

BOOTH, FRERET, IMLAY & TEPPER, P.C.

ATTORNEYS AT LAW

ROBERT M. BOOTH, JR. (1911-1981)
JULIAN P. FRERET (1918-1999)
CHRISTOPHER D. IMLAY
CARY S. TEPPER

BETHESDA OFFICE:
7900 WISCONSIN AVENUE, SUITE 304
BETHESDA, MD 20814-3628
TELEPHONE: (301) 718-1818
FACSIMILE: (301) 718-1820
TEPPERLAW@AOL.COM

SILVER SPRING OFFICE: ✓
14356 CAPE MAY ROAD
SILVER SPRING, MD 20904-6011
TELEPHONE: (301) 384-5525
FACSIMILE: (301) 384-6384
BFTTPC@AOL.COM

February 14, 2007

Via ECFS Filing Only

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445-12th Street, S.W.
Washington, D.C. 20554

Attention: Wireless Telecommunications Bureau

Re: Notice of Oral Ex Parte Presentation, RM-11306

Greetings.

On Tuesday, February 13, 2007, representatives of ARRL, the National Association for Amateur Radio (ARRL), met with several members of the staff of the Commission's Mobility Division, including Scot Stone, Esquire; Roger Noel, Esquire (via speakerphone); Cathleen A. Massey, Esquire, Deputy Chief, WTB, and Mr. William B. Cross, relative to the above-referenced rulemaking proceeding.

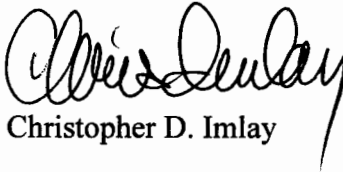
The purpose of the meeting was to present and discuss some proposed modifications to the *Petition for Rule Making* filed by ARRL on November 14, 2005. The Petition was placed on public notice January 6, 2006 and afforded file number RM-11306. The changes in the Petition, specifically to the proposed Appendix to the Petition, advocated at this meeting by ARRL were necessitated by intervening rule changes dealing with operating privileges that the Commission adopted in the Part 97 rules since the filing of the ARRL Petition in WT Docket Nos. 04-140 and 05-235. Absent the modification, the Petition as filed would result in some unintended consequences. ARRL urged that the Commission adopt, in effect, a subset of the rules initially proposed in the Appendix to the Petition. The rules now proposed by ARRL as set forth in the attached *revised* Appendix.

ARRL attendees at this meeting included Joel Harrison, President; David Sumner, Executive Vice President; Paul Rinaldo, Chief Technology Officer, and Christopher Imlay, General Counsel.

Marlene H. Dortch, Secretary
Page Two
February 14, 2007

Questions concerning the foregoing ex parte statement should be addressed to the undersigned counsel.

Yours very truly,

A handwritten signature in black ink, appearing to read "Chris Imlay", written in a cursive style. The signature is positioned above the printed name "Christopher D. Imlay".

Christopher D. Imlay

cc: (with attachment)
Scot Stone, Esquire
Cathleen Massey, Esquire
Roger Noel, Esquire
Mr. William Cross

APPENDIX A

PROPOSED RULE CHANGES

Part 97 of Chapter I of Title 47 of the Code of Federal Regulation is proposed to be amended as follows:

Section 97.3(a)(8) is amended to read as follows:

(8) *Bandwidth*. For a given class of emission, the width of the frequency band which is just sufficient to ensure the transmission of information at the rate and with the quality required under specified conditions (*See the definition of Necessary Bandwidth in Section 2.1 of this Chapter and Section 97.101(a) of this Part*).

Section 97.3(a)(42) is amended to read as follows:

(42) Spurious Emission. For the purposes of this Part, emission on a frequency or frequencies which are outside the allocated frequency band and which may be reduced without affecting the corresponding transmission of information. Spurious emissions include harmonic emissions, parasitic emissions, intermodulation products and frequency conversion products.

Section 97.119 is amended to read as follows:

§ 97.119 Station identification.

(b)...

(1) By a CW or MCW emission. When keyed by an automatic device used only for identification, the speed must not exceed 20 words per minute;

(2) Where phone emissions are permitted, by a phone emission in the English language. Use of a standard phonetic alphabet as an aid for correct station identification is encouraged;

(3) By the same emission as used for the communication.

(4) (Deleted)

Section 97.221 is amended to read as follows:

§ 97.221 Automatically controlled stations transmitting RTTY or data emissions.

(c) A station transmitting a RTTY or data emission may be automatically controlled on any other frequency authorized for such emission types provided that the station is responding to interrogation by a station under local or remote control.

(1) (Deleted)

(2) (Deleted)

Section 97.305 is amended to read as follows:

§ 97.305 Authorized emission types.

(b) A station may transmit a test emission on any frequency authorized to the control operator for brief periods for experimental purposes. Test transmissions are authorized in the segments 51-54 MHz, 144.1-148.0 MHz and on all bands above 222 MHz.

(c) Pulse emissions are permitted on all bands authorized to the control operator above 902 MHz except in the 23 cm and 3 cm bands.

(d) SS emissions are permitted on all bands authorized to the control operator above 222 MHz.

(e) A station may transmit the following emission types on the frequencies indicated, as authorized to the control operator, subject to the standards specified in § 97.307(f) of this part; except that on frequencies below 28.0 MHz, a Station having a control operator holding a Novice Class or Technician Class operator license may only transmit a CW emission using the international Morse code.

Wavelength band	Frequencies	Emission Types Authorized	Standards, see §97.307(f), paragraph:
<i>MF:</i>			
160 m	Entire band	RTTY, data	(3)
-do-	-do-	Phone, image	(1), (2)
<i>HF:</i>			
80 m	Entire band	RTTY, data	(3)
75 m	Entire band	Phone, image	(1), (2)

40 m	7.000-7.125 MHz	RTTY, data	(3)
40 m	7.075-7.100 MHz	Phone, image	(1), (2), (4)
40 m	7.125-7.300 MHz	Phone, image	(1), (2)
30 m	Entire band	RTTY, data	(3)
20 m	14.00-14.15 MHz	RTTY, data	(3)
-do-	14.15-14.35 MHz	Phone, image	(1), (2)
17 m	18.068-18.110 MHz	RTTY, data	(3)
-do-	18.110-18.168 MHz	Phone, image	(1), (2)
15 m	21.0-21.2 MHz	RTTY, data	(3)
-do-	21.20-21.45 MHz	Phone, image	(1), (2)
12 m	24.89-24.93 MHz	RTTY, data	(3)
-do-	24.93-24.99 MHz	Phone, image	(1), (2)

(f) Except as otherwise provided in this Section, a station may transmit any emission on any frequency authorized to the control operator subject to the following bandwidth limitations:

Wavelength band	Frequencies authorized	Maximum bandwidth	Standards See §97.307(f) paragraph:
10 m	28.00-28.05 MHz	200 Hz	
-do-	28.05-28.120 MHz	500 Hz	
-do-	28.120-29.0 MHz	3 kHz	(5)
-do-	29.0-29.7 MHz	16 kHz	
6 m	50.0-50.1 MHz	200 Hz	
-do-	50.1-50.3 MHz	3 kHz	
-do-	50.3-54 MHz	100 kHz	
2 m	144.0-144.1 MHz	200 Hz	
-do-	144.1-144.3 MHz	3 kHz	
-do-	144.3-148.0 MHz	100 kHz	
1.25 m	219-220 MHz	100 kHz	
-do-	222-225 MHz	-	(6)
70 cm	Entire band	-	(6)
33 cm	Entire band	-	(6)
23 cm	Entire band	-	(6)
13 cm	Entire band	-	(6)

9 cm	Entire band	-	(6)
5 cm	Entire band	-	(6)
3 cm	Entire band	-	(6)
1.2 cm	Entire band	-	(6)
6 mm	Entire band	-	(6)
4 mm	Entire band	-	(6)
2.5 mm	Entire band	-	(6)
1 mm	Entire band	-	(6)
-	Above 275 GHz	-	

Section 97.307(f) is amended to read as follows:

§ 97.307 Emission standards.

(f) The following standards and limitations apply to transmissions on the frequencies specified in § 97.305(e) and (f) of this Part.

(1) No angle-modulated emission may have a modulation index greater than 1 at the highest modulation frequency.

(2) No non-phone emission shall exceed the bandwidth of a communications quality phone emission of the same modulation type. The total bandwidth of an independent sideband emission (having B as the first symbol), or a multiplexed image and phone emission, shall not exceed that of a communications quality A3E emission.

(3) The bandwidth of a RTTY or data emission must not exceed 3 kHz.

(4) Phone and image emissions may be transmitted only by stations located in ITU Regions 1 and 3, and by stations located within ITU Region 2 that are west of 130° West longitude or south of 20° North latitude.

(5) The 3 kHz maximum bandwidth does not apply to double-sideband amplitude-modulated phone A3E emissions.

(6) No specific bandwidth limitations apply except that the entire emission must be within the allocated band to meet the requirements of §97.307(d).

Section 97.309 is amended to read as follows:

§ 97.309 RTTY and data emission codes.

(a) Where authorized by §97.305(e) and (f), an amateur station may transmit a RTTY or data emission using published digital codes for the purpose of facilitating communications.

(b) When deemed necessary by the FCC's Enforcement Bureau to assure compliance with the FCC Rules, a station must:

(1) Restrict transmissions of any digital code to the extent instructed; and

(2) Maintain a record, convertible to the original information, of all digital communications transmitted.