

This rulemaking 01-289 FCC 13-2 by the FCC is inappropriate for a number of reasons:

- 1.The agency has “snuck” it in place, without adequate notice to interested parties and a minimal comment period which purposely excludes the opportunity for most of those who will be affected to become aware of the proposal and top make comments.
- 2.The agency is venturing outside of its authority by attempting to regulate an aviation matter.
- 3.The agency's interest in use of the spectrum for purposes of “safety” does not extend to the methods in which signals are monitored or remain unmonitored, and measures taken by agencies after those electronic signals have been received or ignored.
- 4.Banning of the use of 121.5 MHz ELTs, thus grounding vast number of aircraft or requiring the expenditures of large sums of money to remain operative, will impose a hardship on a variety of entities and will be destructive to what remains of the economically challenged aviation industry.
- 5.Supply of an ample number of 406 MHz ELTs if use is mandated by the FCC.
- 6.The FAA and industry groups have previously asked the FCC to abandon its ill-conceived proposal.