

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

In the Matter of)	
)	
Consumer & Governmental Affairs Bureau)	CG Docket No. 11-99
Seeks Comment on Termination of Certain)	
Proceedings as Dormant)	
)	

To the Commission:

**Comments from Nikolaus E. Leggett, N3NL
Original Petitioner in Docket RM-10412**

I am the petitioner in the docket, RM-10412, Request Amendment of the Commissions Rules regarding Field Repair Requirements for Commercially-built Transmitter and Transceiver Equipment for the Amateur Radio Service. I submitted this petition to the Commission on February 11, 2002 to promote additional experimentation and innovation in the Amateur Radio Service. In Docket 11-99, the Commission has proposed terminating this docket.

I am also one of the original petitioners for the establishment of the Low Power FM (LPFM) radio broadcasting service (RM-9208 July 7, 1997 subsequently included in MM Docket 99-25). I am also a certified electronics technician (ISCET and iNARTE) and an Extra Class amateur radio operator (call sign N3NL). I hold an FCC General Radiotelephone Operator License with a Ship Radar Endorsement.

I am an inventor holding three U.S. Patents. My latest patent is a wireless bus for digital devices and computers (U.S. Patent # 6,771,935). I invented this invention based on my experience in amateur radio.

I have a Master of Arts degree in Political Science from the Johns Hopkins

University (May 1970).

RM-10412

I am proposing that Docket RM-10412 be retained in an open status and not terminated. This would allow various parties to submit new comments on regulatory steps that would increase and enhance the inventive and innovative aspects of the Amateur Radio Service.

For example, I would like to submit comments proposing “technical freedom sub bands” to encourage highly innovative amateur radio experimentation. Refer to Appendix A of this document for a summary of this proposal.

Alternatively, the Commission can terminate RM-10412, and I will then file a new petition requesting the creation of technical freedom sub bands within some of the allocations of the Amateur Radio Service.

The Basic Question for the FCC

The basic consideration in Docket 11-99 is how should the Commission treat its published deadlines for comments and what is the purpose of keeping dockets open for comment for long periods of time. My impression has been that the Commission has wanted the public to submit comments by the posted due dates for prompt and efficient consideration.

However, I have noticed that many dockets have been kept open for years available for additional public comments. This causes confusion on the part of the public about what the status of the numerous late-filed comments actually is. Are these late-filed comments of lesser legal status than the comments that were filed by the published due dates? Many members of the public have expended resources to create these late-

filed comments. Are they wasting their efforts on dockets that are in reality already legally closed?

Recommended Actions

I recommend that the FCC clarify the status of comments filed in a timely manner (filed by the due dates) as compared to the status of comments filed after the due dates. In addition, the Commission should publish specific and clear due dates instead of publishing documents stating that comments are due X days after publication in the Federal Register. Such due dates are ambiguous and confusing to the public. The Federal Aviation Administration provides specific dates by waiting until its rulemaking proceedings are published in the Federal Register. The Commission could do the same.

The Commission also should clarify what the purpose is for leaving dockets open. This would allow the public to have a reasonable expectation about submitting late-filed documents.

If the Commission is going to continue to leave dockets open for comments after the formal comment due dates have passed, then I request that my docket RM-10412 be left open for additional public comments.

Respectfully submitted,

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Appendix A - Amateur Radio Regulations and Inventing New Technology

There is reason to believe that the current amateur radio regulations may be

inhibiting amateur radio experimentation, innovation, and invention. This is probably occurring because the amateur radio regulations are so specific that they do not readily accommodate truly novel communications modes and technologies.

Technical Freedom Sub-Bands

Perhaps there should be “technical freedom” sub-bands within some of the larger amateur radio allocations where any type of emission is legal as long as the radiated waves are constrained within the amateur radio frequency allocations. This would allow amateur radio experimenters to have the freedom to try everything in the basically playful task of inventing outside of the box of conventional thought. For example, I would like to work with a modernized spark-source technology for the generation and modulation of radio waves. This technology would be highly resistant to the damaging effects of intense solar storms or electromagnetic pulse (EMP) attacks. This technology is currently illegal even though it may prove to be quite useful for communications and supportive of national security.

Commission supervision of such novel emissions would be carried out by having the stations emitting such experimental emissions also transmit their call signs and a brief description of the experiment using a conventional transmission mode such as Morse Code, RTTY, or PSK. This identification would be transmitted every 10 minutes during the test period or communications contact (QSO). An example of this is: N3NL
BROADBAND SPARK EMISSION EXPERIMENT.
