



Federal Communications Commission  
Washington, D.C. 20554

October 3, 2019

DA 19-998

Edward C. Borghi  
803 Hook Rd.  
Farmington, NY 14425

Jeffrey E. Bail  
P.O. Box 0484  
West Springfield, MA 01090

Re: Petitions for rule change to restrict amateur service vanity call sign availability

Dear Messrs. Borghi and Bail:

This is in response to the petitions for rulemaking that Mr. Borghi filed on July 19, 2018, and Mr. Bail filed on September 25, 2018, regarding amateur service vanity call sign availability.<sup>1</sup> Specifically, both petitions propose measures to limit the grant of vanity call sign applications that are not designated for the applicant's geographic region. For the reasons set forth below, we dismiss both petitions.

When an amateur station is initially licensed, the Commission assigns the station a call sign, known as a sequentially assigned call sign, from an alphabetized list corresponding to the licensee's license class and the geographic region of the licensee's mailing address.<sup>2</sup> After an individual or club has been licensed, the licensee may then request the assignment of a vanity call sign, *i.e.*, a specific unassigned and otherwise assignable call sign that represents something of significance to the licensee, such as one's initials or nickname, or a word or personal statement.<sup>3</sup> The Commission does not limit applicants for vanity call signs to requesting call signs assigned to the region of the applicant's mailing address, except for call signs designated under the sequential call sign system for Alaska, Hawaii, Caribbean Insular Areas, and Pacific Insular Areas.<sup>4</sup>

Mr. Borghi proposes that applicants be prohibited from applying for a vanity call sign outside their region, while Mr. Bail proposes to give a preference to in-region applicants when multiple applicants

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<sup>1</sup> Edward C. Borghi, Petition for Rulemaking, RM-11834 (July 19, 2018); Letter from Jeffrey E. Bail to Federal Communications Commission, RM-11835 (Sept. 25, 2018). Both petitions went on public notice on March 29, 2019. See *Consumer & Governmental Affairs Bureau Reference Information Center Petition for Rulemakings Filed*, Public Notice, Rep. No. 3122 (CGB Mar. 29, 2019). Approximately thirty parties commented on one or both of the petitions. Commenters were split, with most of the commenters who addressed the Borghi petition opposing it and most of the commenters who addressed the Bail petition supporting it.

<sup>2</sup> See 47 CFR § 97.3(a)(11)(i).

<sup>3</sup> See 47 CFR §§ 97.3(a)(11)(ii), 97.19.

<sup>4</sup> See 47 CFR § 97.19(d)(4). The Commission made this exception because far fewer call signs are designated for these regions than are designated for the continental United States regions, and those call signs could be depleted by licensees in other regions. See *Amendment of the Amateur Service Rules to Implement a Vanity Call Sign System*, Memorandum Opinion and Order, 10 FCC Rcd 11135, 11136, para. 8 (1995) (*Vanity MO&O*).

request the same call sign. You both argue that amateur licensees should not have to compete for desirable call signs with licensees in other regions.

When the Commission established the vanity call sign system in 1995, it rejected a proposal to restrict vanity call sign applicants to call signs designated for the region in which the applicant resides.<sup>5</sup> It noted that “the applicant’s choice of vanity call signs would be reduced to ten percent or less of the call signs that would otherwise be assignable to the station. A limitation based upon the person’s place of residence, moreover, could easily be circumvented by using a mailing address in another call sign region.”<sup>6</sup> The Commission, in denying petitions for reconsideration of this decision, concluded that there is no need to require vanity call signs to correspond to the licensee’s mailing address, given that call signs do not automatically change when a licensee moves and a licensee’s mailing address is not necessarily the location from which he or she is transmitting.<sup>7</sup> The Commission rejected this proposal again in 2010 for the same reasons.<sup>8</sup> The records before us do not demonstrate any changed circumstances or other reason that would warrant revisiting this decision. Moreover, because vanity applications received on the same day are handled by a random selection batch process,<sup>9</sup> it is not possible to identify in-region vanity call sign applications and process them ahead of other applications for the same call sign.<sup>10</sup> Consequently, we dismiss your petitions.

Accordingly, IT IS ORDERED, pursuant to sections 4(i) and (j) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), (j), 303(r), and section 1.401(e) of the Commission's rules, 47 CFR § 1.401(e), that the petitions for rulemaking filed by Edward C. Borghi on July 19, 2018, and Jeffrey E. Bail on September 25, 2018, ARE DISMISSED.

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<sup>5</sup> See *Amendment of the Amateur Service Rules to Implement a Vanity Call Sign System*, Report and Order, 10 FCC Rcd 1039, 1040, para. 10, *aff’d*, Memorandum Opinion and Order, 10 FCC Rcd 11135 (1995).

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

<sup>7</sup> *Vanity MO&O*, 10 FCC Rcd at 11136, paras. 7-8.

<sup>8</sup> See *Amendment of the Amateur Service Rules Governing Vanity and Club Station Call Signs; Petition for Rule Making: Amateur Radio Service (Part 97); Petition to Change Part 97.19(c)(2) of the Amateur Radio Service Rules*, Report and Order, 25 FCC Rcd 16351, 16361, para. 36 (2010).

<sup>9</sup> *Wireless Telecommunications Bureau Implements Restriction of One Request Per Vanity Call Sign*, Public Notice, 22 FCC Rcd 2502, 2502 (WTB 2007).

<sup>10</sup> See *Amendment of the Amateur Service Rules Governing Vanity and Club Station Call Signs; Petition for Rule Making: Amateur Radio Service (Part 97); Petition to Change Part 97.19(c)(2) of the Amateur Radio Service Rules*, Notice of Proposed Rule Making, 24 FCC Rcd 14788, 14792, n.23 (2009) (denying a rulemaking petition proposing a change to the vanity call sign system that would have required reprogramming the system).

Edward C. Borghi and Jeffrey E. Bail

This action is taken under delegated authority pursuant to sections 0.131 and 0.331 of the Commission's rules, 47 CFR §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau