

Before the  
**Federal Communications Commission**  
Washington, D. C.

In the matter of: )  
)  
Amendment of the 47CFR97 Amateur )  
Radio Service and/or Amendment of the ) RM-10521  
47CFR95 Subpart B Family Radio Service )  
to Permit Non-Amateur Radio Non-United )  
States Foreign Nationals Access to the )  
446.0-446.1 MHz Band )

**COMMENTS OF REC NETWORKS**

1. REC Networks ("REC") is a supporter of locally owned and diverse radio. REC currently operates several Internet only streams including Anime Hardcore Radio 1, Anime Hardcore Radio 2 and Hardcore J. These stations feature primarily Japanese language music programming targeted to an English speaking audience. REC also operates several websites including the original LPFM Channel Search Tool. REC Networks also represents the interests of independently owned Low Power FM ("LPFM") broadcast stations and their listeners. The author of these comments also holds an Advanced Amateur Radio license, K7REC.
2. REC opposes the petition by Dr Michael C. Trahos ("petitioner") to allow foreign nationals to operate CEPT approved PMR446<sup>1</sup> radios within the United States.
3. REC acknowledges that the average users of the PMR446 radios as well as users of Family Radio Service<sup>2</sup> ("FRS") equipment are not radio hobbyists and therefore have little to no knowledge of the radio spectrum and the different ways it is used around the world.

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1 - See CEPT decisions (ERC/DEC/(98)25), (ERC/DEC/(98)26) and (ERC/DEC/(98)27).

2 - See Family Radio Service (§95.191 through §95.194).

4. Since the PMR446 radios are compact in size, similar to our FRS radios<sup>3</sup>, they can be easily packed into a suitcase and transported internationally, therefore they have the potential of being illegally used within the United States<sup>4</sup>. On the same token, it is also possible that FRS and CB radios can be illegally transported into foreign countries and used in violation of the laws of the foreign administration.
5. The CEPT bandplan for the PMR446 radios consist of eight 12.5 kHz simplex channels between 446.0-446.1 MHz<sup>5</sup>. In the United States ITU Region 2 areas, this spectrum is allocated to the Amateur Radio Service on a secondary basis and to Government Radiolocation on a primary basis.
6. According to the ARRL Bandplan for the 440 MHz (70cm) Amateur Radio Service band, the center frequency 446.0 is the National Simplex Calling Channel<sup>6</sup>. Other channels in the 446.0-446.1 spectrum can be used for simplex or for repeater inputs or outputs.
7. The potential of reception of U.S. PMR446 transmissions by repeater and remote base receivers can create illegal intentional<sup>7</sup> or unintentional interference into repeater networks. Since PMR446 radios are permitted to use CTCSS<sup>8</sup>, even "PL'd" repeater inputs are vulnerable to interference.
8. The authorized 500mW power<sup>9</sup> of PMR446 is enough to "key" a nearby or mountain-top repeater, even if the center frequency is offset as shown in the PMR446 band plan.

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3 - (ERC/DEC/(98)25) at 3 requires a PMR446 to have an antenna integrated with the unit. This would make it very likely that PMR446 units are very compact in size intended to be held in the palm of the hand. A design very similar to United States FRS radios.

4 - Many administrations use FM for their 27 MHz Citizens Band service. Part 95 does not permit the use of FM CB Radios within the United States therefore making CB radios imported into the United States from foreign countries illegal. Many countries, including the United States require that CB radios be type accepted or approved by the administration.

5 - (ERC/DEC/(98)25) decision at 2.

6 - See <http://www.arrl.org/FandES/field/regulations/bandplan.html#70cm>

7 - If a PMR446 user transmits, it is very possible that it can be used to communicate with licensed amateur stations either simplex or duplex (through a repeater). The duplex effect can be achieved by the PMR446 user using a scanner to receive the output of the repeater they are attempting to communicate through.

8 - UK Radiocommunications Agency ("RA") Info Sheet RA357 at 6 where the RA "strongly recommends" the use of "CTCSS, DCS and/or selective calling".

9 - (ERC/DEC/(98)25) decision at 3.

9. If the Commission authorizes non-amateur use of PMR446 radios in the United States, it could set a precedence for "citizens" radio services from other administrations to be permitted in the United States, which could cause harmful interference to other radio services, outside of Amateur Radio<sup>10</sup>.
  
10. REC feels that the problem can be better controlled by educating foreign visitors to leave their radios at home as well as additional training of U. S. Customs agents to be able to better identify PMR446 equipment being illegally imported into the United States. The Information Sheet released by the United Kingdom's Radiocommunications Agency clearly states that users should check with the foreign administrations to inquire on the legality of using PMR446 equipment in that country<sup>11</sup>.
  
11. Based on the harmful interference that would be caused to the Amateur Radio Service including disaster communications as well as the harmful precedence this proposal can drive, REC urges the Commission to **DENY** this petition without further review.

Respectfully Submitted,

/S/

Richard Eyre-Eagles, K7REC for

**REC Networks**

P O Box 3002

Scottsdale AZ, 85271-3002

[rec@recnet.com](mailto:rec@recnet.com)

<http://www.recnet.com>

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10 - In Australia, 476.5-477.475MHz is used for a low power personal radio service, in the USA; this would interfere with television broadcasting or land mobile services. In Japan, spot frequencies are used in the 27MHz band that are different than the channels used in the USA. Japan also has a low power (10mW) personal radio service at 421.8125-422.300MHz and a 5W allocation at 903-905 MHz, which would be in the Amateur Radio bands in the USA. The United Kingdom also has a personal radio service at 934 MHz.

11 - UK Radiocommunications Agency ("RA") Info Sheet RA357 at 10.