525 School St., S.W., Suite 410
Washington, D.C. 20024-2797 USA
Telephone: (202) 554-8050
Fax: (202) 863-5486

INSTITUTE OF TRANSPORTATION ENGINEERS

September 6, 1996

RECEIVED

SEP 9 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, NW
Washington, DC 20554

RE: Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, CC Docket No. 92-297

DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

The Institute of Transportation Engineers (ITE) opposes the FCC's plan to designate the 31 GHz band to local multipoint distribution system (LMDS) as the primary protected users. The Institute's opposition is based on the adverse impact the FCC's decision will have on at least 40 metropolitan areas across the country that use the 31 GHz band for traffic control and Intelligent Transportation Systems (ITS). The use of the 31 GHz band for LMDS is therefore not in the public interest nor does it directly serve public safety. ITE believes that the FCC should not implement its decision relating to the 31 GHz band. The Institute also recommends that the FCC only renew the process of designating the 31 GHz band if the U.S. Department of Transportation is made a full and equal partner in the decision making process.

ITE supports the compromise proposal offered by Sierra Digital Communications, Inc. for sharing 300 MHz in the 31 GHz as a means to improve traffic safety, traffic signals' interconnections, emission abatement, traffic monitoring, and as a way to avoid the costs associated with wireline communication technology. The proposal appears to provide the bandwidth separation required for adjacent-band interference and offers equipment design benefits by reducing filtering complexity and cost. The 31 GHz bandwidth has efficient propagation characteristics for traffic safety and signal interconnection. Antenna size and equipment availability provide for flexibility and cost-effective investments.

The Institute of Transportation Engineers is composed of 14,000 transportation professionals in more than 70 countries. More than 11,500 ITE members practice their profession in the United States for federal, state, regional and local government agencies, for industry and universities, and also as private consultants. These transportation professionals are responsible for the safe, efficient and environmentally compatible movement of people and goods on streets, highways and transit systems.

One of the primary tools in the transportation professionals' arsenal to combat congestion and pollution is Intelligent Transportation Systems (ITS). ITS is the application of technologies such as highway advisory radio, variable message signs, closed circuit television, and geographic positioning satellites to improve the personal transportation experience, and to improve the processes involved in moving people, goods, services and information throughout the country.

No. of Copies rec'd 0+9
List ABCDE

Gone are the days when a region could increase its transportation capacity exclusively by building a new road or highway. Environmental, social and economic considerations now face decision-makers to find creative ways to solve capacity and demand problems within the confines to their current transportation systems. In recent years, the federal government has led the way in making transportation a tool to help improve the environment and conserve energy. ITS presents one of the best alternative to new highway construction. By providing real time information, ITS can help travelers take advantage of transit, ridesharing, time-shifting, telecommuting and other travel demand management options.

In addition to ITS' impact on the environment, it has the potential to save American taxpayers billions in new infrastructure construction by making the current infrastructure work more efficiently. The U.S. DOT estimates that, over the next 20 years, ITS will be able to meet two-thirds of the nation's highway capacity needs at one-fifth of the cost of building additional capacity. Congress also recognizes the importance of ITS. Over the past five years, Congress has funded programs under ITS an average of $45 million a year above the $113 million annual funding that the program was authorized to receive in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). This year alone, the program will receive over $100 million above its authorized funding level.

If there are any questions about this correspondence, please call me or Russell Houston at this office.

Sincerely,

Thomas W. Brahms
Executive Director