

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

In the Matter of)	
)	
Amateur Radio Station License of)	File No. 0000993298
Richard L. Smith to Modify the)	
Call Sign of Amateur Station KC4USH)	

MEMORANDUM OPINION AND ORDER

Adopted: July 2, 2003

Released: July 3, 2003

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. On August 31, 2002, the Licensing and Technical Analysis Branch (Branch) of the Public Safety and Private Wireless Division incorrectly granted the captioned application, which requested that the call sign KC4USH be assigned to the Amateur Radio Station of Richard L. Smith (Smith) as a vanity call sign. To correct this error, we propose to modify Smith's amateur radio station license to show the call sign KG4UKV, which was the call sign assigned to Smith's amateur station prior to the grant of the captioned application.

2. By way of background, we note that all amateur station call signs from the call sign block KC4USA through KC4USZ have been made available to the Department of the Navy for the use of amateur stations at U. S. Navy Antarctic stations.¹ Because Smith's present call sign, KC4USH, is one of the call signs that may be used only by amateur stations in the Antarctic,² the Branch should not have granted the captioned application. To correct this error, we propose to exchange KC4USH with the call sign previously assigned to Smith's amateur radio station, (KG4UKV).

3. We believe that Section 316(a)(1) of the Communications Act of 1934, as amended (the Act), provides the appropriate vehicle for resolving this matter.³ Section 316(a) permits the Commission to modify a station license if the action will promote the public interest,

¹ See Letter dated July 21, 1959, from Secretary, Federal Communications Commission, to Dr. T. O. Jones, Office of Special International Programs, National Science Foundation (NSF) (making available to NSF the call sign block KC4AAA-KC4AAF and reciting conditions applicable to use of the call sign block KC4USA-KC4USZ by the U. S. Navy.)

² See *Public Notice* "FCC Announces Amateur Station Call Sign Assignment System" Mimeo No. 98607 (released Mar. 30, 1978) (call signs not assignable to amateur stations by the FCC: KC4AAA-KC4AAF and KC4USA-KC4USZ) and <http://wireless.fcc.gov/services/amateur/callsigns/vanity/index.html#2> (the following call signs are not available for assignment: KC4AAA-KC4AAF and KC4USA-KC4USZ.)

³ 47 U.S.C. § 316(a)(1).

convenience, and necessity.⁴ In this connection, we note that the proposed modification would serve the public interest by ensuring that the call sign block KC4USA-KC4USZ is only used to identify amateur stations that are located at U. S. Navy Antarctic stations.

4. In accordance with Section 97.27(b) of the Commission's Rules,⁵ we will not issue a modification order until Smith has received notice of our proposed action and has had an opportunity to file a protest. To protest the modification, Smith must, within thirty days of the release date of this *Memorandum Opinion and Order*, 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, DC 20554.⁶ If no protest is filed, Smith will have waived his right to protest the modification and will be deemed to have consented to the modification.

5. ACCORDINGLY, IT IS PROPOSED, pursuant to Sections 4(i) and 316 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 316, and Sections 1.87 and 97.27 of the Commission's Rules, 47 C.F.R. §§ 1.87, 97.27, that the Amateur Radio Station license of Richard L. Smith BE MODIFIED by changing the call sign from KC4USH to KG4UKV.

6. IT IS FURTHER ORDERED that this *Memorandum Opinion and Order* shall be served by certified mail, return receipt requested, to Richard L. Smith, 509 Homestead Road, Chesapeake, Virginia 23321.

7. 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 COMMUNICATION COMMISSION

D'wana R. Terry
Chief, Public Safety and Private Wireless Division

Wireless Telecommunications Bureau

⁴ *Id.*

⁵ 47 C.F.R. § 97.27(b).

⁶ 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. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only at our new location at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. 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. See FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).