



Federal Communications Commission
Washington, D.C. 20554

May 10, 2010

DA 10-797

Gregory L. Boswell, R.N.
Program Manager
County of Orange Health Care Agency
405 W. Fifth Street, Suite 301
Santa Ana, CA 92701

Dear Mr. Boswell:

This letter grants your request, dated April 21, 2010, on behalf of the County of Orange Health Care Agency (the County) for a waiver to permit certain Amateur Radio Service licensees to transmit communications on behalf of their employers during an upcoming government emergency drill.

In your request, you state that the County will be participating in a statewide disaster preparedness exercise titled Golden Guardian, which will take place on May 18 and 19, 2010. As part of the exercise, hospitals will communicate with the County to test their emergency communications systems. Most of the amateur communications will be conducted by volunteers, but some of the amateur radio operators are employees of the entity on whose behalf the operator will be transmitting.

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 to transmit communications on behalf of their employer in connection with the exercise: for Kaiser Permanente Corporation, Duane Mariotti, WB9RER; for Fairview State Developmental Center, Justin Miller, KI6AFZ; for Orange County Health Care Agency, Mike Steinkraus, N6PTN; and for College Hospital, David West, KI6EPI.

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 May 18-19 public safety exercise 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 licensees on behalf of their employer during the May 18-19, 2010 exercise, and immediately beforehand for the purpose of operational testing of equipment.

Accordingly, IT IS ORDERED that the waiver request of the County of Orange Health Care Agency, dated April 21, 2010, IS GRANTED.

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