



PUBLIC NOTICE

Federal Communications Commission
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DA 14-918

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON ASSOCIATION OF AMERICAN RAILROADS REQUEST FOR WAIVER TO PERMIT SIGNAL BOOSTERS WITH INCREASED POWER ON CERTAIN 450 MHz BAND RAILROAD FREQUENCIES

WT Docket No. 14-98

Comment Date: July 28, 2014

Reply Comment Date: August 12, 2014

By this *Public Notice*, comment is sought on a request for waiver of the Commission's Rules filed by the Association of American Railroads (AAR) concerning use of signal boosters to maintain communications between the fronts and rears of trains.¹ Specifically, AAR seeks waiver of Sections 90.219(d)(3), which limits Part 90 signal booster power to five watts effective radiated power (ERP), and 90.261(f), which prohibits secondary fixed operations on certain frequencies designated for specialized uses.² AAR seeks waiver to allow use of frequencies from 452/457.900 MHz to 452/457.96875 MHz³ for signal boosters with an ERP of thirty watts in areas where coverage is unsatisfactory due to distance or intervening terrain barriers.

AAR explains that safe, efficient movement of trains relies on communications links between the fronts and rears of trains to monitor speed and brake pressure; operate rear-end brakes; and, on trains with distributed power, coordinate the front and rear engines.⁴ It states that the options currently permitted by the Commission's rules do not provide sufficient coverage to maintain this communications link on long trains in areas of challenging terrain, such as where tracks make sharp turns around mountain passes or encounter quick inclines and declines along hilly terrain, and trackside signal boosters are needed to maintain the link.⁵ As a result, AAR requests waivers of Sections 90.219(d)(3) and 90.261(f) to allow secondary fixed operation of trackside signal boosters with thirty watts ERP in areas where coverage is unsatisfactory due to distance or intervening terrain barriers. We seek comment on the waiver request.

¹ Request for Waiver filed on June 13, 2014 by AAR (Request).

² See 47 C.F.R. §§ 90.219(d)(3), 90.261(f).

³ Specifically, frequencies 452/457.900, 452/457.90625, 452/457.9125, 452/457.91875, 452/457.925, 452/457.93125, 452/457.9375, 452/457.94375, 452/457.950, 452/457.95625, 452/457.9625, and 452/457.96875 MHz. AAR is the mandatory certified frequency coordinator for these frequencies. See 47 C.F.R. § 90.35(b)(2)(iv), (b)(3).

⁴ See Request at 2-3.

⁵ See *id.* at 3-4.

Procedural Matters

Interested parties may file comments and reply comments in response to the waiver request on or before the dates listed on the first page of this *Public Notice*. All pleadings must reference **WT 14-98**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

-Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

-U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, DC 20554.

Parties are requested to send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, DC 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

The request, and comments and reply comments filed in response to this *Public Notice* are available for viewing via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, **WT 14-98**. The documents also will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail FCC@BCPIWEB.com.

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Mr. Rodney Conway of the Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2904 or via e-mail at rodney.conway@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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⁶ See 47 C.F.R. §§ 1.1200(a), 1.1206.