licensees and repeater owners/users are the minority of all traffic, we feel it is in the best interest of the FCC to make provisions to protect the minority. There are thousands of us out here, and weve been working well with the unlicensed users that the FCC itself is responsible for.

I have offered our opinion on the Notice of Proposed Rule Making, and hope that the FCC will continue to allow licensed mobile radios and repeater systems for those of us that wish not to be another phone subscriber. Thank you for your time.
Regards,

John Moore
Advisor
Lakes Area GMRS Repeater Group