

LETTERS TO THE EDITOR

Early FM Radio

"Dr. Bruce Elving's article on FM radio in the '50s [June 2007 *MT*] certainly took me back. I was somewhat surprised to see the FM guru is younger than I. Having just passed my 74th birthday, it is something I have not become reconciled to.

"I do remember FM radio even earlier, in the 1940s. A great uncle had the only FM receiver at this time of the whole town. I noticed an unusual outside antenna and wondered about it. At this time, the FM radio band was around 45 MHz which, I understand, was taken and used as TV Channel 1, but being found unusable, became part of the VHF Lo Public Service Band. The FM programming seemed all classical music and opera. I noticed that the signal was very clear and the quality a little better than the experimental AM Hi-Fi stations which were above the regular AM band which stopped at 1500 kHz at this time.

"I began DXing the FM band once the AM/FM portable radios came out in the mid-1960s. Just a few years before, an American manufacturer said that no portable could be made as it took two identical transistors in the circuitry and it was impossible to do such quality. The Japanese soon proved him wrong and it always upset me that these people, just defeated by us, seemed smarter than us.

"Some years ago, I cleaned out an old bureau whose drawers had been lined with newspaper – specifically the Boston (Mass.) *Globe* of December 6, 1947. Included was the radio page which I was able to photocopy despite its crumbling. At this time, Boston and vicinity had eight AM and four FM stations. A couple of these stations still used the old FM band and I remember seeing FM radios for sale that featured both bands: WGTR, Boston, 99.1 and 44.3 megs; WXHR, Cambridge, 96.9 megs, WBZ-FM, Boston, 92.9 and 46.7 megs; and WLAW-FM, Lawrence, 93.7 megs. These stations broadcast only in the afternoon and evening, much as did the early TV stations."

Bob Fraser

VOX

"Reference [John Catalano's] September 2007 article titled "Vox Radio Populi" in *Monitoring Times*, in the telephone industry, the X in vox stands for switch as the symbol for open relay contact is an X."

Jim Thornton, 35 years with General Telephone Company of California Camarillo, California

VBR Prescott

"Thanks, Ron Walsh, for your [October] article on *VBR Prescott Coast Guard Radio*. I have heard the voices many times, here on the

inland seas, and now have faces to go with the voices.

"One thing that bothers me with VBR, is that they seem to send alerts to all mariners in their area. Do they ever contact the *Aviation Community*??

"As a one time pilot, Cessna-150, I had to look down at the ground and water from time to time. With many private and commercial aircraft installing GPS in the cockpits, why not transmit the *maydays* to those in the air?

"Frequencies could be: 121.500, 124.975, 122.750, and 123.450. If the USCG bases at Buffalo and Fort Niagara were using these frequencies, it could be a lot sooner that help would be on its way!

"Also, on your article on *Boats in the Seaway* (page 57), lock 3, I believe is in the Welland Canal, although not mentioned. It was also nice to see a Laker still being used, as so many of them have been turned into motor vehicles and buildings. Thank you for the two websites, I will add them to my lists."

Dave Martin, Niagara Falls, NY

The Law and Streaming Audio

MT headquarters recently received this comment and query from Ralph Stallsworth:

"I got my October 2007 *MT* today... and it never takes me long to get to the *Ask Bob* section. The second question this month is in regard to rebroadcasting. Not sure if I understand the question... or the answer!

"I've been live streaming my scanner for over four years from Fort Myers, Florida. My stream is here...

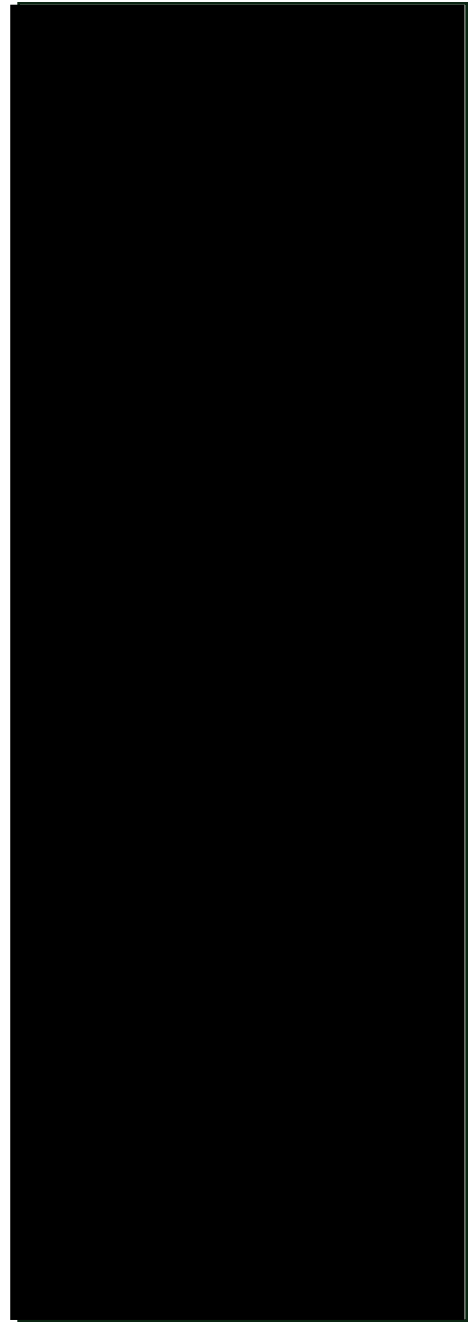
<http://pinelakeshome.com/Scanner/radio1.htm>

"As you know... there are hundreds of scanner live streams from just about every part of the world. I have many listeners. Lots of controversy on the subject. I just read an Internet thread on Radio Reference that the LA FD and PD in California is trying to shut down streams from their area. Generally... whatever California does this year... the rest of the country does the next year. The thread is here: www.radioreference.com/forums/showthread.php?t=81717

"I've always 'hid under the blanket' as far as my live stream goes. Sort of... don't ask... don't tell. I enjoy sharing my scanner online and I know many listeners enjoy the stream on a daily basis. I was a fireman from the Toledo, Ohio, area and retired in Florida. Never in my wildest dreams did I ever believe I could listen to my old fire department radio comms from 1,200 miles away! But... I do most every day.

"We as radio listeners over the years have gotten the 'short end of the stick' many times. ... I'd hate for live stream to be a part of it..."

Ralph Stallsworth, Fort Myers, FL



In Bob's October column, the reply did not directly address rebroadcast of public safety agencies. As we began to research Ralph's enquiry, we discovered that a thorough investigation had just been done by a Radio Reference contributor (see his link above). His information was confirmed at the FCC website, and Bob Grove writes the following to amend his October reply:

Streaming Scanner Audio - Is It Legal?

With the rapid proliferation of streaming audio sources on the Internet, radio hobbyists are beginning to question the legality of interception and rebroadcast of public safety communications. After all, the original 1934 Communications Act was very clear – while it was lawful to intercept, it was not lawful to divulge the contents or purport of any radio transmission not intended for the interceptor to hear.

Questions still remained: Is real-time relaying of an original message considered divulgence? After all, aren't we hearing it for the first time? But, nightly news programs actually replay law enforcement and emergency messages.

Clearly, advances in technology, society and world events have prompted a new look at the old regulation. Recently, an Internet thread of articulate scanner listeners has brought the issue to light. (See Radio Reference.com)

Ignoring the ethical issues of indiscriminate broadcasting of law enforcement dispatches and investigations, there are two primary statutes that must be considered, FCC regulations under Title 47, and Part 90 of the Code of Federal Regulations Title 18.

The FCC specifically acknowledges exceptions to the privacy law under the CFR Title 18, Chapter 119, and is now releasing this position statement: "FCC rules do not prohibit redistributing over the Internet those communications licensed under FCC rules Part 90, such as the communications of local government, law en-

forcement, civil defense, private land mobile, or public safety communications, including police, EMS, fire and the like. Licensees under FCC rules Part 90 concerned about the intercept and divulgence of their communications may encrypt or scramble these communications, except for station identification."

Title 18 starts out by closely reiterating the privacy intent of Section 605, but adds these exceptions (abridged as pertinent): "It shall not be unlawful...to intercept or access an electronic communication...that is configured...(in a manner that is)...readily accessible to the general public; to intercept any radio communication which is transmitted by any governmental, law enforcement, civil defense, private land mobile, or public safety communications system, including police and fire; by a station operating...within the bands allocated to the amateur, citizens band, or general mobile radio services; or by any marine or aeronautical communications system;"

It seems clear, therefore, that the streaming of unencrypted public safety messages over the web is lawful, adding one more positive step in a new era for communications monitors who are already enjoying trunking capability and P-25 digital demodulation, all previously unavailable to the listening hobbyist.

Official Confirmation

Bob had no sooner written the above, when Ralph received his own confirmation directly from the FCC in the following email:

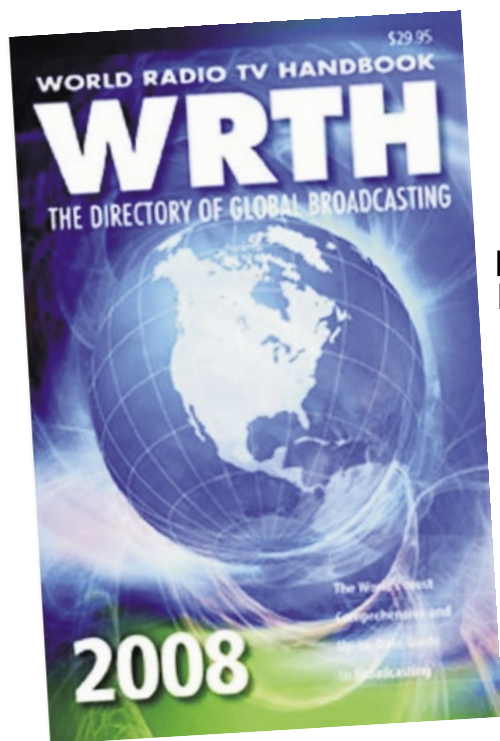
"FCC rules do not prohibit redistributing over the Internet those communications licensed under FCC rules Part 90, such as the communications of local government, law enforcement, civil defense, private land mobile, or public safety communications, including police, EMS, fire and the like.

"Licensees under FCC rules Part 90 concerned about the intercept and divulgence of their communications may encrypt or 'scramble' these communications, except for station identification. Part 90.735(d) requires station identification to be transmitted by unencrypted voice. Station ID may also be by digital transmission of the station call sign, including by Morse code. A licensee that identifies its station in this manner must provide the Commission, on request, information (such as digital codes and algorithms) sufficient to decipher the data transmission to ascertain the call sign transmitted.

"Rules are located in Title 47 of the Code of Federal Regulations; Part 90 is available online at http://wireless.fcc.gov/index.htm?job=rules_and_regulations

So there you have it: The definitive word on streaming audio from public safety agencies.

Since Part 90 includes the once-prohibited digital paging services, does that mean they are now fair game? Absolutely not: Digital transmissions are still protected by laws which prohibit the sale or possession of hardware or software which can convert digital modes into analog audio if those signals are digitally encrypted for the purpose of privacy.



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