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February 26, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Ex Parte Presentation in PR Docket No. 92-235

Dear Mr. Caton,

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, this is to notify you that Edwin Kemp, Lawrence R. Sidman, and Thomas J. Keller, representing the Association of American Railroads (AAR), met on Friday, February 23, with Rudolfo M. Baca, Legal Advisor to Commissioner Quello to discuss the issues raised in the Report and Order and Further Notice of Proposed Rule Making in this docket. AAR reiterated the points raised in its Comments and Reply Comments on the Report and Order and Further Notice of Proposed Rule Making. The attached briefing book was discussed during the meeting.

Pursuant to Section 1.1206(a), two copies of this notice are being filed for placement in the docket of this proceeding.

Should any questions arise concerning this notice, please contact the undersigned.

Sincerely,

Thomas J. Keller
Counsel for AAR

Attachment

cc (w/o att.): Rudolfo M. Baca

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List ABCDE

ASSOCIATION
OF AMERICAN
RAILROADS

AAR Briefing on
FCC Channel Consolidation Proposal
PR Docket No. 92-235

Summary of Presentation

- Railroads Play a Vital Role in the National Economy
- Mobile Radio Communications are Critical for Railroad Safety
- Consolidation of Railroad Mobile Radio Channels Will Result in Unsafe Conditions

A Viable Railroad Industry is Vital to the Nation's Economy

- **Railroads handle 39% of all freight ton-miles (more than any other mode)**

- **Railroads carry:**
  - **65% of motor vehicles**
  - **60% of coal**
  - **50% of pulp and paper**
  - **49% of farm products**
  - **40% of chemicals**
  - **40% of food and like products**

- **Railroads carry millions of passengers and commuters each day**

- **Railroads are the safest, least polluting and most energy efficient way to move freight over land**

Congress Has Recognized the Unique Status of the Railroad Industry and its Importance to the National Economy

- Congress has given the FCC the power to exempt railroads from regulations to which they would otherwise be subject (47 U.S.C. § 303(k).

- Congress has given the President the power to intervene in the event of a rail strike (45 U.S.C. § 160).

Railroads Are Unique Among All Land Mobile Radio Users

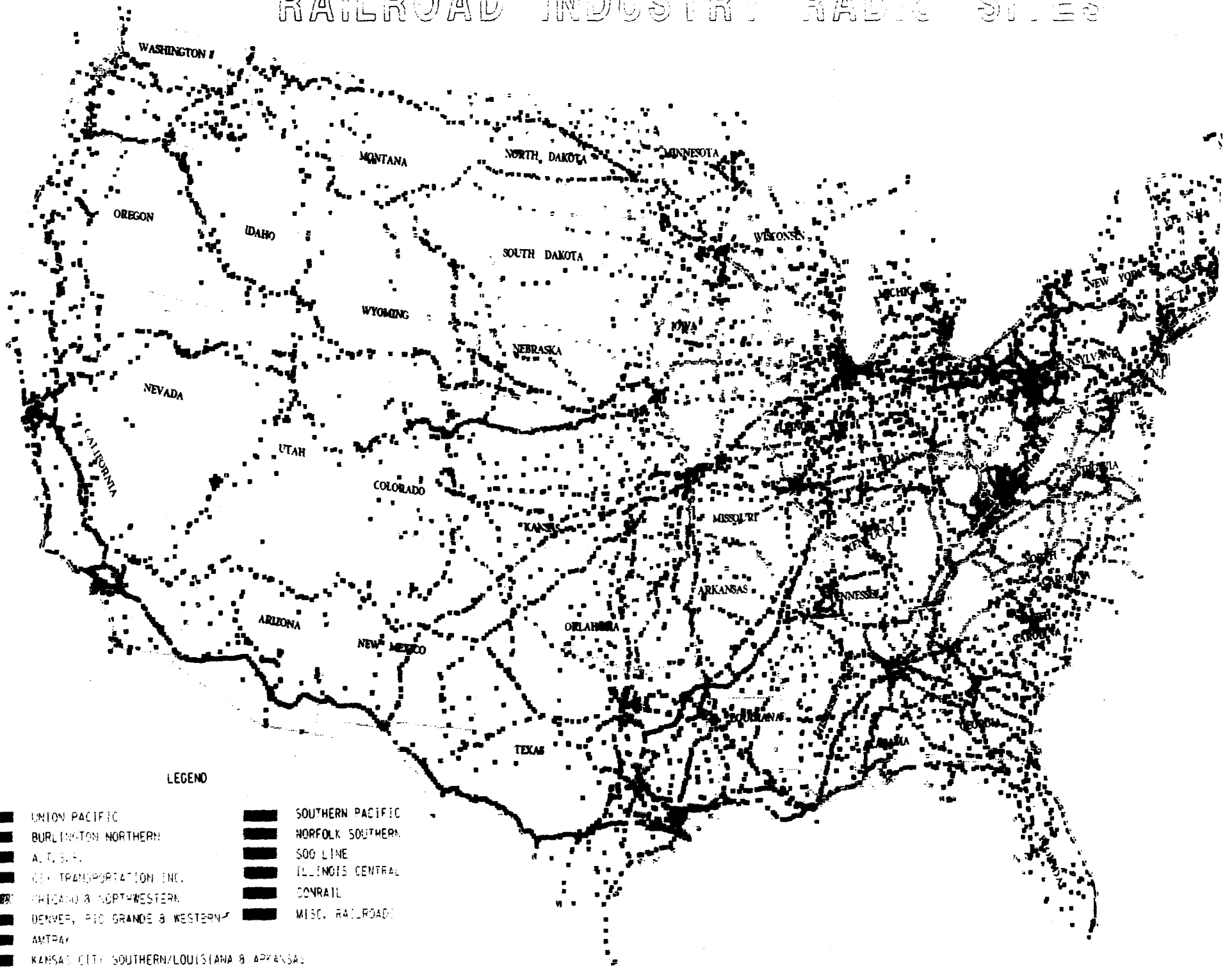
1. Because the railroad business is vehicular (i.e., mobile) in nature, railroads rely directly on mobile radio for the safe operation of their essential business.

   - The core business of other "priority" mobile radio users (e.g., utilities and pipelines) is not inherently mobile -- they do not rely directly on mobile radio for the delivery of products or services.

2. Train operations involve massive inertial forces, high speeds, very long stopping distances and restricted movement on fixed rights-of-way.

   - Because of these factors and the consequent potential dangers, mobile radio is much more integral to minute-to-minute operations of railroads than for all other land mobile radio users, e.g., trucking companies and taxicabs.

RAILROAD INDUSTRY RADIO SITES

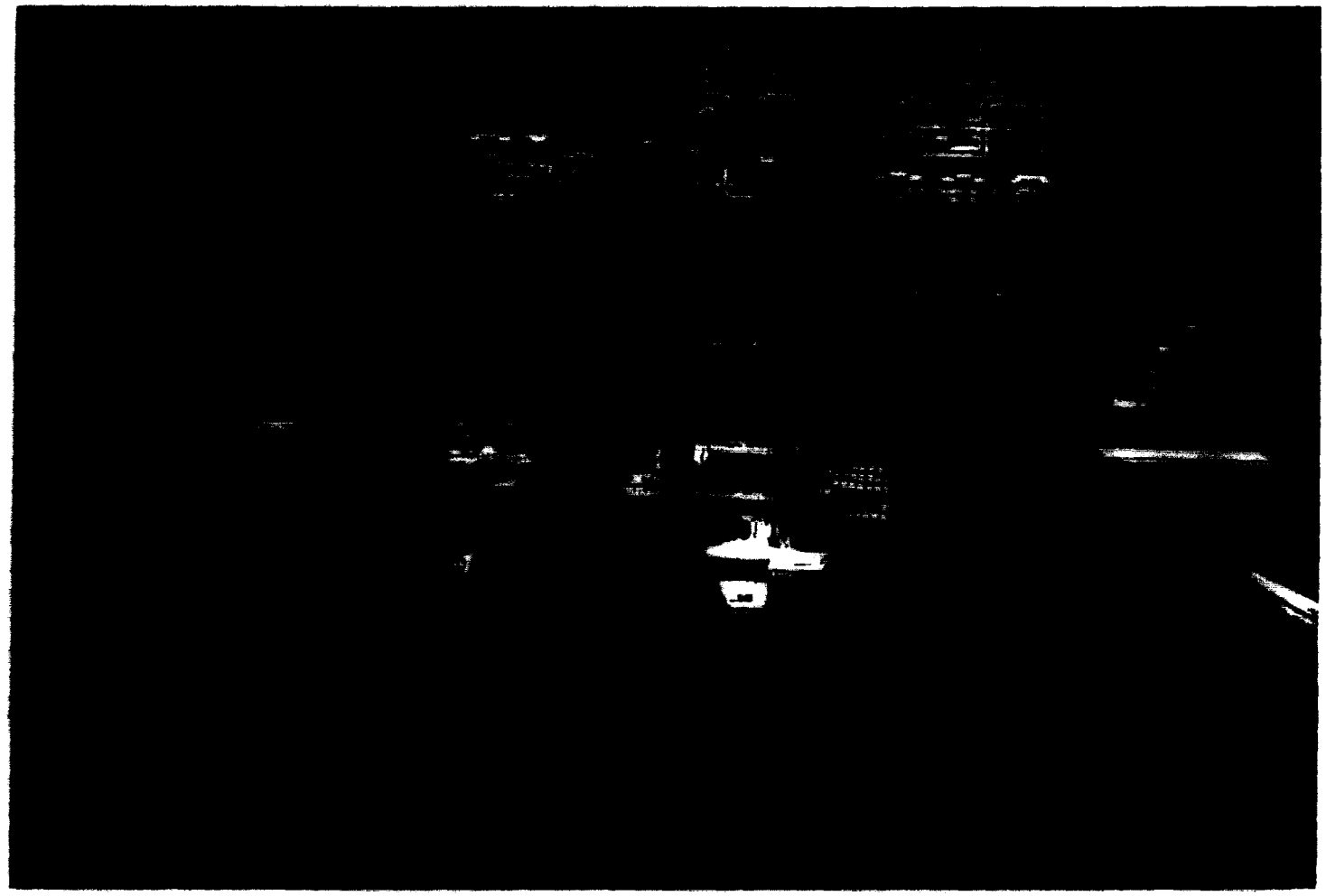


Mobile Radio Performs Major Safety-Related Functions for Railroads

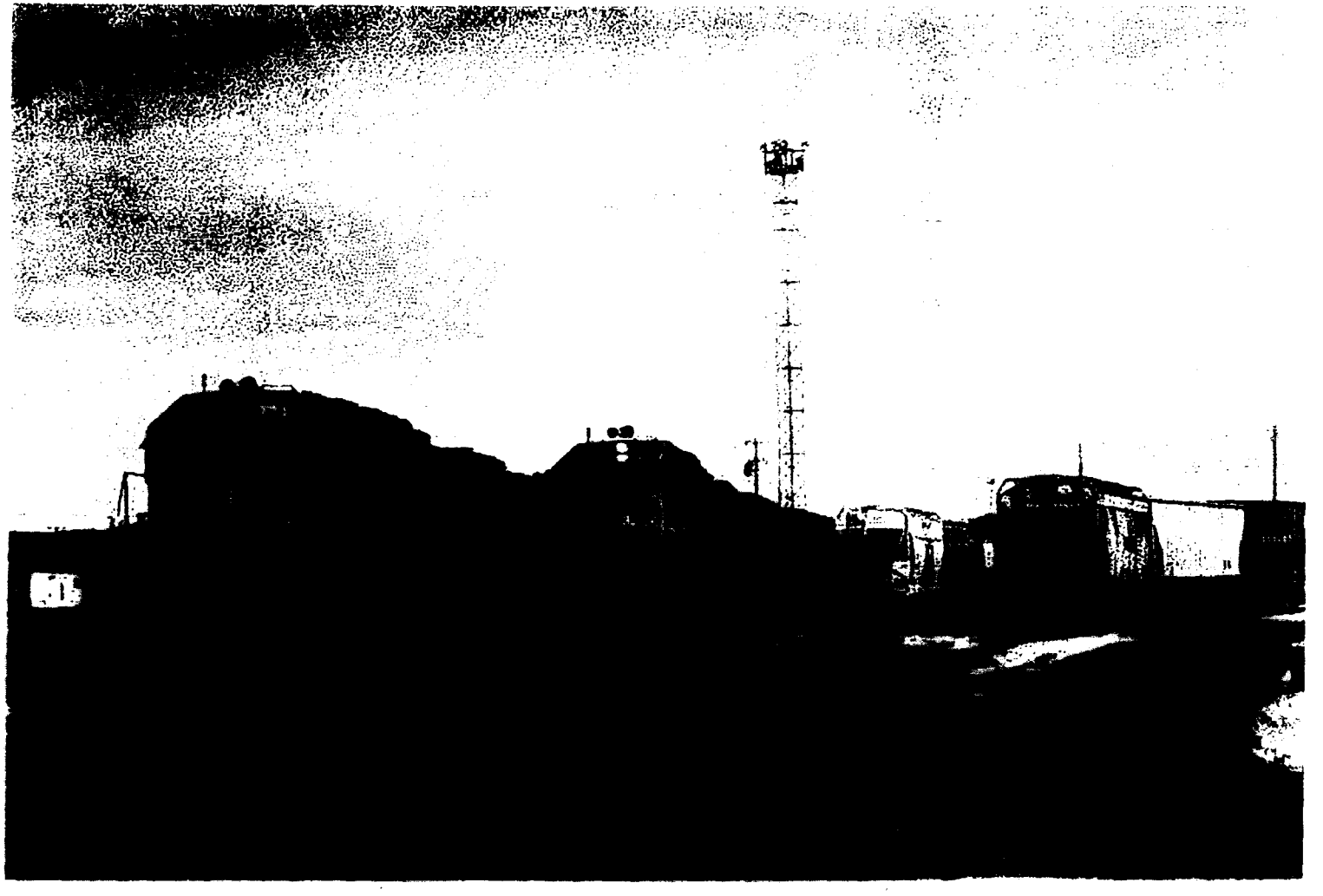
1. "Road" Channel Communications
2. Maintenance of Right-of-Way
3. Security, Law Enforcement & Emergency Response
4. Yard Operations
5. Train-Specific Devices

1. "Road" Channel Communications

- Dispatch-to-Train
- Train-to-Train
- Engineer-to-Crew
- Automatic Defect Detectors



"Road" Channel – Dispatcher-to-Train



"Road" Channel – Train-to-Train

"Road" Channel – Automatic Defect Detector

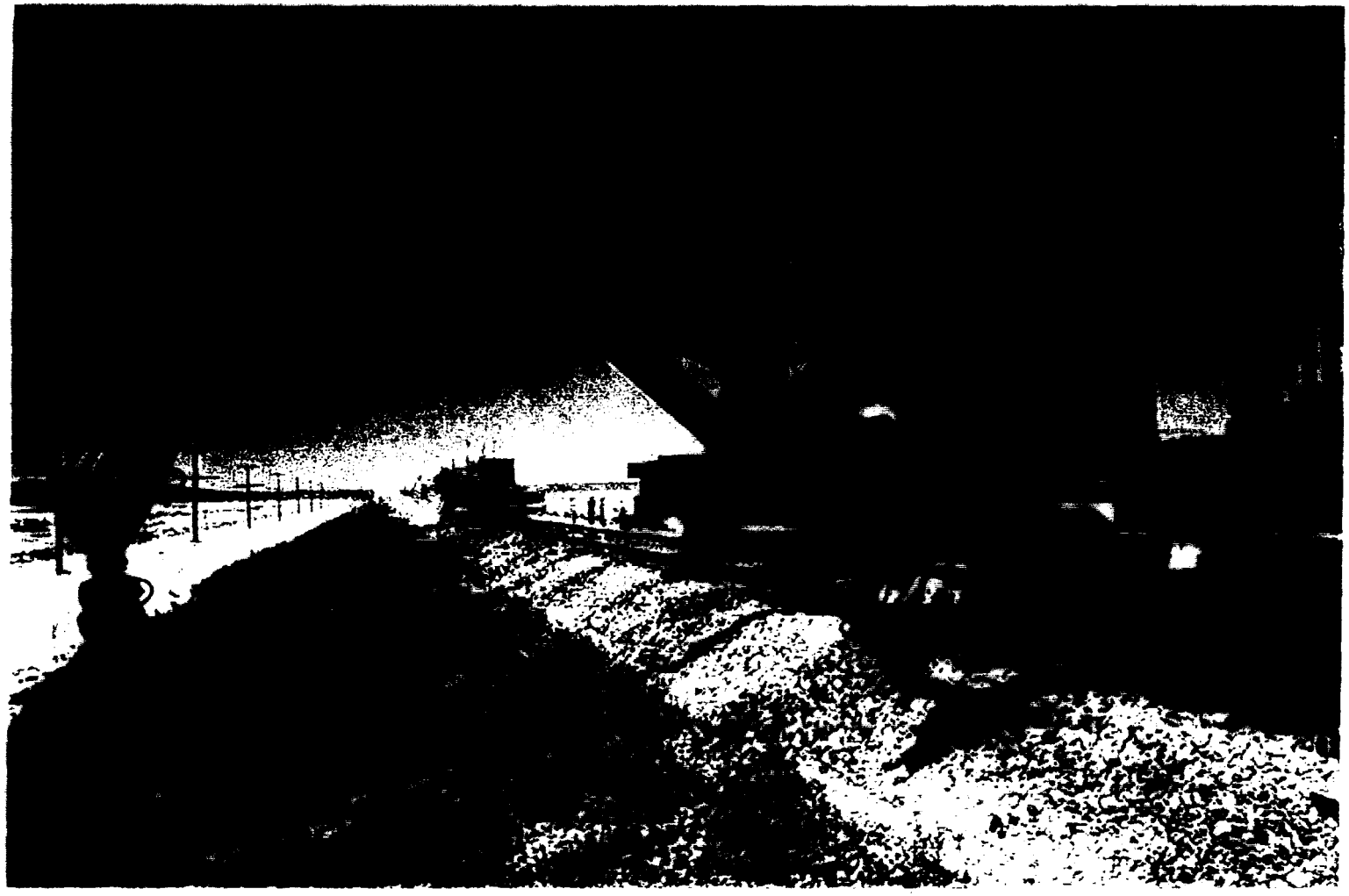
Defect Detectors are also used to detect rock slides, dragging equipment, and high/wide equipment to name a few.

2. Maintenance of Right-of-Way

- Track Forces
- Signal Forces
- Mobile Cranes

"Maintenance-of-Way Channels" – Track Repair Crews

"Maintenance-of-Way Channels" – Signal Crews



"Maintenance-of-Way Channels" – Mobile Cranes

3. Security, Law Enforcement and Emergency Response

- Property Protection
- Railroad Police
- Emergency Response

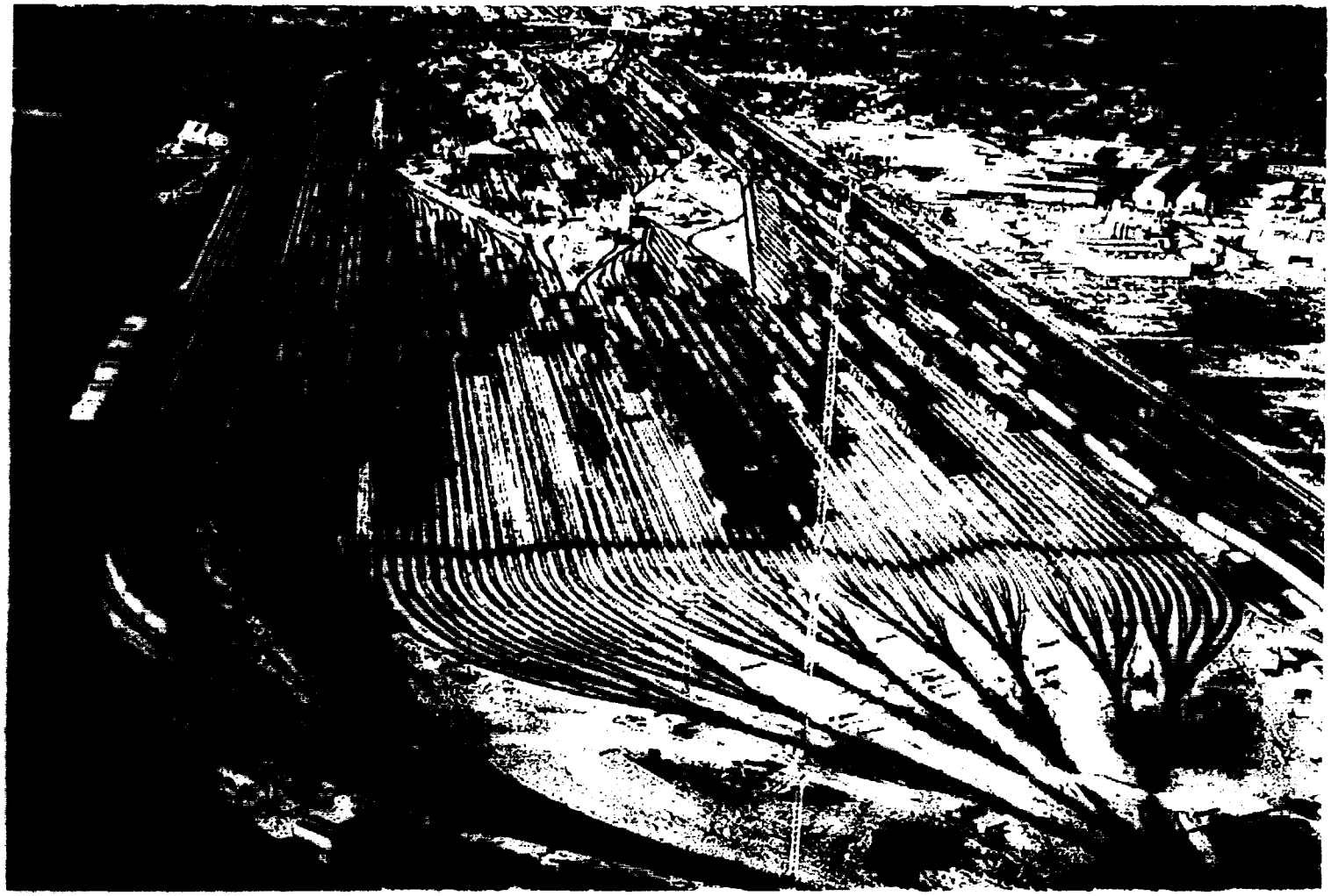
"Security Channels" – Railroad Police

The railroad industry employs over 2,000 police officers throughout the nation. They are commissioned as police officers under state law, and are authorized by the Department of Transportation to enforce the laws of any jurisdiction in which the railroad operates. 49 C.F.R. Section 207.

"Security Channels" – Emergency Response

4. Yard Operations

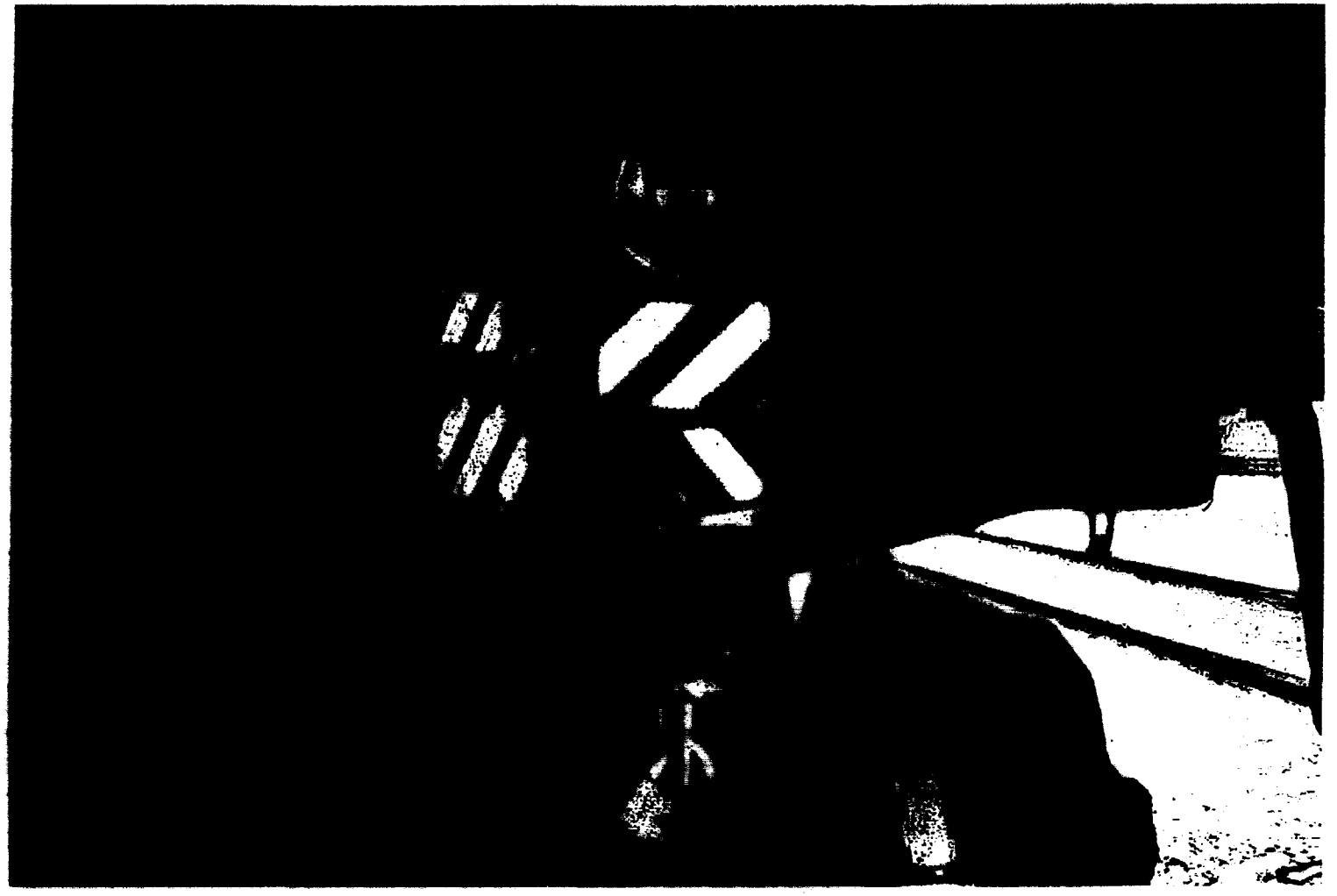
- Train Make-up
- Locomotive and Car Repair



Yard Operations: Train Make-up

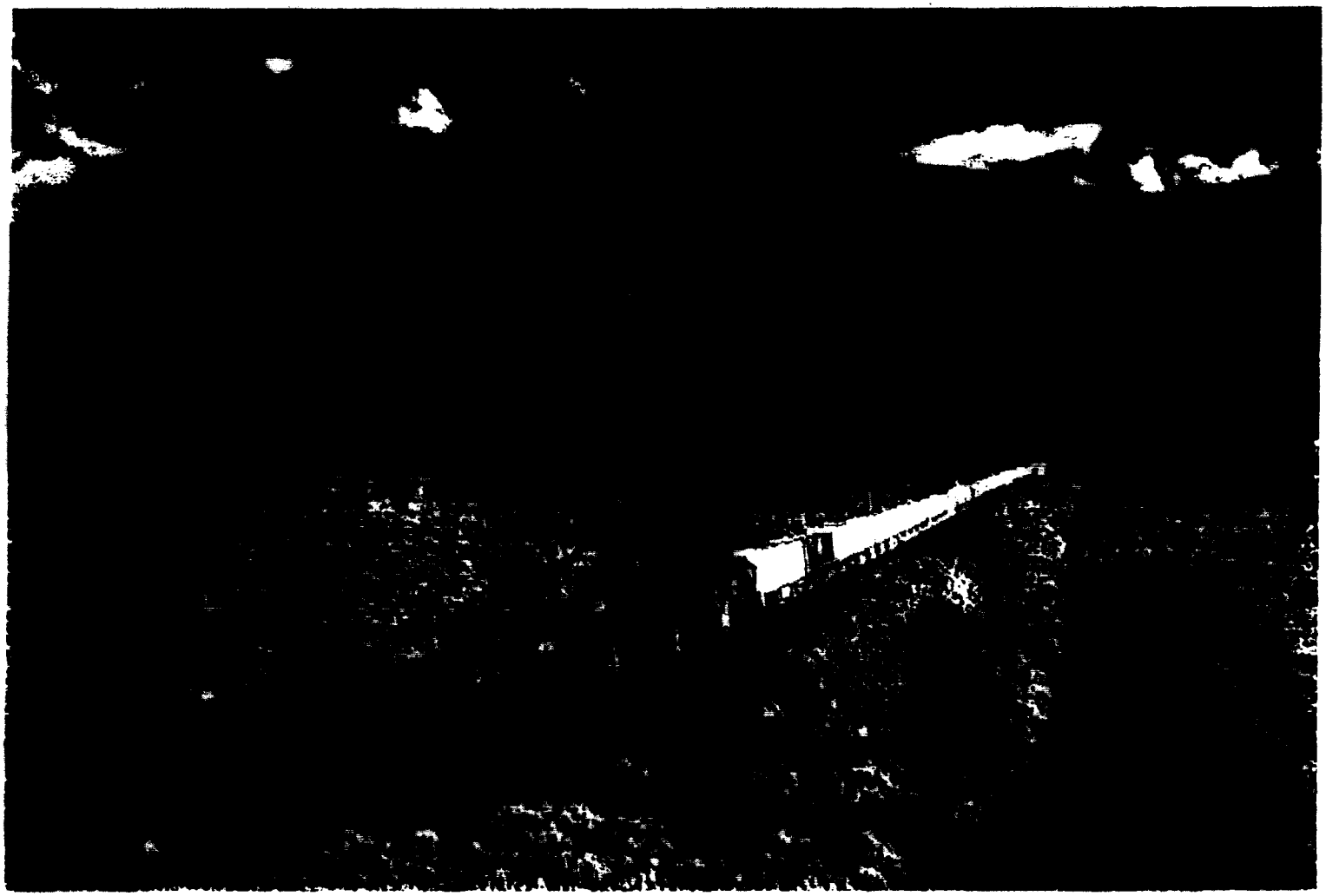
5. Train-Specific Devices

- End-of-Train telemetry (mandated by Congress, 49 U.S.C. § 20141 (b))
- Slave Locomotive Operations
- Downloading Locomotive Data



Train-Specific Devices: end-of-Train Telemetry

Slave Locomotive Operations: Remote control of mid-train locomotive by radio telemetry



Train-Specific Devices: Radio telemetry to download maintenance information, fuel consumption data, condition of systems on-board, etc.