

Dr. D. Robertson - Commissioner
Productivity Commission
LB2 Collins St. East
Melbourne VIC 8003
Australia

March 15, 2002

Dear Dr. Robertson,

DR340: ACA RESPONSE TO THE PRODUCTIVITY COMMISSION - QUESTION 15 REPOSE

Below is direct information regarding the past efforts of the Winlink Development Team to communicate with the ACA about Winlink 2000. According to Clyde Franklin of the ACA, John Martin was asked by the ACA to handle our request for service in Australia and be the liason. Below is the results of that effort. This is totally inconsistant with the ACA statement in response to Question 15 of their response to the Productivity Commission of having not had any request from the Winlink Development Team regarding its operation in Australia or by Australian amateurs.

Below is an email from John Martin who imformed me as did Clyde Franklin from the ACA, to submit a request for the use of Winlink 2000 in Australia. I did that and according to John Martin, was sent "forward to the ACA for consideration." Below is supposedly the ACA response to John Martin who was to relay this information to me. I asked Clyde Franklin and others of the ACA for some direct official response, but never received anything.

I find this strange that the ACA has no recollection of these matters. I will post ALL past email messages from the ACA as well as John Martin to substantiate my comments should that be necessary and desirable. If the ACA cannot find any indication of a formal request to for the use of the Winlink 2000 service, I would be happy to again request it directly.

DR340: ACA RESPONSE TO THE PRODUCTIVITY COMMISSION - QUESTION 13

The response to Question 13 indicates that the ACA has sparse knowledge of the mechanism of control as it relates to the Internet interface for Winlink 2000. Unlike the other services mentioned, it is literally IMPOSSIBLE for their to be any direct or indirect access control by any party, amateur or otherwise to the operation of any portion of the Winlink 2000 system, especially, the control of any related Amateur station involved. Such an assertion is absurd, however, unless given the opportunity to provide proper information to those making such comments, the operation of Winlink 2000 will continue to be miss-understood.

Since the ACA apparently has no knowledge of any direct communications with the Winlink Development Team, please advise who we should contact regarding the operation of Winlink in Australia and by Australian amateurs?

Thank you for your interest. Please submit this email and the accompanying information to Earnest Hocking regarding information from John Martin of the WIA relayed from the ACA regarding their disposition on Winlink 2000.

Steve Waterman,
Winlink Development Team

-----Ursprüngliche Nachricht-----
Von: k4cjx [mailto:k4cjx@home.com]

Gesendet: Mittwoch, 3. Oktober 2001 03:53

An: Ernie Hocking

Cc: anthony@van-vugt.com; John Martin AUS WIA; Barry White; VK4CTJ John; VK2DW Don; Barry VK2AAB; HS0AC; HUGHES (Gill) Gilbert; Don Henry; PMBO N8PGR; PMBO KN6KB; Vic Poor W5SMM; PMBO ZS5S; PMBO ZL2UT; PMBO ZL1MA; PMBO ZF1GC; PMBO WG3G; PMBO WB5KSD; PMBO WB0TAX; PMBO W9MR; PMBO W9GSS; PMBO W7BO; PMBO W6IM; PMBO W1ON; PMBO VE1YZ; PMBO SM6USU; PMBO N0ZO; PMBO KF6NPC; PMBO KB6YNO; PMBO KA7CTT; PMBO KA6IQA; PMBO K7AAE; PMBO K6IXA; PMBO HS0AC; PMBO F6CDD; PMBO 9A0APL; Pete WA6OYC; Richard Beckett; Roxanne WA6OYC

Betreff: RE:

Earnest,

Thank you for your prompt reply to this CC.

Below is the "official" word from the ACA via the WIA regarding the past decision about WinLink 2000. In my many, many attempts to extract a direct decision from the ACA, I was always told (by Clive Franklin and others) that the WIA will make the study and recommendation regarding any changes directed by the ACA. Further, I was told by both the ACA and the WIA (still have all the emails) that the ACA will take the lead of John Martin of the WIA on such matters. Below is an indirect determination of earlier this year. I have STILL no official direct communications regarding this decision from the ACA. They spoke around the issue, but still remain silent on direct decisions regarding this topic.

As the member most responsible for such matters regarding the expansion and acceptance of WinLink 2000, please let me know what I can do to assist. To date, no one has contacted any of us about this topic other than Anthony, who I applaud greatly for his approach and content.

To date, there are 44 active VK stations using my own personal WinLink 2000 Participating Network Station for their email while offshore. I am one of 31 "PMBOs" actively carrying Aus WinLink 2000 traffic. These Aus stations have not yet read the menu, but they know how to eat the meal!

Thanks for your help.

Steve, K4CJX

WinLink Development Team.

-----Original Message-----

From: John Martin [mailto:jmartin@xcel.net.au]

Sent: Wednesday, June 13, 2001 21:05

To: k4cjx@home.com

Subject: Winlink verdict

Hi again Steve.

The following extracted from a letter which has come from ACA:

"The operation of the Winlink system would be in breach of the conditions of an Australian Amateur licence in circumstances where:

"- the establishment of a system deliberately designed to support communications between Amateurs and members of the public would represent an indirect connection to the public telecommunications network;

"- the Amateur station was operating in automatic or computer controlled mode and the station was connected to the public telecommunications networks (section 11 of the Radiocommunications Licence Conditions (Amateur Licence) Determination No.1 of 1997 (the Amateur LCD)); and

"- full account was not taken of the conditions in respect of third party traffic (section 5 of the Amateur LCD).

"In respect of third party traffic it should be noted that Australia has only negotiated third party traffic arrangements with 5 nations. Additionally when operating in automatic or computer mode compliance with this licence condition would involve the use of sophisticated message filtering arrangements.

"I have attached relevant sections of the Amateur LCD for your information.

"In summary the ACA considers that the Winlink 2000 system could only be used under Australian Amateur licences in very restricted circumstances."

What this amounts to is that Winlink could only be legal under Australian licence conditions if PMBO stations were not connected to a public telecommunications network (in this case the Internet) which allows non-amateurs to send messages through the amateur network. Australian Winlink stations could only relay messages that could be positively identified as having entered the Winlink network directly from licensed amateur stations on the air.

As for third party traffic, which would include all messages lodged at the CMBO e-mail port, Australian Winlink stations can only relay messages from non-amateurs to stations in one of the five countries that have third party agreements with Australia (USA, Canada, Israel, Honduras and the Solomon Islands).

Putting these two together, it means that almost all of the traffic carried at present by the Winlink network cannot be relayed legally through Australian amateur stations. It would be very unwise for any Australian amateur to continue Winlink operations now because it would be virtually impossible to comply with these restrictions, which after all would only allow a trickle of Winlink traffic to pass through.

So, I am sorry to bring you this news, but as you can see ACA has a strict policy on non-amateur access to the amateur network, and it is not at all likely that it will change in the near future.

Thanks again for all of the information, and sorry that the outcome wasn't more favourable.

Best 73s, John VK3KWA

Steve Waterman, k4cjsx@comcast.net
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