

# United States Senate

WASHINGTON, DC 20510

April 1, 2011

The Honorable Julius Genachowski  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

*WFB  
License  
Comm Operators  
521*

Dear Chairman Genachowski:

As you know, the Rail Safety Improvement Act of 2008 called for the development and implementation of Positive Train Control (PTC) in passenger railroads. Congress required installation of this important public safety technology shortly after the tragic railroad accident on September 12, 2008, in Chatsworth, California that resulted in the death of 25 people. Because PTC can prevent these sorts of accidents, the Southern California Regional Rail Authority (Metrolink) has committed to the development and deployment of its system by the end of 2012, a full three years ahead of the Congressional mandate.

Metrolink contracted to buy the spectrum needed to implement PTC from Maritime Communications/Land Mobile ("MCLM"), and filed the necessary applications with the FCC seeking an assignment of the spectrum to Metrolink and permission to use it for PTC.

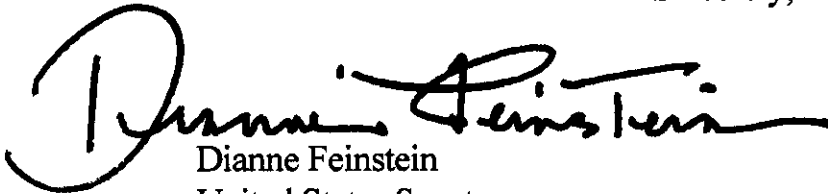
It is our understanding that the FCC presently is investigating an allegation that MCLM failed to reveal a party in interest when it obtained the spectrum in question in an FCC auction. Until this investigation is resolved, Metrolink's application will remain pending.

Although we can't make any comment on the merits of this investigation, we can respectfully urge its rapid consideration and conclusion, so Metrolink can move forward with the vitally-needed public safety improvement that PTC implementation would provide, or make alternative plans for obtaining the needed spectrum. Metrolink has had three major fatal accidents in the past ten years, with over three dozen people killed and hundreds more injured, so it is imperative that we resolve this, one way or another, as expeditiously as possible.


22 APR 2011 RCUD

Thank you very much for your attention to this matter. Should you have any questions or wish to discuss this matter, please do not hesitate to call us, or have a member of your staff call Neil Quinter on Senator Feinstein's staff at 202-224-4933 or Bridget Petuczok on Senator Boxer's staff at 202-224-8113.

Sincerely,



Dianne Feinstein  
United States Senator



Barbara Boxer  
United States Senator