

JUN 14 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Redevelopment of Spectrum to) ET Docket No. 92-9
Encourage Innovation in the)
Use of New Telecommunications)
Technologies)

To: The Commission

COMMENTS OF ASSOCIATION OF AMERICAN RAILROADS
ON ALCATEL'S SUPPLEMENTAL COMMENTS

The ASSOCIATION OF AMERICAN RAILROADS ("AAR"), by its attorneys and pursuant to Section 1.45 of the Commission's Rules, hereby submits its Comments in response to the Supplemental Comments filed by Alcatel Network Systems, Inc. ("Alcatel"), in the above-referenced proceeding.¹ Alcatel's Supplemental Comments addressed a Further Notice of Proposed Rule Making ("Further Notice") in which the Federal Communications Commission ("FCC" or "the Commission") proposed to reallocate and rechannelize five bands above 3 GHz to accommodate common carrier and private fixed microwave licensees displaced from the 2 GHz band.²

^{1/} The Commission established June 14, 1993, as the deadline for filing comments on the Supplemental Comments filed by Alcatel on May 20, 1993. Public Notice, ET Docket 92-9, DA 93-603, released May 28, 1993.

^{2/} Further Notice of Proposed Rule Making, 7 FCC Rcd 6100 (1992).

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List A B C D E

I. PRELIMINARY STATEMENT

AAR is a voluntary, non-profit organization composed of member railroad companies operating in the United States, Canada and Mexico. These railroad companies generate 97 percent of the total operating revenues of all railroads in the United States. The AAR is the joint representative and agent of these railroads in connection with federal regulatory matters of common concern to the industry as a whole, including matters pertaining to

detectors to dispatchers, who then can act to prevent disastrous derailments. Microwave systems also are vital to coordination of operations among railroads.

Because of the railroads' extensive use of the 2 GHz band for private fixed microwave operations, AAR has been actively involved in this proceeding and the related proceeding to license personal communications systems ("PCS") in the 2 GHz band.³ AAR's paramount concern is to maintain the integrity and reliability of its member railroads' private microwave communications systems in order to ensure safe, reliable and

AAR filed comments supporting the Commission's efforts to fulfill these guarantees with a rechannelization plan aimed at optimizing opportunities for relocating 2 GHz incumbents to higher bands.⁶ AAR did not state a preference for any particular rechannelization plan. Rather, AAR urged the Commission to adopt a plan that guarantees microwave operations equal or superior to existing 2 GHz operations in all aspects of system performance and that accommodates the needs of analog and digital systems. In Reply Comments, AAR pointed out the grave uncertainty, as many parties expressed in their Comments, about whether, regardless of the channelization plan adopted, sufficient capacity exists in the higher bands to accommodate displaced 2 GHz microwave incumbents.

**III. THE COMMISSION MUST GUARANTEE MICROWAVE INCUMBENTS
AVAILABILITY OF "COMPARABLE ALTERNATIVE FACILITIES" AND**

filed with the Commission in December, the Telecommunications Industry Association ("TIA") proposed an alternative plan based on 1.25 MHz channels. Alcatel's new "Compromise Plan" incorporates elements of its original proposal, TIA's proposal, and Joint Comments filed by Harris Corporation-Farion Division, Digital Microwave Corporation and Telesciences. AAR believes that the Commission should adopt a channelization plan for the bands above 3 GHz that enables the maximum number of displaced 2 GHz microwave licensees to operate in a safe, reliable and

CERTIFICATE OF SERVICE

I, Jaime Y.W. Bierds, a secretary for the law firm Verner, Liipfert, Bernhard, McPherson and Hand, Chartered, do hereby certify that a true and correct copy of the foregoing "Comments of Association of American Railroads on Alcatel's Supplemental Comments" was delivered by hand, this 14th day of June, 1993, to the following:

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Washington, D.C. 20554

Commissioner Andrew D. Barrett
Federal Communications Commission
1919 M Street, N.W., Room 844
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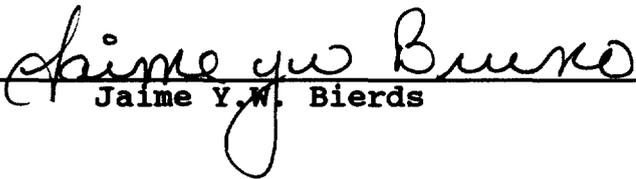
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