

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC 20554

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|--|---|----------------------|
| In the matter of |] | |
| Amendment of the Amateur Service Rules |] | WT Docket No. 12-283 |
| Governing Qualifying Examination Systems |] | |
| And Other Matters |] | FCC 12-121 |

COMMENTS OF DAVID B POPKIN

To the Secretary:

The following comments are in response to the Commission's request for same in WT Docket 12-283, which incorporates RM-11629 and RM-11625.

Proposed Section 97.21[b] proposes to change the grace period during which an Amateur Radio operator may file for renewal of their license from two years following the expiration date of their license to 180 days.

The proposed rule is silent and how the Commission will transition from the two year grace period to the 180 day grace period. It would appear that the rule will change the grace period from two years to 180 days IMMEDIATELY upon the effective date of the rule change.

Should this be the intention of the Commission, it will deprive a former licensee of the full two year period that existed for that licensee at the expiration of their license. For example, assume that an Amateur Radio license expired on October 1, 2012, and was not renewed in a timely manner during the 90 days prior to the expiration date. Under the present rules, the licensee may file for renewal during the during the present two

year grace period expiring on October 1, 2014. Assume that the proposed rule becomes effective on any date between March 30, 2013, and October 1, 2014, the licensee would be deprived of the ability to renew their license as a result of the change in rules that took place after the expiration date of their license.

To determine the number of licensees that would be affected by this change, I have evaluated the data provided on www.qrz.com/page/expired.html shows in column 2 the number of licensees in each of the ten call areas that have expired in the past 30 days and column 3 shows the number of licensees in each of the ten call areas that will reach the two year grace period in the next 30 days.

Since each of these figures represents a 30-day period, the total number of licensees that are affected would be between the two total entries multiplied by 18 since the approximate change on the grace period would be an 18 month period. The affected number would be between 18,504 and 26,514.

| AREA | EXPIRED IN PAST 30 DAYS | 2 YEAR GRACE PERIOD EXPIRES IN NEXT 30 DAYS |
|-------|-------------------------|--|
| | | |
| 1 | 80 | 64 |
| 2 | 102 | 62 |
| 3 | 63 | 55 |
| 4 | 284 | 164 |
| 5 | 159 | 144 |
| 6 | 243 | 149 |
| 7 | 180 | 140 |
| 8 | 110 | 91 |
| 9 | 113 | 47 |
| 0 | 139 | 112 |
| | | |
| TOTAL | 1473 | 1028 |

I would suggest that licensees that are entitled to a two year grace period at the expiration date of their license continue to maintain that two year grace period and that only licensees whose license expires on or after the effective date of the new rule [should it be approved] be subject to the 180 day grace period.

Based on the large number of licensees that appear to be in the two year window after expiration, it would appear that the two year grace period should be maintained.

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