



Federal Communications Commission  
Washington, D.C. 20554

May 18, 2010

DA 10-879

Glen E. Zook  
410 Lawndale Drive  
Richardson, TX 75080

Re: Petition for reconsideration, dated December 10, 2009

Dear Mr. Zook:

This is in response to your petition for reconsideration<sup>1</sup> of the December 8, 2009 decision of the Wireless Telecommunications Bureau's Mobility Division (Division),<sup>2</sup> dismissing your April 7, 2009 petition for rulemaking.<sup>3</sup> For the reasons set forth below, we deny the petition.

By way of background, your 2009 rulemaking petition requested that Section 97.119(a) of the Commission's Rules<sup>4</sup> be amended to incorporate certain portions of the Commission's former station identification rule.<sup>5</sup> We dismissed the petition on the grounds that it did not present evidence meriting a rule change,<sup>6</sup> because it did not assert or demonstrate that circumstances had changed since the Division dismissed a previous petition that you filed proposing to amend Section 97.119(a) to incorporate certain portions of the Commission's former station identification rule.<sup>7</sup> In your most recent correspondence, you disagree that circumstances have not changed since 2007, arguing that your 2009 petition proposed narrower changes than your 2006 petition, and again expressing the concern that many amateur operators do not properly identify their communications.<sup>8</sup>

We deny the petition for reconsideration. We conclude that your current request, like your previous petitions, does not demonstrate that the current station identification rule is inadequate or that revising the station identification requirement as requested would address the

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<sup>1</sup> Letter dated Dec. 10, 2009 from Glen E. Zook to Scot Stone (Reconsideration Letter.)

<sup>2</sup> Glen E. Zook, *Letter*, 24 FCC Rcd 14408 (WTB MD 2009) (*2009 Dismissal Letter*).

<sup>3</sup> *See* Petition for proposed changes in 47 CFR Part 97 Section 97.119, filed April 7, 2009 (2009 Petition).

<sup>4</sup> 47 C.F.R. § 97.119(a).

<sup>5</sup> *See* 2009 Petition at 3. Specifically, you proposed to require that an amateur station transmit its call sign during the first transmission of any communication or series of transmissions, and to allow an amateur station to not transmit its call sign at the end of a communication when the communication or series of transmissions lasts less than three minutes.

<sup>6</sup> *See* 2009 *Dismissal Letter*, 24 FCC Rcd at 14409.

<sup>7</sup> *See* Changes in Part 97 with Regard to Amateur Radio Service Rules, *Order*, 22 FCC Rcd 12730, 12731 ¶ 2 (WTB MD 2007) (*Order*) (dismissing Letter dated May 10, 2006 from Glen E. Zook to Marlene H. Dortch, Secretary, Federal Communications Commission, RM-11347, filed May 19, 2006).

<sup>8</sup> Reconsideration Letter at 1.

concern that many amateur radio operators do not identify their station timely or at all.<sup>9</sup> We also note that, in response to your 2006 petition, commenters believed that the current station identification rule properly balances the burden of requiring the station to transmit its call sign with the convenience of those receiving the transmissions to determine the identity of the station making the transmissions.<sup>10</sup>

Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 405, and Section 1.106 of the Commission's Rules, 47 C.F.R. § 1.106, the petition for reconsideration submitted by Glen E. Zook on December 10, 2009, IS DENIED.

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

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<sup>9</sup> We also note that the petition for reconsideration is subject to dismissal, because it was not filed in the correct location. *See, e.g.*, Thomas K. Kurian, *Order on Further Reconsideration*, 22 FCC Rcd 13223, 13224 ¶ 3 (WTB MD 2007). The Commission's Rules require that petitions for reconsideration be filed with the Office of the Secretary, and warn persons filing documents with the Commission that filings submitted to the wrong location will not be processed. *See* 47 C.F.R. §§ 0.401, 1.7, 1.106(i).

<sup>10</sup> *See 2009 Dismissal Letter*, 24 FCC Rcd at 14409, citing *Order*, at 12732-33 ¶¶ 5-6.