

ORIGINAL

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

RECEIVED
APR 29 1995
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Part 90 of the)
Commission's Rules to Adopt)
Regulations for Automatic)
Vehicle Monitoring Systems)

PR Docket No. 93-61

DOCKET FILE COPY ORIGINAL

PETITION FOR PARTIAL RECONSIDERATION

The Intelligent Transportation Society of America ("ITS America"), pursuant to Section 1.429 of the Commission's Rules, hereby petitions the FCC for partial reconsideration of its Report and Order in this proceeding adopting regulations for the Location and Monitoring Service ("LMS") in the 902-928 MHz Band (the "900 MHz Band").¹ In its Report and Order (at para. 6), the Commission, inter alia, implemented new Subpart M in Part 90 of its Rules, denominated the "Transportation Infrastructure Radio Services" ("TIRS") for the purpose of furthering "Congress's goal of encouraging ITS [Intelligent Transportation Systems] by providing an organized and unified approach towards regulating spectrum for ITS-related services."

As set forth below, ITS America applauds the Commission's initiatives in creating a specific Subpart of its Rules to provide an emerging regulatory framework for spectrum-dependent Intelligent Transportation Systems and services. The creation of new Subpart

¹In the Matter of Amendment of Part 90 of the Commission's Rules to Adopt Regulation's for Automatic Vehicle Monitoring Systems, FCC 95-41 (February 6, 1995) ("Report and Order").

No. of Copies rec'd
List A B C D E

24

M of Part 90 is an important step towards the realization of the many public benefits offered by ITS services that are recognized in the Report and Order (at para. 26). The Commission's on-going leadership in this area is clear in the Report and Order (at para. 6):

Today's creation of the TIRS clearly demonstrates this agency's commitment to the continued integration of radio-based technologies into the nation's transportation infrastructure and our commitment to the development and implementation of the nation's intelligent transportation systems of the future.

ITS America seeks reconsideration of the Report and Order for the limited purpose of requesting that the FCC substitute the more universally recognized term of "Intelligent Transportation Systems" (rather than TIRS) to identify this new group of radio services, and to therefore denominate new Subpart M of Part 90 as the "Intelligent Transportation Systems Radio Service" or "ITS-RS.". The term "Intelligent Transportation Systems" has gained widespread acceptance by other government agencies and the private sector. It is also becoming ubiquitous in the public's perception of these emerging technologies.² Adoption of a single term will avoid confusion. Just as importantly, the term "Intelligent Transportation Systems" captures exactly that intended by the FCC for the TIRS which is defined as being "for the purpose of integrating radio-based technologies into the nation's intelligent

²In this docket, the Commission acknowledged that these technologies are being referred to by the term and the acronym. See PR Docket No. 93-61, p. 4, n.9.

transportation systems." (Emphasis added.)

The Intelligent Transportation Society of America is a nonprofit educational and scientific organization that was incorporated in August of 1990 under the laws of the District of Columbia.³ The purpose of ITS America is to coordinate and promote the research, development and deployment of intelligent or "smart" transportation systems in the United States. ITS America serves as a utilized Federal Advisory Committee to the U.S. Department of Transportation ("USDOT"). Its members are drawn from all who have a stake in the application of technology to transportation and to provide information and opportunities for participation and benefit.⁴

Over the past five years, ITS America has served as the focal point for public and private sector cooperation in enabling the expeditious deployment of ITS services and products throughout the U.S. and in realizing the goals articulated by Congress in the Intermodal Surface Transportation Efficiency Act ("ISTEA") of 1991. ITS America has drafted a Strategic Plan for the implementation of ITS systems within the United States that has been recognized by the FCC and many others as authoritative (Report and Order at n. 59), has participated in the on-going ITS Architecture development

³ITS America filed comments in this proceeding under its former name "IVHS AMERICA." The name was changed last year to better reflect the organization's intermodal mission. See infra.

⁴The views expressed herein are those of ITS America and do not necessarily represent the views of the individual members of the Society.

program under the auspices of the USDOT, has coordinated with USDOT the preparation of an ITS National Program Plan that has identified a set of twenty-nine user services to be accommodated within the ITS infrastructure and has promoted at every turn consensus on the deployment of an ITS infrastructure in the U.S. ITS America is uniquely positioned to assist both public and private stakeholders in ITS and to educate the public about the many benefits of ITS services.

ITS America is also in the forefront of educating the public about the benefits of intelligent transportation systems. Greater awareness of the possibilities offered by these systems will lead to faster and more widespread acceptance by the public. For this reason, the public would be better served by reinforcing the term "Intelligent Transportation Systems." ITS America urges the Commission to bear in mind the following:

- The term has specific, positive meaning in the ITS community.
- The term is already in use to educate the public about the benefits of this technology.
- Use of the term in this context maintains consistency and avoids confusion.
- The term is broad enough to encompass current and future developments.

The Commission stated in the Report & Order that "[t]he ITS is a collection of advanced radio technologies that promise to improve the efficiency and safety of our nation's highways, reduce harmful automobile emissions, promote more efficient energy use, and

increase national productivity."⁵ Clearly the Commission itself acknowledges the term as the most comprehensive description of developments in this industry.

When Congress enacted the Intermodal Surface Transportation Efficiency Act ("ISTEA") in 1991, its primary purpose was to provide a new vision of surface transportation in the U.S. Congress set as a goal the widespread implementation of an infrastructure to enhance the capacity, efficiency, and safety of the nation's surface transportation systems. ISTEA was enacted to address the entire range of intermodal transportation systems. While within ISTEA, Congress directed USDOT to analyze and assess "Intelligent Vehicle Highway Systems," the agency has long since abandoned this term in its organizational structure and in its policy discussions in favor of "Intelligent Transportation Systems." Under the impetus of USDOT, there is a possibility that references in ISTEA to "Intelligent Vehicle Highway Systems" and "IVHS" will be replaced with "Intelligent Transportation Systems" and "ITS." In addition, it is probable that the re-authorization of ISTEA in 1997 will refer exclusively to "Intelligent Transportation Systems."

USDOT has joined with ITS America to champion a single coherent term that covers the entire Intelligent Transportation Systems community and is easily understood by the public at large. Last year, under task to ITS America, Booz-Allen & Hamilton, Inc.

⁵PR Docket No. 93-61, Report and Order, p. 4, n.9.

thoroughly reviewed (the "Booz-Allen study") the Society's efforts and its stakeholders' interests and objectives.⁶ The Booz-Allen study strongly recommended a change from "IVHS AMERICA" to "ITS America" because it was a broader term that better reflected the user base, and focused on improving the entire transportation system. Based on this recommendation, the Society polled (via ballot) its entire membership on the proposed name change. The result was practically unanimous (95 percent) in favoring the name "ITS America." As a result, the Society changed its name from "IVHS AMERICA" to "ITS America" to better reflect its broad and intermodal constituency.

The efforts of USDOT and ITS America to rally other government agencies, academia, the private sector and the public to the term "Intelligent Transportation Systems" have gained tremendous momentum. ITS America would welcome the Commission's adoption of this unified term. In the midst of a multitude of names that have been proffered to describe Intelligent Transportation Systems, including, for example "Transport Information and Control Systems" or "TICS" (as used by the International Telecommunication Union ("ITU")), "Advanced Transport Telematics" ("ATT"), "Advanced Transportation Systems" ("ATS"), "Intelligent Vehicle Transportation Systems," and "Road Transportation Telematics," nothing is as clear and compelling as

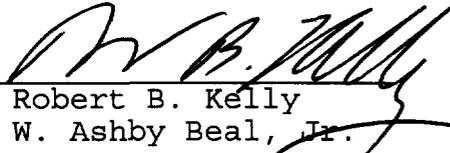
⁶ITS America stakeholders come from the federal government, state and local governments, the private sector, academia, and other associations.

simply calling them "Intelligent Transportation Systems."

For these reasons, ITS America respectfully urges the grant of its petition for partial reconsideration.

Respectfully submitted.
ITS America

By:



Robert B. Kelly
W. Ashby Beal, Jr.

KELLY & POVICH, P.C.
1101 30th Street, N.W.
Suite 300
Washington, D.C. 20007
(202) 342-0460

ITS COUNSEL

April 24, 1995