



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY ANCHORAGE VOLUNTEER EXAMINER COORDINATOR FOR WAIVER TO ALLOW EXAMINATION CREDIT FOR EXPIRED AMATEUR RADIO OPERATOR LICENSES

WT Docket No. 11-130

Comment Date: August 19, 2011

Reply Date: August 29, 2011

On July 6, 2011, the Anchorage Volunteer Examiner Coordinator (Anchorage VEC) filed a request for a blanket waiver of Section 97.505(a) of the Commission's Rules¹ to permit individuals whose amateur radio operator licenses have expired (and are beyond the grace period for renewal) to receive credit for examination elements previously passed, pending the outcome of a rulemaking proceeding on this issue.² Specifically, the petition requests that volunteer examiners (VEs) give former holders of Technician, General, Advanced, and Amateur Extra Class licenses appropriate element credit so that they can obtain new licenses without retaking the examination(s).³

Section 97.505(a) requires that the administering VEs give an examinee holding specified license grants or documents credit for certain examination elements. Generally, an examinee must hold an unexpired (or expired but within the grace period for renewal) license to receive examination credit, and an examinee whose license has been expired for more than two years is not eligible to receive credit for examination elements previously passed.⁴

¹ 47 C.F.R. § 97.505(a).

² Waiver Request dated July 6, 2011 from James Wiley to Chief, Wireless Telecommunications Bureau. On April 15, 2011, Anchorage VEC filed a petition for rulemaking requesting amendment of Section 97.505 to allow examination credit for expired amateur radio operator licenses. *See* Petition for Rule Making dated April 8, 2011, RM-11629. The Commission sought comment on the rulemaking petition on April 27, 2011. *See* Consumer & Governmental Affairs Bureau Reference Information Center Petition for Rulemakings Filed, *Public Notice*, Report No. 2930 (CGB rel. Apr. 27, 2011). The petition for rulemaking remains pending.

³ Anchorage VEC proposes that former holders of now-expired Advanced Class operator licenses receive sufficient element credit to be granted new General Class operator licenses. It also proposes that former holders of now-expired Novice Class operator licenses receive no element credit.

⁴ The only exception is that examinees who hold an expired Technician Class operator license that was issued before March 21, 1987 receive credit for Element 3. *See* 47 C.F.R. § 97.505(a)(4).

Anchorage VEC states that allowing examination credit for individuals who previously held an amateur radio license grant, but which has expired and is beyond the grace period for renewal, would allow these individuals to obtain a new license grant at an early date, thereby allowing them to again participate in normal amateur radio activities. It states that a waiver is in the public interest because it would result in the immediate expansion of the pool of experienced operators available in time of national or regional emergency, and that many of the potential beneficiaries of a waiver are of advanced years and are interested in prompt resolution of this matter. Anchorage VEC also states that the VE program can accommodate this procedure without difficulty.⁵ Anchorage VEC thus requests a waiver of Section 97.505(a) to allow VEs to give an examinee examination credit for examination elements the examinee previously passed, until such time as the Commission addresses Anchorage VEC's petition for rulemaking. We seek comment on Anchorage VEC's waiver request.

Procedural matters

Comments on the request are due **no later than August 19, 2011**. Reply comments are due **no later than August 29, 2011**. All filings should reference the docket number of this proceeding WT 11-130.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁶ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁷ More than a one- or two-sentence description of the views and arguments presented is generally required.⁸

The waiver request, and comments and reply comments filed in response to this *Public Notice*, will be available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 11-130. Copies of the request are also available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Comments may be filed using the ECFS or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking

⁵ Anchorage VEC proposes that an applicant seeking element credit for an expired license present to the VE proof of identity and proof that he or she held the appropriate license, and sign an affidavit certifying that he or she is the person named in the expired license grant. It also proposes that element credit be given only for licenses that expired, and not for licenses that were surrendered, revoked, or suspended.

⁶ *See* 47 C.F.R. §§ 1.1200(a), 1.1206.

⁷ *See* Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁸ *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). *See* 47 C.F.R. § 1.1206(b).

number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, as follows:

-All hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m. **PLEASE NOTE:** This is the **ONLY** location where hand-delivered or messenger-delivered paper filings for the Commission's Secretary will be accepted. The Commission's former filing location at 236 Massachusetts Ave., N.E., is permanently closed.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

-U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, DC 20554.

-All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties are requested to send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

For further information, contact Mr. William Cross of the Wireless Telecommunications Bureau at (202) 418-0680 (voice), (202) 418-7233 (TTY), or via e-mail to William.Cross@fcc.gov.

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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