

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

In the Matter of)
)
JERRELL MCCULLOUGH)
)
Commercial Radio Operator License PG00055257)

ORDER PROPOSING MODIFICATION

Adopted: July 20, 2017

Released: July 20, 2017

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

1. *Introduction.* For the reasons set forth below, we propose to modify the operator privileges of Jerrell McCullough (McCullough), holder of commercial radio operator license PG00055257. Specifically, we propose to modify McCullough’s license to show Marine Radio Operator Permit privileges.

2. *Background.* On June 9, 2017, RABQSA International, Inc., (RABQSA) a Commission-certified commercial operator license examination manager, requested that the Commission grant McCullough a General Radiotelephone Operator License.¹ Based on this application, the Commission granted McCullough a General Radiotelephone Operator License on June 9, 2017.

3. By correspondence dated July 19, 2017, RABQSA notified the Commission that it had made an error in the June 9, 2017, submittal and that McCullough had qualified for a Marine Radio Operator Permit rather than a General Radiotelephone Operator License.² Therefore, RABQSA requested that we set aside the grant of McCullough’s General Radiotelephone Operator License.

4. *Discussion.* We believe that RABQSA’s request is most properly characterized as an informal request for Commission action under section 1.41 of the Commission’s rules.³ Based on the information now before us, it appears that the grant of a General Radiotelephone Operator License to McCullough was erroneous because McCullough passed only the examination necessary to qualify for a Marine Radio Operator Permit.

5. We believe that section 316(a)(1) of the Communications Act of 1934, as amended, provides the appropriate vehicle for resolving this matter.⁴ Section 316(a) permits the Commission to modify a license if the action will promote the public interest, convenience, and necessity.⁵ We believe that a modification McCullough’s commercial radio operator license to replace General Radiotelephone Operator License privileges with Marine Radio Operator Permit privileges is appropriate.

¹ See File No. 0007806860 (filed June 9, 2017).

² E-mail dated July 19, 2017, from Sou Yang, RABQSA International, Inc.

³ 47 CFR § 1.41.

⁴ 47 U.S.C. § 316(a)(1).

⁵ *Id.*

6. In accordance with section 1.87(a) of the Commission's rules,⁶ we will not issue a modification order until McCullough has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, McCullough 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. 20554.⁷ If no protest is filed, McCullough will have waived the 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 Radiotelephone Operator License privileges was improper. Accordingly, we propose to modify the commercial radio operator license of Jerrell McCullough by replacing General Radiotelephone Operator License privileges with Marine Radio Operator Permit 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 CFR § 1.87, that the commercial radio operator license of Jerrell McCullough BE MODIFIED by replacing General Radiotelephone Operator License privileges with Marine Radio Operator Permit privileges.

9. IT IS FURTHER ORDERED that this *Order Proposing Modification* shall be sent by certified mail, return receipt requested, to Jerrell McCullough, 5011 Grist Mill Dr., Villa Rica, GA 30180.

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 CFR § 1.87(a).

⁷ This address should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail, and hand-delivered or messenger-delivered documents. Other messenger-delivered documents, including documents sent by 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.