



Federal Communications Commission
Washington, D.C. 20554

March 29, 2010

DA 10-542

Mark Fulmer
Preparedness Coordinator
Tarrant County Public Health Department
1101 S. Main St., Ste. 2600
Ft. Worth, TX 76104

Dear Mr. Fulmer:

This letter grants your request, dated March 10, 2010, on behalf of the Tarrant County Public Health Department (TCPH) for a waiver to permit certain Amateur Radio Service licensees to transmit communications on behalf of their employers during upcoming government emergency drills.

In your request, you state that the TCPH Preparedness and Bioterrorism Division will be holding monthly radio-check disaster preparedness drills at 8:30 a.m. and 1:00 p.m. on April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 19, and December 17, 2010.¹ Each drill will last twenty to thirty minutes. You state that the exercises will test radio equipment readiness in the event of an emergency. The drills will be held at various locations in north Texas.

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 TCPH employees to transmit communications on behalf of their employer in connection with these exercises: Sam Adamie, KW5SAM; Teresa Bates, KE5CRD; Stewart DeJournett, KE5UYM; Sylvia Dimas, KE5UYN; Renee Evans, KE5QOB; Mark Fulmer, KE5PHU; Stan Geisler, KE5UYP; Sandra Manning, KE5QPK; Michelle Markham, KE5GIS; Glenda Redeemer, KE5UZA; Eve Roussin, KE5UZC; Jennifer Thomas, KE5QPV; and Mark Wilson, KE5QPE. You also request a similar waiver for amateur licensees listed in your request who are employees of other entities participating in these drills, mostly employees of other Tarrant County agencies, to transmit on behalf of their employers in connection with these exercises.²

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 April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 19, and December 17, 2010 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 amateur licensees listed in your request on behalf of their employers during the April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 19, and December 17, 2010 exercises.

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

² The request, including the entire roster, is set forth in the Commission's Universal Licensing System as an attachment under each of the licenses listed above.

Accordingly, IT IS ORDERED that the waiver request of the Tarrant County Public Health Department, dated March 10, 2010, IS GRANTED to the extent set forth herein. Waivers for additional dates or additional participants must be requested separately.

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