

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Amendment of Part 97 of the)
Commissions Amateur Radio)
Service Rules to Permit Greater) RM-11708
Flexibility in Digital Data)
Communications)

To: Chief, Wireless Telecommunications Bureau
VIA: ECFS

2 January 2014

Comments of Mark Richards, K1MGY

The undersigned, Mark Richards, respectfully offers comments concerning the above mentioned Rulemaking Petition.

1. In the matter of digital communications, existing regulations in the Amateur Radio Service appear to be contrary to the spirit of the Amateur Service charter, in that they prevent improvement of data rate and reliability and therefore very much limit any advancement of the Art. The time has long since passed for addressing the use of digital modes. The FCC's approach would be wise to address both immediate needs and provide for future experimentation and development of the Amateur Radio Service.
2. Applying the regulatory change that the ARRL requests will answer the immediate need. But I am not convinced it will well serve the future. The League may be approaching the question with the assumption that the current paradigm in place – where the FCC regulates the Amateur Radio Service to a rather fine degree – is productive for the advancement of the Service. Although I do not propose “hands off” on this question, I do think the FCC would improve matters by, to a considerable degree, stepping aside, whilst maintaining that operating and bandwidth usage standards be upheld.
3. Some insight may be understood when we consider existing rules in the UK, where there is no regulatory control of emission modes. The UK's Amateur License provides this guidance:

"The bandwidths of emissions should be such as to ensure the most efficient utilisation of the spectrum. In general this requires that bandwidths be kept at the lowest values which technology and the nature of the service permit. Where bandwidth-expansion techniques

are used, the minimum spectral power density consistent with efficient spectrum utilisation should be employed."

This simple regulation works in the UK and within the complex spectrum in their neighbourhood, the EU. That such a simple construct has not been considered for US licensed Amateurs seems beyond mere geographical differences and may be better explained within political, rather than practical, realms. 2014 would be a good year to change course, and allow Amateur Radio to grow, without such limiting regulation on digital communications as currently exists.

4. I am in support of the ARRL's petition, but would be more encouraged had the League taken a wider approach to this matter. My preference is towards a reduction in regulation with a leaning towards best practices and self-regulation, perhaps by structuring the same guidance as that in the UK. The Amateur Radio community is sufficiently responsible and self-policing. It would be wise for the Commission to step out of the way and permit Amateurs to experiment within the simple prescribed limits of "efficient utilization of the spectrum", as in the UK's rules. As other comments note, existing FCC rules and regulations limiting, for example, automatic operation in the HF bands, will serve to prevent mayhem.

Respectfully Submitted

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