



Federal Communications Commission
Washington, D.C. 20554

November 30, 2009

DA 09-2509

Arthur Connole
Chief of Police
Draper City Police Department
1020 East Pioneer Road
Draper, UT 84020

Dear Chief Connole:

This letter grants your request, dated November 13, 2009, on behalf of the Draper City Police Department for a waiver to permit certain Amateur Radio Service licensees who are employees of the Draper City government to transmit communications on behalf of their employer during upcoming government emergency drills.

In your request, you state that Draper City will be holding monthly radio-check disaster preparedness drills on December 2, 2009, and January 6, February 3, March 3, April 7, May 5, and June 2, 2010 from 6:30 p.m. to 7:00 p.m.¹ You state that the exercises will test radio equipment readiness in the event of an emergency. The drills will be held in Draper City.

Section 97.113(a)(3) of the Commission's Rules, 47 C.F.R. § 97.113(a)(3), prohibits amateur licensees from transmitting communications in which they have a pecuniary interest, including communications on behalf of an employer. You therefore request a waiver of this rule to permit the following amateur licensees who are employees of Draper City to transmit communications on behalf of their employer in connection with these exercises: Tylyn Carlson, KE7OJE; Gary Martinsen, KE7OJF; Steve Siddoway, KE7OJG; Rick North, KE7OJH; Ron Jackson, KE7OJI; Eric Braegger, KE7OJJ; Brad Williams, KE7OJK; Brian Markland, KE7SOV; and Lori Edwards, KE7QAS.

Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, provides that the Commission may waive its rules if good cause for waiver is shown. We conclude that grant of the waiver request is appropriate under the circumstances presented. The public interest in facilitating the December 2, January 6, February 3, March 3, April 7, May 5, and June 2 public safety exercises by permitting the specified amateur licensees to participate warrants this limited waiver of Section 97.113(a)(3). This waiver grant permits transmission of communications by the above-listed amateur employees on behalf of their employers during the December 2, 2009, and January 6, February 3, March 3, April 7, May 5, and June 2, 2010, exercises.

Accordingly, IT IS ORDERED that the waiver request of the Draper City Police Department, dated November 13, 2009, IS GRANTED to the extent set forth herein. Waivers for additional dates or additional participants must be requested separately.

¹ Following subsequent telephone contacts with FCC staff, Draper City modified its request to conduct monthly, rather than weekly, tests.

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 COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau