

**Congress of the United States**  
**Washington, DC 20515**

May 12, 2020

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The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: WT Docket No. 17-200

Dear Chairman Pai:

We write to express our concerns about “Transitioning the 900 MHz Band to Enable Broadband Development,” the Federal Communications Commission (FCC) Report and Order, Order of Proposed Modification, and Orders (WT Docket No. 17-200), released on April 22, 2020, and its potential impacts on the United States’ refining and petrochemical industries.

On the Texas Gulf Coast, much of the 900 MHz narrowband spectrum is currently licensed and actively used by large industrial complexes, refineries, and petrochemical facilities delivering vital two-way radio communication. These industries have raised concerns regarding the importance of maintaining their reliable and interference – free communications using the 900 MHz narrowband spectrum to ensure the safety of their workers and operations. We believe it is imperative for the FCC to work closely with its incumbent refinery licensees to help ensure the safety of their facilities and employees and that our communities are not impacted by this transition.

The FCC’s draft order will transfer key narrowband spectrum that is currently used by refinery workers for their radio lifelines. This technology and hardware is also equipped with life-saving radio location and tracking data capabilities. For several decades, America’s refining industry has invested in, and relied upon, the 900MHz narrowband spectrum and the unique technology and coverage it delivers. The spectrum and the two-way radios serve as the critical communications link between control room operators and their on-site employees. During emergency situations or natural disasters, when other public communications tools are not available, private 900 MHz two-way radios connect site employees with each other and with municipal first responders and local government officials.

It is important to recognize, none of the alternative communications technologies meet all the strict performance, reliability, and mission critical requirements that are essential to refineries. The FCC must work with affected industries through the transition process to ensure that any replacement arrangement maintains these critical safety and reliability standards within the uniquely challenging confines of our incumbent refinery radio licensees and their large communications systems.

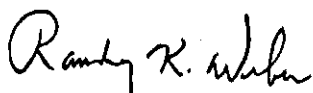
In particular, the FCC's proposed relocation within 900MHz narrowband could decrease or eliminate a refinery's ability to communicate and use GPS radio location devices. Plant voice and data communications are imperative in daily operations and even more critical during events that require immediate communication and precise information to keep workers safe and precisely located during an emergency. The transition to a privatized broadband LTE may be infeasible in a refinery setting.

Furthermore, we are concerned about the possibility that even a one-for-one swap of frequencies may not adequately replace the specific qualities of the existing 900MHz narrowband spectrum, as alternative spectrums prevent the radio frequency signals and critical location data refinery operators and workers demand. Shared "cell tower"-like solutions may not work for these large and complex radio systems.

We understand and appreciate the FCC's drive to meet its mission for broadband, and we are grateful for the engagement that the FCC has offered the refining and petrochemical industry during this process. Additionally, we appreciate the FCC's commitment to work with the refining industry to address their concerns in the implementation of this rule. Above all, it is imperative that we maintain the continuity of the safe and reliable communication systems upon which our fuel manufacturers rely.

Thank you for your diligent attention to this matter. We look forward to working closely with you as this process moves toward a final arrangement that satisfies the goals of the FCC, without dismissing the credible safety concerns of American industry.

Respectfully submitted,



Randy K. Weber  
Member of Congress



Brian Babin, D.D.S.  
Member of Congress



Vicente Gonzalez  
Member of Congress



Henry Cuellar  
Member of Congress



Roger Williams  
Member of Congress



Lizzie Fletcher  
Member of Congress



Dan Crenshaw  
Member of Congress

cc: The Honorable Michael O’Rielly, Commissioner  
The Honorable Brendan Carr, Commissioner  
The Honorable Jessica Rosenworcel, Commissioner  
The Honorable Geoffrey Starks, Commissioner