

May 30, 2019

**VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street S.W.  
Room TW-A325  
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation  
GN Docket No. 17-83; WC Docket No. 17-84**

Dear Ms. Dortch:

On May 28, 2019, Timothy J. Strafford, Associate General Counsel of the Association of American Railroads (“AAR”), along with Arpan A. Sura, outside counsel for AAR, met with Travis Litman, Chief of Staff and Senior Legal Advisor, Wireline and Public Safety for Commissioner Jessica Rosenworcel.

During the meeting, we discussed the numerous procedural and substantive deficiencies in Article 5 of the *State Model Code for Accelerating Broadband Infrastructure Deployment and Investment* adopted by the Commission’s Broadband Deployment Advisory Committee. Article 5 was drafted and approved without meaningful consultation from the railroad industry, the Surface Transportation Board, or the Federal Railroad Administration. Article 5 also threatens safe railroad operations and forces the railroad industry into commercial arrangements that effectively subsidize broadband and other utility companies. As we explained, no showing has been made that these invasive measures concerning the railroads’ private property are necessary to accelerate broadband deployment—a goal that AAR has championed throughout the Commission’s infrastructure reform proceedings.<sup>1</sup>

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, this letter is being filed electronically with your office. Please contact me with any questions.

Respectfully submitted,

/s/ Arpan A. Sura

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<sup>1</sup> See generally Comments of the Association of American Railroads, WT Docket No. 17-79 (filed June 15, 2017); Reply Comments of the Association of American Railroads, WT Docket No. 17-79 *et al.* (filed July 17, 2017).