



Federal Communications Commission  
Washington, D.C. 20554

August 8, 2012

DA 12-1281

Mr. Mario J. Vesnaver  
24 Cala Moreya Street  
Laguna Niguel, CA 92677

Re: File Number 0005030931

Dear Mr. Vesnaver:

This letter is in response to your petition for reconsideration of the grant of the above-referenced vanity call sign application filed by Steven C. Greathouse. For the reasons discussed herein, we deny your petition.

On January 13, 2010, the license of Marvin S. Gin for Amateur Radio Service Station W6VM was canceled. A canceled call sign generally is not available to the vanity call sign system for two years.<sup>1</sup> You, Mr. Greathouse, and others filed timely applications requesting modification of your amateur licenses to reflect call sign W6VM. Mr. Greathouse's application was randomly selected<sup>2</sup> and granted on February 4, 2012.

On February 6, 2012, you requested reconsideration of this grant. When an amateur is initially licensed, the Commission assigns the station the next available call sign based on the licensee's geographic region and license class.<sup>3</sup> You argue that Mr. Greathouse's application should not have been granted because, at the time he requested call sign W6VM, he lived in Ohio, which is in the sequential call sign system's 8<sup>th</sup> call sign district.

We disagree. When the Commission adopted the rules for the vanity call sign system, it addressed whether a vanity call sign applicant should be limited to requesting only call signs for the region where the licensee resides. The Commission did not adopt such a restriction, noting that if it were imposed, "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>4</sup> Other than a call sign in Alaska, Hawaii, the Caribbean Insular Areas, and the Pacific Insular areas, the licensee of an amateur station with a mailing address in the United States may apply for any

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<sup>1</sup> 47 C.F.R. § 97.19(c)(2).

<sup>2</sup> See Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Services, *Report and Order*, WT Docket No. 04-140, 21 FCC Rcd 11643, 11658 ¶ 32 (2006) ("When multiple processable applications requesting the same vanity call sign as their first choice are received by the Commission on the same day, we use a lottery mechanism to select the first application to be processed.").

<sup>3</sup> Amendment of the Amateur Service Rules Governing Vanity and Club Station Call Signs, *Memorandum Opinion and Order*, WT Docket No. 09-209, 27 FCC Rcd 619, 619 ¶ 2 (2012).

<sup>4</sup> See Amendment of the Amateur Service Rules to Implement a Vanity Call Sign System, *Report and Order*, PR Docket No. 93-305, 10 FCC Rcd 1039, 1043 ¶ 10 (1995).

available call sign corresponding to an appropriate license class.<sup>5</sup> Consequently, we conclude that grant of Mr. Greathouse's application for assignment of amateur station call sign W6VM was proper, and we deny your petition for reconsideration.

Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 405, and Section 1.106 of the Commission's Rules, 47 C.F.R. § 1.106, the petition for reconsideration filed by Mario J. Vesnaver on February 6, 2012 IS DENIED.

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 and 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau

cc: Steven C. Greathouse  
670 Ina Avenue  
Akron, Ohio 44306

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<sup>5</sup> See 47 C.F.R. § 97.19(d)(4).