Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
	)	
Amendment of the Schedule of Applications Fees	)	MD Docket No. 20-270
Set Forth in Sections 1.1102 through 1.1109 of the	)	
Commission's Rules	)	

COMMENTS REGARDING PROPOSED RULEMAKING
WITH RESPECT TO THE GENERAL MOBILE RADIO SERVICE (GMRS, PART 95E)

1. WHAT IS GMRS? For readers who may not be familiar with GMRS, the following is provided.

A. GMRS originated in the era following the end of World War II. Prior to that time use of what is now referred to as "Land Mobile (2-way) Radio" was quite limited to just a few public safety and special industrial uses. With the advances of higher and higher frequency abilities developed during wartime, substantial new opportunities for expanded use of "Land Mobile" radio presented. At the suggestion of electronics inventor Al Gross, of Cleveland, the Commission created a new radio service, the "Citizens' Radiocommunication Service" in a new Part 19 of its Rules, in 1947. The entire 460 – 470 MHz band was allocated to CRS and eligibility was designed to provide land mobile 2-way service to all entities that hereto-fore were not eligible, including businesses and individual people. Remember, this was 11 years before the Business Radio Service was created by the Commission in 1958.

B. The Commission soon realized that UHF technology was far from readily available to individuals at consumer prices, and provided for relaxed technical rules for more

simplified equipment to encourage use by individual consumers. These new Rules were designated as “Class B Citizens’ Radio Service” and the original rules as “Class A”.

C. In 1952, at the request of the Academy of Model Aeronautics (AMA), the Commission then created a new “Class C” CRS for remote control of model aircraft, boats, etc. New frequencies in the 26-27 MHz band were added for this purpose.

D. In 1958 the Commission reallocated 96 ½% of the CRS UHF spectrum to other services, including Public Safety and Business. Specific frequencies were specified in the very limited remaining CRS UHF spectrum. In 1963 the format of CRS Call Signs was modified to conform with International Treaty requirements. Class A Calls commenced at KAA0001, and Class B at KAZ0001.

E. Personal (individual) use by consumers was slow to develop in Class A/B. UHF equipment cost remained high. The vast majority of users were business/commercial/ public safety entities. As the 60’s progressed used, reconditioned models of previous generations of “commercial” UHF equipment (such as Motorola, GE and RCA) began to make UHF more available to consumers at affordable prices.

F. In 1968 “Narrow Banding” was applied to CRS along with other UHF Land Mobile Services. Channel spacing was reduced from 50 KHz to 25 KHz, and deviation was reduced to +/- 5 KHz. The number of CRS channels doubled.

G. As the number of “personal” (individual) CRS users continued to grow and expand, more and more conflict developed between “commercial” users and “personal” users. The nature of UHF is that antenna height is directly proportional with communication

range. So, utilization of tall buildings, antenna towers, etc. is critical for reasonable distance.[1] Businesses, governmental agencies and other "commercial" entities had vastly greater financial ability to erect Class A UHF base and repeater systems on the tallest, most desirable sites, and were almost uniformly uncooperative in sharing of Class A channels with personal users, despite the requirement to do so in the FCC Rules and Regulations.

As an example, in 1977, in order to facilitate the REACT National Convention in Dallas, Texas, (which I attended) the local REACT Team attempted to put up a new Class A repeater. All attempts to make ANY use of Class A were blown off the air by a local radio shop. That business had erected Class A systems on tall antenna sites on ALL 8 of the Class A channels. All ran high occupancy mobile telephone service and the business refused to do any sharing of any channel, whatsoever. In Washington, DC one of the major cab companies used Class A for its primary dispatch operation, 24 hours a day. The pattern was the same throughout the county. In most well populated areas, there was virtually no room for personal users.

H. In reorganizing the Part 95 Rules the FCC then changed the name of Class A Citizens' Radio to the General Mobile Radio Service (GMRS) to more closely reflect eligible users. Finally, in 1988, after years of huge disparity between "commercial" users and "personal" users, the Commission acted to end the gross inequities. The Commission recognized that the Land Mobile Radio situation had changed drastically since 1947. "Commercial" entities now all had other allocations in multiple bands and in other established radio services to meet their

[1] In 1970 my experience with 15 watt mobile to mobile Class A range was on the order of 3/4th of mile without repeater assistance.

2-way land mobile needs, while personal users had none. After decades of strife GMRS eligibility was finally limited to just individual people.[2]

I. The GMRS Rules and Regulations were last reorganized in WT Docket 10-119. Following the Report & Order finally entered in 2017, today the GMRS is governed by Part 95 (Subparts A and E) of the Rules.

2. GMRS LICENSING.

A. For over 5 decades GMRS licensing was "Site-Based" as described in ¶15 a. of the NPRM. Part 95A (GMRS) applications were filed on the same form as the "commercial" Part 90 Radio Services. Specific frequency, station class, power, antenna location, antenna height above ground, ground elevation, etc. were all specified, both on the application and on the license.

B. Since inception, the GMRS Rules have required cooperation in the selection and use of frequencies to minimize interference.[3] In the days before computer searching of license records existed, this meant manual searching of FCC records. This process was formalized in many of the Part 90 services, with "frequency coordination" by entities such as NABR, APCO, etc. In Amateur (Ham) Radio and GMRS frequency coordination was left to the licensees themselves.

C. Early on GMRS self-coordination meant examining the carbon copies of licenses available at the local FCC Field Offices or at Washington. The technical data on the licenses was critical in assessing potential conflicts with intended new systems, especially fre-

[2] PR Docket 87-265.
[3] 47 CFR §95.359.

quency, location, antenna height, and power. The GMRS personal user community developed with the establishment of the Personal User Steering Group (PRSG), which obtained and maintained copies of all GMRS licenses. It began publishing a GMRS National Repeater Directory, to assist GMRS users, both with self-coordination and also "transient use" while travelling. Today this function is carried on by the well-known ***myGMRS.com*** website.

D. As reflected in the Background section (II.) of the NPRM, in 1986 Congress took control of GMRS application fees, along with the other UHF Land Mobile Services. The same fee applied to GMRS and "commercial" Part 90 services. This was logical at the time because the same application form and process was used.

E. But, in 1999 the FCC drastically changed the GMRS Rules during its adoption of the Universal Licensing System (ULS).[4] Licensing was radically simplified and NONE of the technical data of "Site-Based" licensing was collected or available. This now made any frequency coordination of GMRS ***impossible***. A new, separate, radically simplified GMRS application form was created. No technical review was possible and license issuance became mechanical and ministerial.

F. But, despite the totally different GMRS application and processing, of course no change in the fee was possible. Moreover, the fee amount continued to automatically escalate with the Consumer Price Index, as mandated by Congress. This only made the gross inequity more pronounced as time went on.

G. The GMRS user community has been waiting for more than 20 years for this hugely unfair situation to be remedied. We have been paying substantial amounts to sup-

[4] WT Dockets 96-188, 98-20.

port other functions completely unrelated to processing our license applications. And what's the chance of one individual person (GMRS licensee) to get the Congress of the United States to change something? Picture the mathematical symbol for approaching zero!

3. THIS NPRM.

A. Now, FINALLY, Congress has made correction of this long-standing unfair burden on GMRS applications possible. But the Commission has come up with just a modest 29% reduction. For reasons given below, the new proposed fee does NOT appear to be related to the likely actual cost of application processing.

B. The Commission claims to be seeking to relate fees to the actual costs of processing. This certainly is a laudable principle. In ¶11 of the NPRM a proposed methodology is laid out to estimate costs. On its face this seems reasonable. You "seek comment on the changes to application fees and whether they reasonably reflect current costs of application processing."[5]

C. How can one make any such comments in the total absence of any data whatsoever? Even assuming, for the moment, that the methodology outlined is appropriate, there is absolutely no specific quantitative information how it was applied. For example, (1) average employee time to process GMRS applications, (2) whether all employees processing GMRS applications are located in Washington (aren't they in Gettysburg?) or are step level 5, (3) description of required specific steps, (4) description of what comprises overhead costs and why 20% is an appropriate amount.

[5] NPRM, ¶11.

D. Given the very simple GRMS Application[6] and that processing is "highly automated"[7], GMRS users strongly suspect that the actual cost is quite low, and substantially less than $50.00. But the NPRM gives no basic data to enable comparing actual cost with the proposed fee. No hint is given of what specific number might be the result of any cost calculation for a typical GMRS application. Only the proposed new fee amount is revealed.

E. You ask for comments but do so in a virtual vacuum. Does the Commission itself even know the actual specific cost to process a typical GMRS application? If so, why was this information omitted in the NPRM? Other relevant information in order to assess if the proposed fee is reasonably related to the actual cost also includes: (1) Do FCC ULS processing personnel split their time between different types of applications, including, for example, "Site-Based"? (2) Does the Commission know what the processing cost difference is between GMRS manual paper applications and internet based applications? (3) Does the Commission have any idea at all what the disparity is in actual processing cost is between the different Personal Applications? These are examples of information that is necessary to make cogent comments as requested.

F. Beyond that this fact vacuum hobbles any logical assessment of the proposed fee, GMRS users have several other reasons for suspecting the that actual GMRS processing cost is much lower, and that the proposed fee results from quick and dirty broad generalization and is not based on an actual specific accurate number.

[6] FCC Form 605.
[7] NPRM, ¶24.

G. In looking over all of the proposed fees, Docket wide, 2 things become readily apparent. Firstly, a $ 50.00 fee is proposed for a wide variety of different applications. Secondly, $ 50.00 is the lowest amount specified among ALL of the many different proposed fees.

H. This is a very broad proceeding. There is a myriad of different applications to address. There are some 167 different fees proposed across 18 pages in Appendix A. It appears to us that the Commission has taken an approach that a de minimis "nominal" amount to even touch ANY kind of application is $ 50.00. This would obviate the need for any actual cost calculations and facilitate more rapid completion of this NPRM. It would also disconnect such proposed fees from their actual true cost.

I. Part of the reasons for such suspicions is also that GMRS users have strongly suspected for many, many years that the actual GMRS processing cost is ***vastly*** lower than the amount charged (currently $ 70.00).

J. To the best of my knowledge and 50 years' experience in GMRS I believe the vast majority of GMRS applications are filed on the internet. And the Commission admits in this NPRM that it is currently seeking to make this number 100%.[8] The applicant fills out the information eliminating the need for keystroking.

K. I check every user on my GMRS repeater by searching his FCC license on your website. I see a substantial number of licenses with errors, such as 3 or 4 digit numbers in the last name field. I also see different licenses, some with all capital letters, some with both upper and lower case letters, and some with a mixture of the two.

[8] NPRM, ¶29.

L. I long ago concluded that GMRS applications are granted as filled out by the applicant with apparently no review. In a "highly automated" processing environment this conclusion seems even more likely and logical. Long gone are the days of George Enuton[9] scrutinizing each and every application closely.

M. GMRS users fill out the FCC Form 605 application and see how very simple and limited it is. And there is little or no review and highly automated processing. Beyond simple name and address there are only 5 check boxes and 3 data items to complete, plus signature block for a new license. And, in addition, you also have economy of scale: the Commission granted 22,021 GMRS licenses between January 1st and September 10th of 2020.

N. Of all the various Personal Licenses, GMRS is clearly the simplest. Both Aircraft and Ships have additional elements to complete on Form 605, and ALL of the other Personal Applications, with the same $ 50.00 change, have supplemental Schedules to complete and attach except **ONLY GMRS**. Of all the Personal Licenses GMRS is clearly the cheapest to process. The GMRS fee clearly should also be the cheapest.

O. But, once again, GMRS users are being asked to continue paying more than their fair share and carry other costs totally unrelated to our applications.

P. Given our long-standing strong existing belief that actual GMRS cost is truly minimal, together with this NPRM's fact vacuum and the apparent blanket "nominal" minimum fee, GMRS users are very disappointed with this proposal, especially after waiting so long for a fair and equitable correction of our unfair fee burden. The Commission should correct the

[9] The FCC employee who processed Class A applications in the late 60's and 70's.

fact vacuum and give us real data, including the exact number it claims for GMRS costs. Provide us some way to assess if $ 50.00 truly does relate to the real, reasonably quantified cost.

Q. After waiting for more than 2 decades this is the best we can get? The Commission can do a lot better in implementing its stated goal of relating fees to actual real costs. But first you have to specify and justify what those real costs actually are. On behalf of the GMRS user community, thank you.

Respectfully Submitted,

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