

To the Commission:

The responds to the Opposition of Current, filed today, responding to ARRL's Petition for Reconsideration. It is clear from the regulatory history in this proceeding that Current is treating the Commission as its customer service department, whereas, the ARRL is insisting the Commission live up to its duty as Current's regulator. Current is suggesting that one could prove a negative (one cannot) with anecdotal 'evidence' that there should be no reconsideration in these proceedings; ARRL is only insisting the Commission just do the right thing in abiding by what evidence proves beyond any reasonable doubt.

Current is focused on markets and relationships; ARRL is focused on hard-nosed irrefutable science regarding interference which shall result if these devices are proliferated. The Courts defer to the Commission in the performance of its regulatory obligations because it is supposed to act in a technically justifiable manner as an expert. However, when the Commission accedes to requests such as Current's, it ceases being a technical expert for which Courts should give any deference, devolving instead into a marketing and customer service department for the industries to which it is captured, warranting no greater credibility than any other cheerleader in the eyes of the Courts. The Commission should clearly be aware that industry has its own marketing and customer service departments, so by duplicating such services with industry, taxpayer funds are abused and wasted by the Commission. Because I would prefer the Commission retain a reputation for technical expertise, I pray the Commission disagrees with Current and instead seriously considers the science ARRL proffers. For these reasons, given the science in this matter abundantly supports ARRL's positions, I support ARRL's Petition for Reconsideration.

Respectfully submitted:

/s./ James E. Whedbee, M.Ed., M.P.A.

NOECN