UNITED STATES OF AMERICA

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, DC 20554

Emergency Communications by	**)**	
Amateur Radio Service Operators	**)**	**Docket No. 12-91**

REPLY COMMENTS OF DON SCHELLHARDT, ESQUIRE KI4PMG

I am the President of HAMS FOR ACTION: a Net-based, nationwide citizens' advocacy group which was active from 2006 to 2008 and has been recently revived to address the proceedings in FCC Docket 12-91. We advocate *reasonable* regulation of ham antennas by HOAs and landlords: not *de*regulation of ham antennas, but rather a reasonable balance between deregulation and the total bans on ham antennas which now prevail in so many American neighborhoods.

HFA filed Written Comments in this Docket on April 30, 2012. In these personal Written Comments, however, I speak only for myself.

I hereby respond to the May 2, 2012 Written Comments of KATHY WILCOX, a Homeowners' Association Vice President whose location and organizational affiliation are not revealed. She tells the "horror story" of a ham who erected a tall antenna *and* clearcut his yard to do it. Both actions defied HOA regulations. Thereafter, neighbors began to suffer from electronic interference with their Internet service *and* their television sets *and* their landline telephones.

I make the following points:

(1.) This is *not* a typical situation. It is *not* a preview of what most HOA-governed neighborhoods can expect if HOA antenna restrictions are tempered by government action.

For one thing, the ham himself is not typical. The vast majority of hams are courteous and law-abiding individuals who would never violate HOA regulations in such an extreme and brazen manner.

Certainly, no ham has been encouraged, by either HAMS FOR ACTION or the AMERICAN RADIO RELAY LEAGUE, to flout HOA restrictions. These Amateur Radio Service organizations work to *change* unreasonable regulations. We don't encourage hams to violate them.

The other atypical element is the *range* of the reported interference. Computers *and* television sets *and* landline telephones? It is true that sometimes, because of a manufacturing defect in the affected equipment, interference can occur. This was actually a common problem with television sets in the 1970's, until a law written by the late Senator Barry Goldwater (R-AZ and a ham) was enacted and *television set manufacturers* were required to start manufacturing their equipment correctly. Since that law was enacted, reports of ham interference with television sets have become rare. This report of interference with television sets *and* computers *and* landline telephones is -- frankly -- bizarre.

(2.) Nevertheless, *if* the ham is willing to cooperate with his neighbors, the mystery can probably be solved -- and the problem can probably be resolved.

The first thing the ham could try would be lowering his power output. *If* excessive power output alone is the problem, the interference should abate as the ham powers down.

(Of course, power output high enough to cause *this* kind of multi-technology Interference might mean that the ham has been flagrantly violating *FCC* regulations as well as HOA regulations. Personally, as a former GS-15 Policy Advisor on global warming at the U.S. Environmental Protection Agency, I am automatically suspicious of any man who is so indifferent to future generations that he clearcuts his own yard.)

In any event:

If powering down doesn't abate the interference, the ham could find, purchase and install filters on all of his neighbors' affected equipment. This would be something like "putting a shield over the equipment".

If, after taking these steps, the interference persists, the ham can "call in the calvary". That is, he can seek expert technical advice from the AMERICAN RADIO RELAY LEAGUE.

ARRL's technical experts can be contacted through the following Web Site:

http://www.arrl.org/radio-frequency-interference-rfi

(3.) If, after he has been offered the opportunity to do so, the ham in question refuses to cooperate, Ms. Wilcox could and should file a complaint with the Enforcement Bureau of the FCC. Something is seriously wrong here -- and the FCC *will* find the explanation, *and* the solution, *and* if appropriate an appropriate penalty, if the ham is not willing to take responsibility for working out a solution with his neighbors.

My key point -- once again -- is that the reported situation is *not* typical. There is no reason for neighbors to fear rampant electronic interference if a ham antenna is erected under *reasonable* regulations.

My secondary point -- once again -- is that reasonable regulation of ham antennas, not *de*regulation of ham antennas, is all that I am seeking as a ham.

Respectfully submitted,

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Dated: May 2, 2012