

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

In the Matter of)
)
Review of the Commission's Part 95 Personal) WT Docket No. 10-119
Radio Services Rules)
)
1998 Biennial Regulatory Review– 47 C.F.R.) WT Docket No. 98-182
Part 90 – Private Land Mobile Radio Services) RM-9222
)
Petition for Rulemaking of Garmin International,) RM-10762
Inc.)
)
Petition for Rulemaking of Omnitronics, L.L.C.) RM-10844

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

My name is James H Lovelady, Jr., and my address is PO Box 4006, Chester, VA 23831. I hold licenses in the general mobile radio service, amateur radio service, as a commercial operator and in the industrial/business pool. I operate two GMRS repeaters. Additionally, I am both a public safety professional and a communications professional full time. As you can see, radio is a very important part of both my professional and personal time. I oppose NPRM 10-119 in regard to the proposed changes to Part 95 and the GRMS Service on the following points:

1. I oppose licensing by rule (similar to FRS and CB). While all licensed GMRS operators are likely aware of unlicensed low power transient operators in their area, there is a community of GMRS operators that are proud of their professional conduct and quality equipment. This small piece of spectrum is one of a kind for family and personal communications. Removing licensure as a whole is an obvious first step to deregulating the spectrum as a whole. My recommendation – increase the licensing term from five to ten years.
2. I support changes regarding age requirements for licensure. The majority of children of teenage years or younger are very capable with electronic devices, including computers, cell phones and other common consumer electronics. While most children will likely fall under a GMRS license of a parent, I do support changing the age requirement to less than eighteen years of age.
3. Moving the GMRS service to 12.5 kHz spacing as other radio services are currently doing will be an impossible task to regulate or enforce. There are thousands of consumer devices all ready in place that will continued to be used. Attempting communication between wideband and narrowband equipment can result in a host of difficulties. I do not support this recommendation. Additionally, this would be an unusually large financial hardship for GMRS operators that use mobile, base or repeater stations.
4. I do not support GMRS handheld radios being reduced from 5 watts to 2 watts. As previously mentioned, there are thousands of existing devices in place that the commission can not regulate. Additionally, this would preclude the use of professional communications equipment. There are many GMRS operators that operate approved radios with GMRS, amateur and frequencies for other services they are licensed or authorized for. This would preclude their use.
5. I do not support the elimination of GMRS repeaters. There are numerous service related groups around the nation such as REACT, CERT and others that use GMRS as one of their primary sources of communication during disasters. You can not expect a 2 watt portable radio on a crowded simplex frequency to be able to deliver potential emergency information amongst such a group or even families or friends. The commission should take all possible steps to allow repeaters to continue to operate. This is one feature that distinguishes GMRS from other essentially unregulated services (CB, FRS, MURS, etc). Having a repeater station makes GMRS a more useful tool than those other services.
6. I do not support the petition from Garmin to allow data transmissions on GMRS frequencies. These emissions are already authorized on FRS channels, but Garmin would like the FCC to consider allowing it in the GMRS spectrum. Since this is already allowed in the FRS Spectrum, allowing this use in the GRMS spectrum would only degrade current communications and would not serve the public interest.

Sincerely,

James H Lovelady Jr