

**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)

**COMMENTS OF KEITH LANDOVITZ
ON THE NOTICE OF PROPOSED RULEMAKING
TO REVISE THE PART 95
PERSONAL RADIO SERVICES RULES**

I am an operator in the Amateur (license K2VTZ), Citizens Band, Family, General Mobile (license WQEJ450), Maritime Mobile and Multi-Use radio services. As a user of personal radio services, I respectfully offer the following comments concerning the captioned Notice of Proposed Rulemaking.

General Observations about the Personal Radio Services

Before I comment on specific proposals in the Notice, please allow me to offer general observations about how I perceive the personal radio services as they have evolved under the existing rules.

I greatly value the personal radio services. My expenditure of more than one thousand dollars on equipment for me and my family to use these services substantiates how highly I value them.

I notice an inverse correlation between the barriers to entry – particularly licensing, availability of equipment and cost of equipment – to use a radio service on the one hand, and the general level of operating skill of those who use the service on the other hand. In the Citizens Band and Family radio services, for which individual licensing is not required and for which low cost equipment is widely available, there appear to be operators with limited skill at avoiding harmful interference. In the Citizens Band radio service, I routinely find operators causing willful interference. In the General Mobile and Amateur services, for which individual licensing is required, I find a commitment to skillful and responsible operation. This poses a dilemma. While low barriers to entry make a radio service more useful, poor operators make a service less useful.

The practical consequence of this situation is that I use different personal radio services for different purposes, consistent not only with the regulatory basis and purpose of each service, but also, importantly, with the characteristics of the other operators who use each service. I especially value the option to use the General Mobile Radio Service with commercial-grade land mobile radio equipment, for communication beyond line of sight with family members and other skillful, responsible operators. The recent installation of a volunteer-maintained GMRS repeater about 15 miles from my home has made this use even more valuable than before and has justified further expenditures on equipment for my family.

I worry that the proposed rules will change those characteristics of the General Mobile Radio Service that make it distinct from, and distinctly more valuable than, the Family Radio Service – so much more valuable indeed that I have made expenditures on GMRS licenses and equipment for my family, in addition to our inexpensive FRS equipment.

Besides using personal radio services, my family subscribes to commercial land and wireless (cellular) telephone service. While it may be true that “most wide-area personal communications needs are now met by commercial communications providers” (cf. paragraph 34), my investment in licenses and equipment for repeater-enabled GMRS communication are indicative of commercial services’ shortcomings. Wireless telephone signal quality remains widely and unpredictably variable and is a notorious source of consumer irritation. “Dead spots” remain despite wireless carriers’ immense investments in plant. Audio outputs of personal radio FM and of wireless telephone transmissions degrade differently: personal radio audio becomes noisy whereas wireless telephone audio becomes distorted. I find the degradation of personal radio distinctly more acceptable than that of wireless telephone, particularly for short, precise messages. While mobile telephone equipment is generally smaller and lighter than personal radio equipment, radio equipment works better in noisy environments. All in all, I distinctly prefer personal radio service, where viable, to wireless telephone. I believe that I share this preference with other users of personal radio services.

I suspect that improvement in basic voice communication has reached a point of perceived diminishing returns for commercial wireless providers, who, it seems, are concentrating their investments on development of premium services with higher profit margins than basic voice. Availability of noncommercial alternatives therefore remains

important to those, such as I, who care more about basic voice capabilities than about such other services as text message, picture and music transmission, which are being improved through commercial enterprises' investment.

The simple and flexible technical properties of radio, together with the skills of practiced operators, have been tremendously valuable to the public during disasters such as the September 11, 2001 terrorist attacks, Hurricane Katrina and other severe weather events, when large scale disruption to commercial communications services has occurred. This, too, motivates my investment in radio capabilities for my family, and raises concern about any regulatory change that may diminish those capabilities. I submit that this is a matter not only of private, personal concern but also of public concern, given the service that skilled, equipped citizen radio operators have rendered in situations of civil disruption.

Comments about Specific Proposed Rules

Voice Scrambling

I concur with the Commission's belief that "... voice-obscuring techniques, which go beyond the ubiquitous, standardized tone squelch, are inappropriate for these services" (cf. paragraph 20) and that "...these voice-obscuring techniques could thwart the channel sharing protocols in these services and the ability to communicate during an emergency." Accordingly, I endorse the Commission's proposal to prohibit voice obscuring and scrambling in GMRS, FRS and CB.

Station Licensing

I do not dispute the ways (cf. paragraph 26) in which the Commission finds that "... current GMRS operations more closely resemble other Part 95 Personal Radio Services that are licensed by rule rather than Part 90 private land mobile systems that require an individual station license." I nevertheless submit that current GMRS operations differ from other personal radio services in a critically important aspect of a radio service, namely, the skill of operators in the service and the commitment of those who use the service to its advancement for the benefit of all. As I discuss above, consequent of these differences, I find GMRS distinctly more valuable than, for example, FRS and CB, which I also use. I attribute this difference, in large part, to the requirement for individual station licensing for GMRS operation. Accordingly, I strongly urge the Commission not to "... eliminate the requirement for individual station licenses in the GMRS" and to "... by rule, authorize

operation of these stations without individual licenses” as proposed (cf. paragraph 27). I further submit that the requirements for individual station licensing and for station identification during operations are valuable means by which “... all licensees ... cooperate in the selection and sharing of the available channels to make the most effective use of the channels and to reduce the possibility of interference” (cf. paragraph 26).

I eagerly endorse the Commission’s proposal to extend the term of an individual GMRS station license to ten years (cf. paragraph 28) as a practical way to reduce administrative burdens, both to citizens and to government, without risking the damage to the service that, I expect, abandoning individual station licensing would precipitate.

Eligibility

I was granted my first radio license, in the amateur service, at age 10. I believe that licensing youth promotes awareness of and respect for rules and for good operating technique, and can be the basis for a growing corps of responsible and skilled citizen operators. Accordingly, I endorse the Commission’s proposal to eliminate a minimum age requirement for GMRS (cf. paragraph 29.)

I am concerned about the risk that business operations, if permitted in GMRS, might, in some places, overwhelm individual communications. I draw a distinction between individual licensees, with commitment to cooperative, shared frequency operations, using GMRS for business communications, versus business personnel without individual licenses, and possibly with no personal interest in good operating technique, having access to GMRS through their employer’s license. Given the option that businesses have to get Industrial/Business Radio Pool licenses, I cannot see that the benefit of allowing businesses to get GMRS licenses outweighs the risk to individual GMRS licensees. Accordingly, I urge the Commission not to grant GMRS licenses to businesses (cf. paragraph 30).

GMRS Portable Devices

As a conscientious operator, I attempt to use the lowest power possible in a given situation to achieve effective communications. I have determined that the routine activities during which my family and I use GMRS often require operation with more than two watts. In particular, I find that reaching my local repeater from places where I often operate requires four or five watts (using a handheld device with the manufacturer-supplied antenna). I therefore strongly urge the Commission not to prohibit GMRS portable devices

from operating at more than two watts ERP, as proposed (cf. paragraph 32). I submit that the risk of RF exposure is a matter about which little scientific consensus exists and about which people hold widely varying views. Under current rules, people have a choice between widely available, low cost equipment that meets RF exposure limits for the general public and equipment that may exceed those limits, but is well suited to particular operating requirements. I argue that such choice should be preserved, and that, given prevailing equipment offerings, permitting GMRS operation in excess of two watts ERP will not likely cause those concerned about RF exposure unwittingly to incur greater exposure than their informed judgment would allow.

As I discuss above, I particularly value GMRS repeater operation. Accordingly, I strongly urge the Commission not to prohibit GMRS repeater operation (cf. paragraph 34).

Narrowbanding GMRS Channels

My GMRS equipment is capable of and indeed configured for narrowband operation. I raise no objection to the Commission's proposals regarding narrowbanding (cf. paragraph 37). I commend the Commission's soliciting the views of repeater operators (which I am not) regarding these proposals.

Conclusion

I thank the Chairman, Commissioners and staff of the Federal Communications Commission for the opportunity to offer these comments and for their gracious consideration of same.

Respectfully submitted,

/s/ Keith Landovitz

3 September 2010