

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

In the Matter of )  
 )  
ZAYNE G. STITES )  
 )  
Licensee of Amateur Service Station KI7JFD )

**ORDER PROPOSING MODIFICATION**

**Adopted: April 11, 2018**

**Released: April 12, 2018**

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 Zayne G. Stites (Stites), licensee of Amateur Radio Service Station KI7JFD. Specifically, we propose to modify Stites's operator license to show Technician Class operator privileges.

2. *Background.* On March 7, 2017, the American Radio Relay League Volunteer Examiner Coordinator (ARRL VEC) sent an electronic data file to the Commission requesting that Stites's operator license for amateur Station KI7JFD be modified to upgrade from Technician Class to General Class amateur radio operator privileges.<sup>1</sup> Based on this application, the Commission granted Stites a General Class amateur service operator license on March 7, 2017. This license authorizes Stites to be the control operator of an amateur station transmitting on frequency bands authorized by Section 97.301(d) of our rules.<sup>2</sup>

3. By correspondence dated April 11, 2018, ARRL VEC notified the Commission that it had made an error in the March 7, 2017, data file and that Stites had not qualified for a General Class operator license.<sup>3</sup> Therefore, ARRL VEC urged us to modify Stites's license to correct the operator privileges authorized.

4. *Discussion.* We believe that ARRL VEC's request is most properly characterized as an informal request for Commission action under section 1.41 of the Commission's rules.<sup>4</sup> Based on the information now before us, it appears that the grant of General Class operator privileges to Stites was erroneous because Stites did not pass the examination necessary to qualify for a General Class operator license. Rather, Stites appears to be currently authorized to operate with General Class operator privileges due to an error made during the application process.

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<sup>1</sup> See File No. 0007688828 (filed Mar. 7, 2017).

<sup>2</sup> See 47 CFR § 97.301(d).

<sup>3</sup> E-mail from Amanda Grimaldi, VEC Assistant Manager, ARRL VEC, to Rebecca Williams et al. (Apr. 11, 2018 12:12 p.m.).

<sup>4</sup> 47 CFR § 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.<sup>5</sup> Section 316(a) permits the Commission to modify a station license if the action will promote the public interest, convenience, and necessity.<sup>6</sup> We believe that a modification of the license for amateur station KI7JFD 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,<sup>7</sup> we will not issue a modification order until Stites has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, Stites 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.<sup>8</sup> If no protest is filed, Stites 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 Class amateur radio operator privileges was improper. Accordingly, we propose to modify the amateur service operator license for amateur station KI7JFD 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 CFR § 1.87, that the license of Zayne G. Stites for amateur service Station KI7JFD 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 Zayne G. Stites, 14678 SW Peak Ct., Portland, OR 97224.

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

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<sup>5</sup> 47 U.S.C. § 316(a)(1).

<sup>6</sup> *Id.*

<sup>7</sup> 47 CFR § 1.87(a).

<sup>8</sup> 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 9050 Junction Drive, Annapolis Junction, MD 20701.