



**Intelligent Transportation
Society of America**

1100 New Jersey SE, Suite 850
Washington, DC 20003

October 24, 2018

Ex Parte

Marlene H. Dortch, Secretary
Federal Communications Commission (FCC)
445 12th Street, SW
Washington, DC 20554

Re: Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) devices in the 5GHz Band (ET Docket No. 13-49)

The Intelligent Transportation Society of America (ITS America) would like to clarify that new and developing vehicle to everything (V2X) automotive technology that depends upon the 5.9 GHz band allocation is allowing us to finally address the scourge of lives lost and ruined on our nation's roads.

According to the Centers for Disease Control (CDC), about 90 people die each day in the United States from crashes, resulting in the highest death rate among comparison countries. If U.S. crash deaths equaled the average rate of 19 other high-income countries, more than 18,000 lives could be saved each year.¹ Now is the time for the Commission to act decisively to protect the investment in dedicated V2X short-range communications at 5.9 GHz as the technology is being deployed en-masse.

As General Motors announced in 2017 and Toyota announced earlier this year, industry is committing to adding V2X communications to a dramatically growing suite of new safety-critical, industrial-strength technologies being installed in vehicles to support crash avoidance, automation, and highway traffic management.^{2 3} The foundation of these new technologies is spectrum -- spectrum used to identify, track and predict the motion of potential obstacles through communications or detection. These new technologies have created incredible advances and opened the door to driverless cars -- advances that look to dwarf nearly a century of automotive technology development and safety.

As the recent Internet and Television Association ex-parte observes, new wireless technologies are being developed and tested that rely on the 5.9 GHz band, such as Cellular-V2X (C-V2X).⁴ The introduction of these new standards more than anything reflects that industry and road infrastructure operator commitments, along with other widely-accepted industry standards, have created a developing but rapidly maturing and competitive supply chain and market. This market for V2X equipment and services depends on the 5.9 GHz band allocation.

Heidi King, Acting Administrator of the National Highway Traffic Safety Administration (NHTSA), noted at the International Symposium on Advanced Radio Technologies 2018 Conference that the "fundamental challenge that we confront is how to assess and compare the value of known/foreseeable technologies against the value of potential

¹ Centers for Disease Control and Prevention "Motor Vehicle Crash Deaths - How is the US doing?" July 18, 2016 ([URL](#))

² Cadillac Builds on V2V Deployment with V2I Development, Press Release May, 30, 2017 ([URL](#)) and Cadillac to Expand Super Cruise Across Entire Lineup, June, 6, 2018 ([URL](#))

³ Toyota and Lexus to Launch Technology to Connect Vehicles and Infrastructure in the U.S. in 2021, Press release April 16, 2018 ([URL](#))

⁴ NCTA Ex-Parte Letter to FCC Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 13-49, October 16, 2018 ([URL](#))

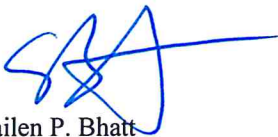
or developing technologies.”⁵ As Wi-Fi technology is well known, it is incumbent upon the Commission to strike the balance between investments that increase internet access and speed for streaming entertainment, education and other applications, and longer-term but highly-advanced technologies designed to improve mobility and economic productivity in the transportation sector while reducing the unrelenting and unacceptable human toll in traffic safety deaths and injuries.

ITS America and its members have been working with the Commission to find a workable path forward to share 5.9GHz with WiFi unlicensed U-NII devices. We are committed to testing and believe it should rigorously evaluate all viable proposed approaches to determine if they are capable of “reliably protecting” the utility of dedicated short-range V2X and “will not delay its deployment.”⁶

Three years ago, Congress asked the FCC and the Departments of Commerce and Transportation to conduct an open and transparent testing process to determine how to share the spectrum.⁷ Testing is the best way to ensure that Wi-Fi unlicensed devices do not interfere with the ability of V2X technology to save lives.

Today, ITS America, along with the Alliance of Automobile Manufacturers, Global Automakers, the 5G Automotive Association and the American Association of State Highway Officials released a joint statement.⁸ The statement shows the group “strongly support preserving the full 5.9 GHz band for transportation safety use, as it has been allocated.” It goes on further to argue: “We are on the cusp of a major breakthrough in vehicle connectivity and safety innovations. With significant past and present investments in connected vehicle innovations, V2X technologies are already being deployed for the purposes of improving road safety. This will only continue moving forward. With 37,133 deaths on U.S. roadways last year alone, we must take every opportunity to save the lives of road users.”

Sincerely,



Shailen P. Bhatt
President and Chief Executive Officer
Intelligent Transportation Society of America

⁵ Prepared Keynote Remarks at the International Symposium on Advanced Radio Technologies 2018 Conference Heidi King, Deputy Administrator, July 25, 2018 ([URL](#))

⁶ Reply Comments Of The Alliance Of Automobile Manufacturers, Association Of Global Automakers, Intelligent Transportation Society Of America, And Denso International America, Inc. Revision of Part 15 of the Commission’s Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 13-49, July 22, 2016 ([URL](#))

⁷ Letter to Transportation Secretary Anthony Foxx, Commerce Secretary Penny Pritzker and FCC Chairman Tom Wheeler from Senate Committee on Commerce, Science and Transportation Chairman John Thune and Committee Members Senators Marco Rubio and Cory Booker. September 9, 2015 ([URL](#))

⁸ Multi-Stakeholder Joint Statement, October 24, 2018 – ([URL](#))