

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
JAMES H. SCHOFIELD)
)
Licensee of Amateur Service Station KI6JIM)

ORDER PROPOSING MODIFICATION

Adopted: June 3, 2013

Released: June 4, 2013

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

1. *Introduction.* For the reasons set forth below, we propose to modify the license of James H. Schofield (Schofield), licensee of Amateur Radio Service Station KI6JIM. Specifically, we propose to modify Schofield's operator license to show Technician Class operator privileges.

2. *Background.* On November 29, 2012, W5YI Volunteer Examiner Coordinator (W5YI VEC) sent an electronic data file to the Commission requesting that Schofield's operator license for amateur station KI6JIM be modified to upgrade from Technician Class to General Class amateur radio operator privileges.¹ Based on this application, the Commission granted Schofield a General Class amateur service operator license on November 29, 2012. This license authorizes Schmidt to be the control operator of an amateur station transmitting on frequency bands authorized by Section 97.301(d) of our Rules.²

3. By correspondence dated May 30, 2013, W5YI VEC notified the Commission that it had made a typographical error in the November 29, 2012 data file and that a licensee other than Schofield had qualified for a General Class operator license.³ W5YI VEC noted that a correction was filed, resulting in the other licensee receiving the operator license for which he had qualified, but that Schofield's operator privileges had not been returned to Technician Class operator privileges.⁴ Therefore, W5YI VEC urged us to modify Schofield's license to correct the operator privileges authorized.

4. *Discussion.* We believe that W5YI VEC's request is most properly characterized as an informal request for Commission action under Section 1.41 of the Commission's Rules.⁵ Based on the information now before us, it appears that W5YI VEC intended to request that we modify the operator privileges of the licensee of amateur station KJ6JIM. It also appears to us that the grant of General Class operator privileges to Schofield was erroneous because he did not pass the examination necessary to qualify for a General Class operator license. Rather, he appears to be currently authorized to operate with General Class operator privileges due to a typographical error made during the application process.

¹ See File No. 0005523294 (filed Nov. 29, 2012).

² See 47 C.F.R. § 97.301(d).

³ E-mail dated May 30, 2013, from Tracy Dye, W5YI VEC. W5YI VEC stated that it intended to modify the operator privileges of the licensee of KJ6JIM rather than KI6JIM.

⁴ *Id.*

⁵ 47 C.F.R. § 1.41.

5. We believe that Section 316(a)(1) of the Communications Act of 1934, as amended, provides the appropriate vehicle for resolving this matter.⁶ Section 316(a) permits the Commission to modify a station license if the action will promote the public interest, convenience, and necessity.⁷ We believe that a modification of the license for amateur station KI6JIM to replace General Class operator privileges with Technician Class operator privileges is appropriate.

6. In accordance with Section 1.87(a) of the Commission's Rules,⁸ we will not issue a modification order until Schofield has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, Schofield must, within thirty days of the release date of this *Order Proposing Modification*, submit a written statement with sufficient evidence to show that the modification would not be in the public interest. The protest must be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., Room TW-A325, Washington, D.C. 20554.⁹ If no protest is filed, Schofield will have waived his right to protest the modification and will be deemed to have consented to the modification.

7. *Conclusion.* For the reasons stated above, we conclude that the grant of General Class amateur radio operator privileges was improper. Accordingly, we propose to modify the amateur service operator license for amateur station KI6JIM by replacing General Class operator privileges with Technician Class operator privileges.

8. ACCORDINGLY, IT IS PROPOSED, pursuant to Sections 4(i) and 316(a) of the Communications Act of 1934, 47 U.S.C. §§ 154(i), 316, and Section 1.87 of the Commission's Rules, 47 C.F.R. § 1.87, that the license of James H. Schofield for amateur service Station KI6JIM BE MODIFIED by replacing General Class operator privileges with Technician Class operator privileges.

9. IT IS FURTHER ORDERED that this *Order Proposing Modification* shall be sent by certified mail, return receipt requested, to Mr. James H. Schofield, 935 Lincoln Way 532, Auburn, CA 95603.

10. 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

⁶ 47 U.S.C. § 316(a)(1).

⁷ *Id.*

⁸ 47 C.F.R. § 1.87(a).

⁹ The address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail, and for hand-delivered or messenger-delivered documents. Commercial overnight mail (other than United States Postal Service, Express Mail, and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743.