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The NPRM seeks to establish separate licensable bands within the 902-928 MHz spectrum

currently available for wide band and narrow band use. The wide band applications would be

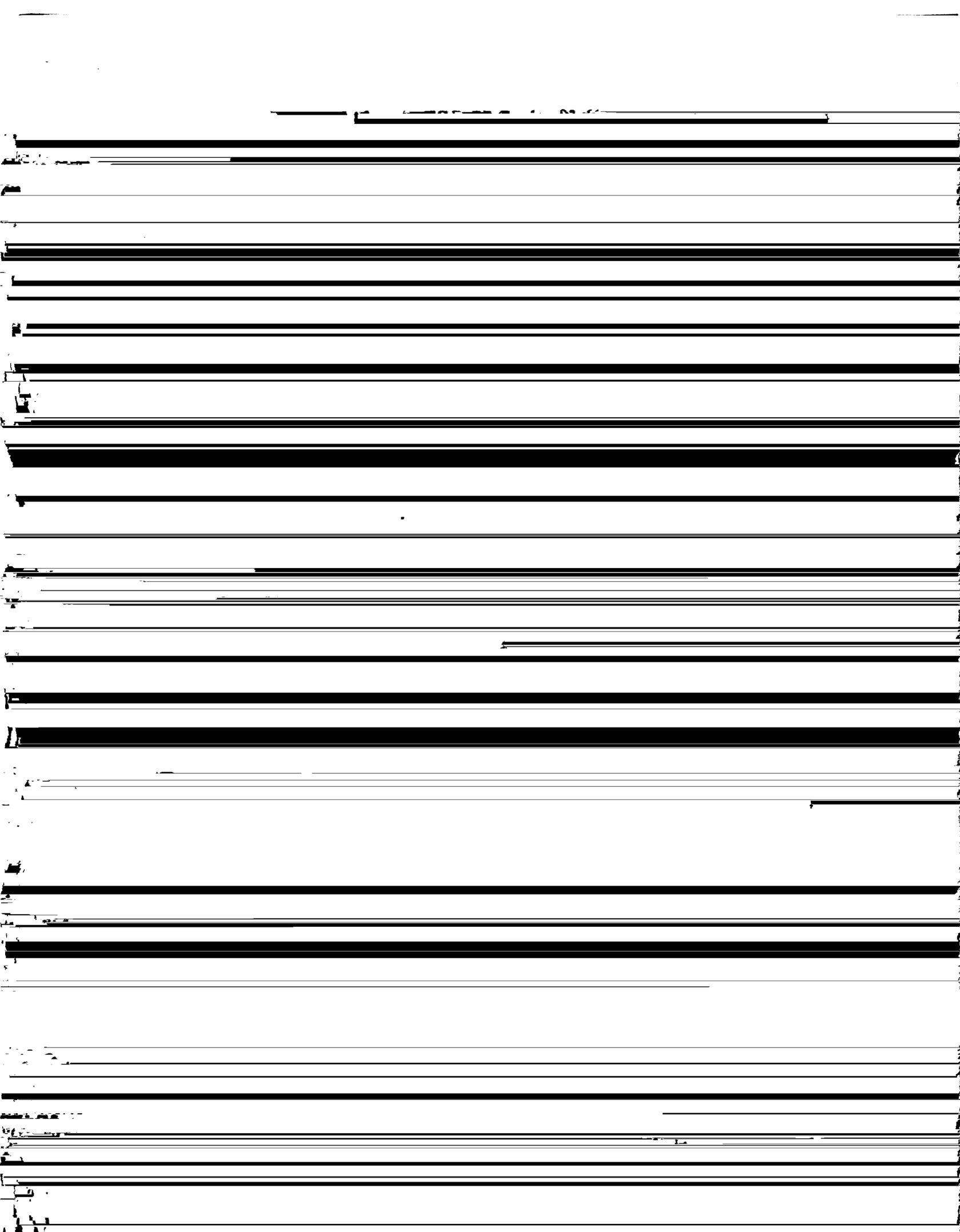
In addition, IBTTA requests that the Commission consider granting **co-primary status** for ETTM devices that currently operate, or have the potential to operate, under FCC Part 90 regulations as secondary status users. By granting co-primary status, the FCC would better protect current ETTM systems and encourage the development of additional applications essential to meet our nation's existing and future surface transportation and improved air quality needs.

#### **ETTM Definition and Current Uses**

Recent technological advances allow the toll industry to collect tolls electronically in the accurate, efficient and cost-effective manner desired by the motoring public. Using ETTM systems, motorists can pay tolls in a hands-free, non-stop environment at highway speeds. ETTM provides added toll plaza capacity, reduced fuel consumption, less congestion, cleaner air and increased productivity.

ETTM systems allow drivers to pass through toll plazas equipped with tag readers. The reader communicates with a tag attached to or in the vehicle and records the transaction. Customers can either pre-pay with cash or by credit card to set up an account and receive a tag. ETTM customers enjoy the convenience and time-savings associated with hands-free non-stop electronic toll collection. Drivers who choose not to use the ETTM system can continue to pay their tolls manually.

The Texas Turnpike Authority has been operating TOLLTAG, an ETTM system on the Dallas North Tollway since 1989. The system improves the agency's efficiency and reduces peak period congestion on the Tollway. This added capacity benefits all motorists, whether they are ETTM subscribers or not.



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Some toll agencies plan to use federal funds, available under the IVHS provisions of ISTEA, to install ETTM systems. In the long term, ETTM also will provide important IVHS and traffic management functions, including the monitoring, collecting and reporting of real-time congestion information to motorists. ETTM also will make possible the use of congestion pricing tests, provided for in ISTEA.

In California, ETTM technology will make it possible for drivers of single occupant vehicles to use and pay for the excess capacity of dedicated high occupancy vehicle lanes. Variable toll rates will allow officials to give commuters an incentive to avoid peak period travel and to form carpools.

Seven toll authorities in the Northeast are participating in an Interagency Group to select a compatible ETTM system for use by motorists throughout the New York, New Jersey and Pennsylvania region. These agencies are the New Jersey Highway Authority, New Jersey Turnpike Authority, New York State Thruway Authority, South Jersey Transportation Authority, Pennsylvania Turnpike Commission, The Port Authority of New York and New Jersey, and Triborough Bridge and Tunnel Authority. The region accounts for nearly 40 percent of all toll transactions and 67 percent of all toll revenue in the United States.

The E-ZPass system will allow region-wide electronic toll collection at all toll facilities. These include river crossings, toll facilities serving central business districts, and intra- and inter-state roads operated by the seven member agencies. While each agency in the group is responsible for installing and operating ETTM on its own facility, the interagency approach will provide maximum convenience to motorists. It is anticipated that implementation of this technology will be phased-in over the next several years.

The Interagency Group plans to resume operational tests next month on two technologies that operate in the 900 MHz band (904 to 912 MHz and 918 to 926 MHz). Eventually, toll agency officials expect to process over one million EZ-Pass transactions daily in several hundred toll plaza lanes.

The size and scope of this project and its potential impact on millions of daily commuters and commercial drivers is enormous. Interagency Group members have allocated more than \$63 million to fund E-ZPass activities through 1996. The group will also use an additional \$32 million in federal funds available from the Federal Highway Administration under ISTEA.

In the New England area, seven transportation agencies are pursuing a Multi-Modal ETTM Program, promising to illustrate further the benefits of IVHS by combining toll, urban mass transit and ground airport facilities in one system. Participants include the Maine Turnpike Authority, Massachusetts Executive Office of Transportation and Construction, Massachusetts Highway Department, Massachusetts Turnpike Authority, Massachusetts Port Authority, New Hampshire Department of Transportation (Bureau of Turnpikes), Rhode Island Turnpike and Bridge Authority and the Massachusetts Institute of Technology's Region One University Transportation Center.

The New England Group aims to have its ETTM system working by 1994 for advanced taxi toll collection at area airports, river tunnel crossings, and certain roads for commercial traffic.

While these interagency efforts move forward, several individual toll authorities are proceeding with ETTM systems, including:

1. The Georgia Department of Transportation (GDOT) plans to open the Georgia 400 Extension, a new limited-access highway in Atlanta, Georgia, (including an advanced toll collection system in 18 lanes) next month. Further plans are to expand ETTM to a total of 20 lanes. Federal funds helped develop the Georgia 400 Extension, a pilot project under the toll provisions of the *Uniform Relocation Assistance Act of 1987*.
2. Operational testing on an ETTM system designed to classify vehicles based on their weight (versus the number of axles), the first of its kind, is being conducted on the Ohio Turnpike. Turnpike officials hope to complete testing, on various interchanges, later this summer.
3. The New York State Thruway Authority plans to start operational testing on an ETTM system this summer at its Spring Valley and Tappan Zee Bridge, followed by similar testing at the Grand Island Bridges this fall. (The Thruway Authority will integrate this interim ETTM operation with the EZ-Pass regional service once the Northeast Interagency Group selects its system.)
4. The Maryland Department of Transportation is exploring the use of ETTM to benefit its many commuter travelers throughout the Washington-Baltimore metropolitan area. Officials hope to implement such a system in 1996.

Per current FCC guidelines, these ETTM applications will operate on a secondary basis in the 900 MHz frequency range.

**Concern with FCC Granting NPRM - Exclusivity**

This NPRM would provide more spectrum for wide-band uses, specifically 16 MHz in the 904-912 and 918-926 MHz bands. Narrow-band applications, such as ETTM, would only be given eight MHz in the 902-904, 912-918, and 926-928 MHz bands. Secondly, even though the NPRM would not by definition be granting an exclusive use status for one IVHS application, it would be giving wide-band systems exclusivity in bands already used by ETTM systems.

The Association submitted comments, filed December 7, 1992, opposing the petition for rulemaking filed by North American Teletrac and Location Technologies, Inc. (Teletrac). Teletrac, through its petition, desires to change the existing interim FCC regulations seeking exclusive use of a large part of the 900 MHz band.

IBTTA understands that the Teletrac system, defined as a wide-band use, is a vehicle location and tracking system. Teletrac and similar products will, in the future, benefit the public by tracking commercial truck traffic, locating stolen vehicles and providing emergency road service.

Teletrac is one example of an IVHS technology serving a particular need of a specific group of users or customers. Similarly, ETTM systems are another type of application serving a unique need.

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The Association believes that adopting this NPRM would not serve the best interests of

**Concern with FCC Granting NPRM - Public Investments Jeopardized**

ETTM is not only electronic toll collection. It also provides various traffic management applications. Numerous state highway agencies and toll authorities are making large investments to adopt this technology for electronic toll collection and traffic management applications. Some of these activities will combine toll revenues with federal funds made available under ISTEA.

**Concern with FCC Granting NPRM - Spill Over Constraints**

Also, resources have already been devoted to meet certain state IVHS requirements. For instance, the California Department of Transportation (CALTRANS) adopted a specification for automatic vehicle monitoring systems, including ETTM. This requirement identifies the 915 MHz band as the preferred frequency for ETTM services. For ETTM products to meet and effectively operate under this CALTRANS specification, however, will require significant adjacent bandwidths (even though ETTM is considered a narrow-band use).

If there is not enough spectrum (especially contiguous bandwidths), a likely result if the NPRM is adopted, the potential for providing additional IVHS and other traffic management functions in a cost effective and timely manner, as desired by the motoring public, would be lost.

Changing the interim rules to instead elevate ETTM systems to a co-primary status would offer more reliable and cost-effective service to ETTM customers while effectively sharing limited spectrum for other uses.



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Favoring the NPRM would set a dangerous precedent for the future by not allowing what should be "cooperating applications" to share frequency spectrum. Finally, adoption of the NPRM would not be in the best interest of the motoring public nor would it serve national transportation policy goals.

Respectfully submitted,



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