

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
CLIFFORD S. ZIPNICK	)	
	)	File No. 0001403441
Application to Modify the Call Sign of	)	
Amateur Station KI4BSJ	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: February 27, 2004**

**Released: March 4, 2004**

By the Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau:

1. On August 1, 2003, the Licensing and Technical Analysis Branch (Branch) of the former Public Safety and Private Wireless Division<sup>1</sup> granted the above-captioned application it received from the American Radio Relay League, Inc., Volunteer Examiner Coordinator (ARRL-VEC). This application requested, among other things, that the call sign assigned to the Amateur Radio Station of Clifford S. Zipnick (Zipnick) be changed to the next available sequentially assigned call sign assignable to Zipnick's station. ARRL-VEC has informed us that Zipnick did not and does not want the call sign assigned to this station changed and that its request that we change the station's call sign was an error. According to the ARRL-VEC, Zipnick requested that it file an application on his behalf only modifying his mailing address. To correct this error, we propose to modify Zipnick's amateur radio station license to show the call sign "KE4FGA", which also was the call sign assigned to Zipnick's amateur station prior to the grant of the captioned application.

2. By way of background, we note that amateur station call signs are initially assigned to a station based on the licensee's class of operator license and mailing address.<sup>2</sup> We also note that generally, the Commission will not change the call sign assigned to an amateur station unless the station licensee specifically requests that a vanity call sign or another sequentially assigned call sign be assigned to the station.<sup>3</sup> However, in that the request to change the call sign assigned to Zipnick's station was an error, we propose to modify Zipnick's station license, currently showing a call sign as "KI4BSJ", to show the call sign "KE4FGA", which was the call sign previously assigned to Zipnick's amateur radio station.

<sup>1</sup> The Commission reorganized the Wireless Telecommunications Bureau effective November 13, 2003, and the relevant duties of the Public Safety and Private Wireless Division were assumed by the Public Safety and Critical Infrastructure Division. *See* Reorganization of the Wireless Telecommunications Bureau, *Order*, FCC 03-291 ¶ 2 (rel. Nov. 25, 2003).

<sup>2</sup> *See* 47 C.F.R. § 97.3(a)(11).

<sup>3</sup> *See* 47 C.F.R. § 97.21(c).

3. We believe that Section 316(a)(1) of the Communications Act of 1934, as amended (the Act), provides the appropriate vehicle for resolving this matter.<sup>4</sup> Section 316(a) permits the Commission to modify a station license if the action will promote the public interest, convenience, and necessity.<sup>5</sup> In this connection, we note that the proposed modification would serve the public interest by ensuring that call signs are changed only when requested by the licensee.

4. In accordance with Section 97.27(b) of the Commission's Rules,<sup>6</sup> we will not issue a modification order until Mr. Zipnick has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, Zipnick must, within thirty days of the release date of this *Memorandum Opinion and Order*, submit a written statement with sufficient evidence to show that the modification would not be in the public interest. The protest must be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., Room TW-A325, Washington, DC 20554.<sup>7</sup> If no protest is filed, Zipnick will have waived his right to protest the modification and will be deemed to have consented to the modification.

5. ACCORDINGLY, IT IS PROPOSED, pursuant to Sections 4(i) and 316 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 316, and Sections 1.87 and 97.27 of the Commission's Rules, 47 C.F.R. §§ 1.87, 97.27, that the Amateur Radio Station license of Clifford S. Zipnick BE MODIFIED by changing the call sign from KI4BSJ to KE4FGA.

6. IT IS FURTHER ORDERED that this *Memorandum Opinion and Order* shall be served by certified mail, return receipt requested, to Clifford S. Zipnick, P.O. Box 742001, Boynton Beach, FL 33474.

7. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATION COMMISSION

D'wana R. Terry

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<sup>4</sup> 47 U.S.C. § 316(a)(1).

<sup>5</sup> *Id.*

<sup>6</sup> 47 C.F.R. § 97.27(b).

<sup>7</sup> The address for Commission locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only at our new location at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service, Express Mail, and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743. See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).

Chief, Public Safety and Critical Infrastructure  
Division  
Wireless Telecommunications Bureau