

FCC ANNOUNCES (Cont'd):

One report said that IRAC allegedly promised to release the frequencies between 27.540 and 28 MHz to the FCC for Sideband-only use "in a year or two", but only IF people would vacate and stay off those frequencies in the meantime.

FCC DELAYS NPRM; SSB FREQS DOUBTFUL

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SIDEBAND RADIO DIGEST

(By Chuck Hensarling, Washington State CB Radio Assoc.)

As far as the FCC is concerned, the proposal for a more disciplined "special license SSB hobbyist radio sub-service" at 27.MHz is essentially dead.

It has been learned that the present version of the Notice of Proposed Rule-Making (NPRM) calls for a mere expansion of the present CB Radio Service to add a few additional channels in the frequency band above Channel 40 (27.41 to 27.54 MHz).

Special licensing and testing for a SSB sub-service is no longer under consideration.

There is major opposition to any type of expansion at 27 MHz within the FCC. This was confirmed by Mr. Ronald Stone, Chief of the Policy Development Division, FCC Private Radio Bureau, on May 1, 1980.

The reason given for this change in policy, is that there are no funds available to implement new programs. Although the comments on the petitions by potential users of the SSB radio service indicated a willingness to pay a fee for special licensing and testing, this has been rejected. The FCC Office of General Counsel has ruled that a fee cannot be collected for this type of license until a fee schedule has been established for all types of FCC licenses. The FCC has not charged any fees for licenses since the courts ruled their fees for various licenses were unfair and arbitrary. The FCC has not yet developed new fee schedules in accordance with the court guidelines.

According to Stone, the only way the original proposal could be restored, is if the funds are made available to finance the new program. The FCC could ask Congress for a budget supplement to support the program, but this action is unlikely in view of recent budget cuts and "the Commission policy in this regard."

Congress could provide the necessary funding and direct the FCC to implement the new program, if enough people would request it.

Information now indicates the NPRM in its revised version won't be released to the public until July, 1980, at the earliest.

As this writer sees it, the latest turnabout of the FCC concerning the SSB radio service at 27 MHz, is a disappointment, not only because it appears that we have lost, but because it raises serious questions as to the integrity of the FCC as a Government agency.

FCC DELAYS (Cont'd):

On the one hand, the FCC is spending a great deal of time, effort, and tax-payer funds to encourage public participation in rule-making proceedings. Meanwhile, when the public does participate, it does not appear to have any effect on the actions of the FCC as an agency.

There are some sincere individuals in the FCC who do attempt to act in the overall public interest. However, there are several major Offices and Bureaus within the FCC that have to approve a proposal. Individuals in any one of these can effectively block or indefinitely delay action on a proposal which they oppose.

At the public hearing before the Commission on Dec. 19, '79, concerning SSB frequencies, the various FCC Bureaus and Offices had the opportunity to publicly present their views in opposition to the proposal. It had been undergoing coordination and study by the FCC staff for over seven months.

At the public hearing, there was no significant opposition to the proposal. However, after the Commissioners essentially approved the SSB proposal, those who opposed it began their opposition in earnest. This opposition is being conducted under the cloak of secrecy to prevent scrutiny by the public.

It is the same old story being repeated again. The manufacturer and amateur lobby will have their way, and the public be damned. Statements that there are no funds for new programs is simply standard procedure for Government agencies when they don't want to do something.

I believe that merely submitting comments on the NPRM, when and if it is released, will not change anything.

It simply does not make sense to confine the estimated 50 million personal radio service users to only 40 channels when unused frequencies are available. The FCC has a basic responsibility to Congress to allocate and administer the available frequency spectrum in the overall best interests of the public. If the FCC requires additional funding to carry out their programs, only Congress can authorize it.

Once the ill fated NPRM is released, we are going to have to make a decision on whether to capitulate to a bureaucratic Government agency, or take the fight to Congress again.

The question is whether there are enough people left that would make a commitment to attain the goal.

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