



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 14, 2014

The Honorable Paul Cook
U.S. House of Representatives
1222 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Cook:

Thank you for your letter encouraging the Commission to take prompt steps to act on the Metrolink applications and related waiver requests related to spectrum that could be used for Positive Train Control (PTC). Your views are very important and, as you indicated, will be included in the record of the proceeding and considered as part of the Commission's review.

PTC is a transformative technology that has the power to save lives, prevent injuries, and avoid extensive property damage. It is a top priority of the Commission to facilitate this important safety measure. FCC staff has been working, and will continue to work, with the Department of Transportation, the National Transportation Safety Board, railroads, and spectrum licensees to identify and facilitate secondary market transactions to make spectrum available for PTC operations.

With respect to Metrolink's specific requests, in April 2011, the Commission adopted an *Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing (OSC/HDO)*¹ designating Maritime Communications/Land Mobile, LLC's (MC/LM) basic qualifications to be a Commission licensee for hearing. The Commission also released a Public Notice, WT Docket 13-85, on March 28, 2013, which sought comment on whether the Commission should: (1) consent to the assignment of some or all of MC/LM's AMTS licenses to Choctaw under *Second Thursday*;² (2) consent to the assignment of some of MC/LM's AMTS licenses pursuant to footnote seven of the OSC/HDO; (3) waive the construction and discontinuance-of-service rules for MC/LM's AMTS site-based stations; and (4) terminate its formal hearing, partially or otherwise, regarding MC/LM's basic qualifications.³

¹ See Maritime Communications/Land Mobile, LLC, *Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing*, EB Docket No. 11-71, 26 FCC Rcd 6520 (2011) (OSC/HDO).

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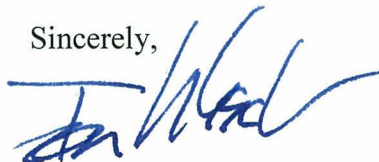
³ Comment Sought on Choctaw-MC/LM Assignment and Second Thursday Request, *Public Notice*, 28 FCC Rcd 3358 (WTB 2013).

The Commission may exercise its discretion to apply the *Second Thursday* doctrine where the individuals charged with misconduct “will have no part in the proposed operations and will either derive no benefit from favorable action on the applications or only a minor benefit which is outweighed by equitable considerations in favor of innocent creditors.” Additionally, footnote seven of the OSC/HDO states that the public interest in facilitating implementation of PTC might warrant removing from the ambit of the hearing a pending application to assign spectrum from MC/LM to the Southern California Regional Rail Authority. Comments, petitions to deny, reply comments, oppositions to petitions to deny, and replies to oppositions were filed in the docket on May 9, May 30, and June 20 of 2013, respectively. Staff is currently reviewing that record.

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I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 14, 2014

The Honorable Xavier Becerra
U.S. House of Representatives
1226 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Becerra:

Thank you for your letter encouraging the Commission to take prompt steps to act on the Metrolink applications and related waiver requests related to spectrum that could be used for Positive Train Control (PTC). Your views are very important and, as you indicated, will be included in the record of the proceeding and considered as part of the Commission's review.

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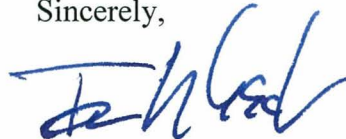
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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 14, 2014

The Honorable Alan Lowenthal
U.S. House of Representatives
515 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Lowenthal:

Thank you for your letter encouraging the Commission to take prompt steps to act on the Metrolink applications and related waiver requests related to spectrum that could be used for Positive Train Control (PTC). Your views are very important and, as you indicated, will be included in the record of the proceeding and considered as part of the Commission's review.

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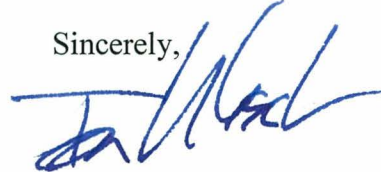
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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 14, 2014

The Honorable Gary Miller
U.S. House of Representatives
2467 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Miller:

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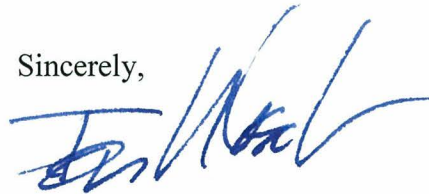
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Tom Wheeler



OFFICE OF
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 14, 2014

The Honorable Ed Royce
U.S. House of Representatives
2185 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Royce:

Thank you for your letter encouraging the Commission to take prompt steps to act on the Metrolink applications and related waiver requests related to spectrum that could be used for Positive Train Control (PTC). Your views are very important and, as you indicated, will be included in the record of the proceeding and considered as part of the Commission's review.

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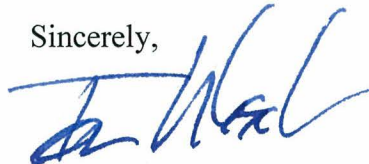
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 14, 2014

The Honorable Adam Schiff
U.S. House of Representatives
2411 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Schiff:

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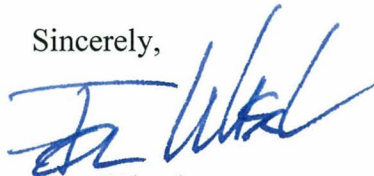
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