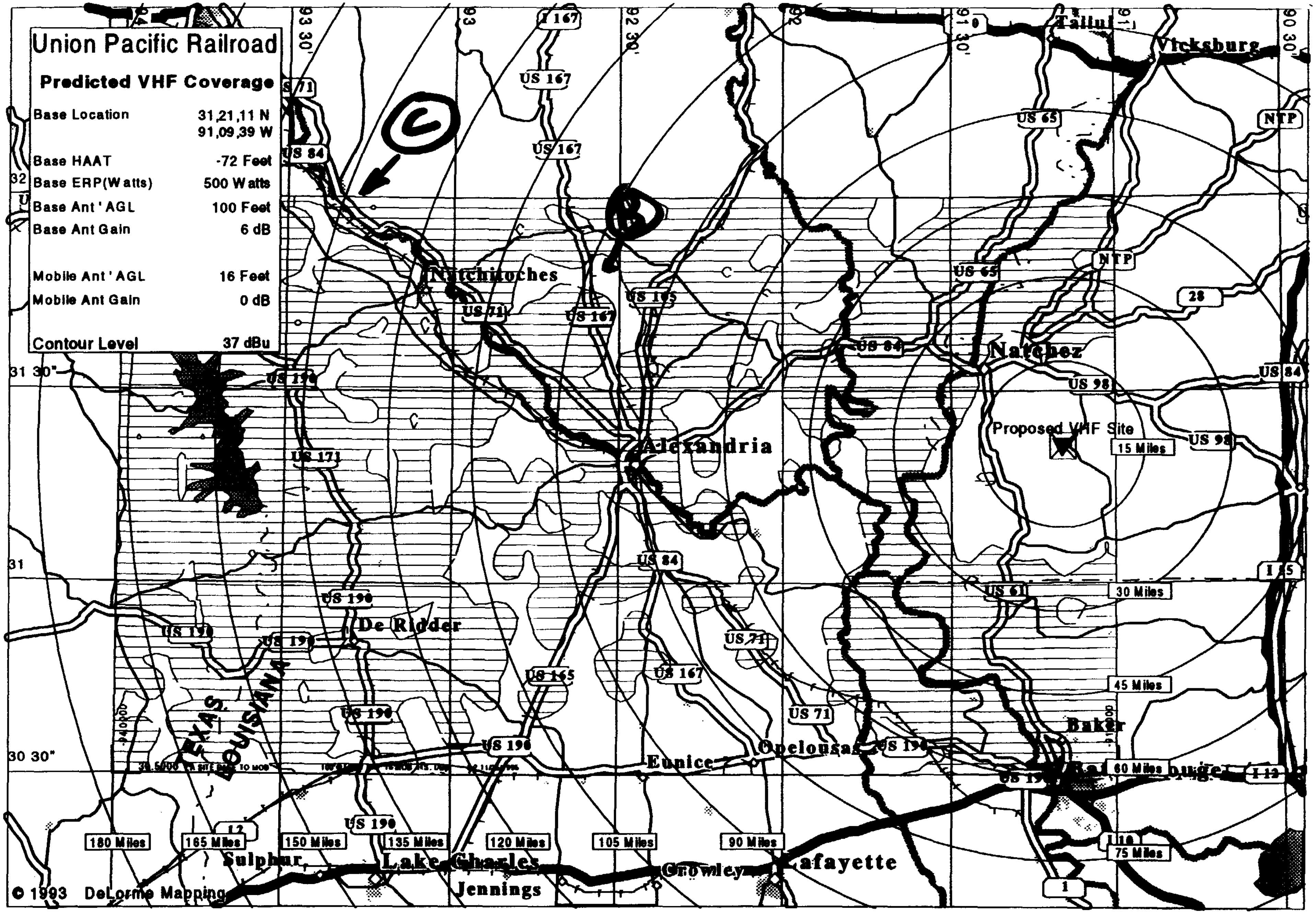

Union Pacific Railroad
Predicted VHF Coverage
Base Location 31,21,11 N 91,09,39 W
Base HAAT -72 Feet
Base ERP(Watts) 500 Watts
Base Ant'AGL 100 Feet
Base Ant Gain 6 dB
Mobile Ant'AGL 16 Feet
Mobile Ant Gain 0 dB
Contour Level 37 dBu
Proposed VHF Site
15 Miles
30 Miles
45 Miles
60 Miles
75 Miles
90 Miles
105 Miles
120 Miles
135 Miles
150 Miles
165 Miles
180 Miles
Vicksburg
Natchitoches
Natchez
Alexandria
De Ridder
Opelousas
Eunice
Baker
Sulphur
Lake Charles
Jennings
Crowley
Lafayette
TEXAS
LOUISIANA
© 1993 DeLorme Mapping

Exhibit B-4

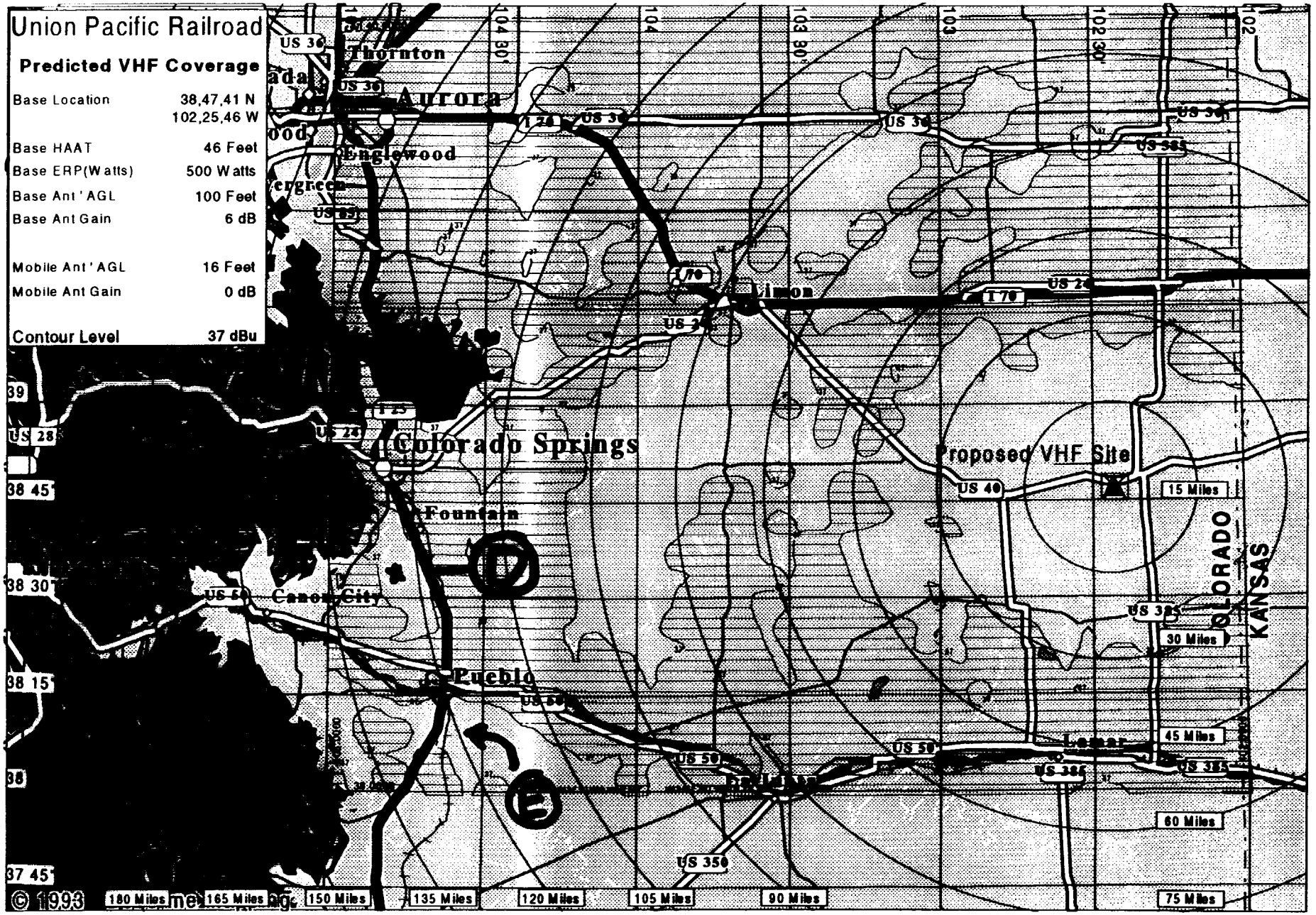
Union Pacific Railroad
Predicted VHF Coverage
Base Location 38,47,41 N 102,25,46 W
Base HAAT 46 Feet
Base ERP(Watts) 500 Watts
Base Ant 'AGL 100 Feet
Base Ant Gain 6 dB
Mobile Ant 'AGL 16 Feet
Mobile Ant Gain 0 dB
Contour Level 37 dBu
Thornton
Aurora
Englewood
Colorado Springs
Fountain
Canon City
Pueblo
Proposed VHF Site
15 Miles
30 Miles
45 Miles
60 Miles
75 Miles
90 Miles
105 Miles
120 Miles
135 Miles
150 Miles
165 Miles
180 Miles
KANSAS

Exhibit B-5

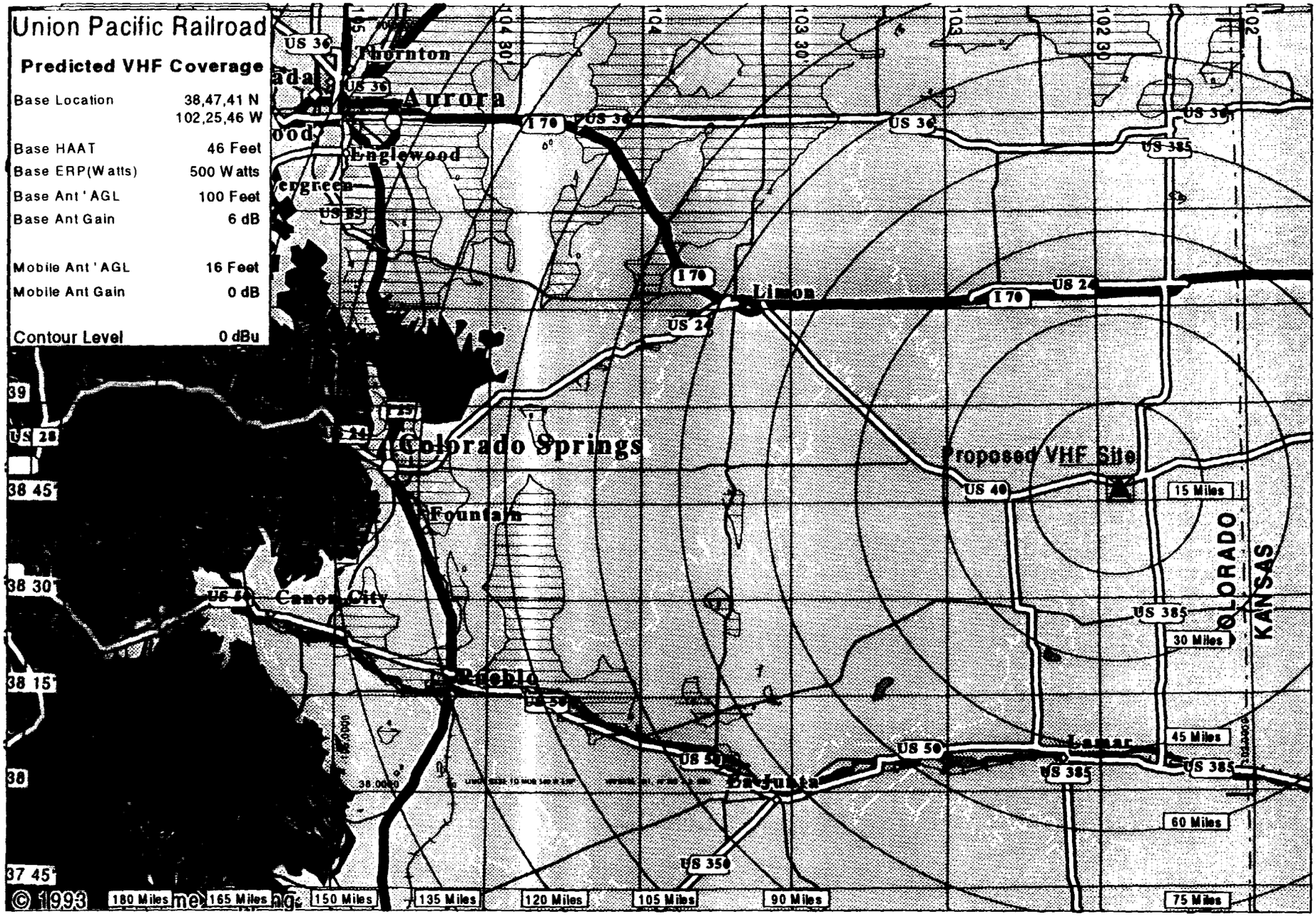
Union Pacific Railroad
Predicted VHF Coverage
Base Location 38,47,41 N 102,25,46 W
Base HAAT 46 Feet
Base ERP(Watts) 500 Watts
Base Ant 'AGL 100 Feet
Base Ant Gain 6 dB
Mobile Ant 'AGL 16 Feet
Mobile Ant Gain 0 dB
Contour Level 0 dBu
Thornton
Aurora
Englewood
Limon
Colorado Springs
Proposed VHF Site
Fountain
Canon City
Pueblo
Lamar
Las Animas
COLORADO
KANSAS
15 Miles
30 Miles
45 Miles
60 Miles
75 Miles
90 Miles
105 Miles
120 Miles
135 Miles
150 Miles
165 Miles
180 Miles
© 1993

Exhibit B-6

EXHIBIT B-7

PROPAGATION MAP CHARACTERISTICS

Map #	Location	Railroad Mobile Antenna Height	Non-Railroad ERP(W)	Non-Railroad Antenna Height	Contour Level
1	Nebraska	16′	100	50′	1 mv/50 Ohms
2	Louisiana	16′	100	50′	1 mv/50 Ohms
3	Louisiana	16′	500	100′	0 dBu
4	Louisiana	16′	500	100′	37 dBu
5	Colorado	16′	500	100′	37 dBu
6	Colorado	16′	500	100′	0 dBu

EXHIBIT C

Consolidated Railroad Frequency Table

EXHIBIT C

FREQUENCY	CURRENT ALLOCATION	CURRENT LIMITATIONS	ALLOCATION AFTER CONSOLIDATION	POST CONSOLIDATION LIMITATIONS	REF NO
160.2150	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.2225			PW	USE RESTRICTED	16,19
160.2300	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.2375			PW	USE RESTRICTED	16,19
160.2450	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.2525			PW	USE RESTRICTED	16,19
160.2600	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.2675			PW	USE RESTRICTED	16,19
160.2750	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.2825			PW	USE RESTRICTED	16,19
160.2900	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.2975			PW	USE RESTRICTED	16,19
160.3050	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.3125			PW	USE RESTRICTED	16,19
160.3200	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.3275			PW	USE RESTRICTED	16,19
160.3350	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.3425			PW	USE RESTRICTED	16,19
160.3500	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.3575			PW	USE RESTRICTED	16,19
160.3650	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.3725			PW	USE RESTRICTED	16,19
160.3800	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.3875			PW	USE RESTRICTED	16,19
160.3950	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.4025			PW	USE RESTRICTED	16,19
160.4100	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.4175			PW	USE RESTRICTED	16,19
160.4250	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.4325			PW	USE RESTRICTED	16,19

FREQUENCY	CURRENT ALLOCATION	CURRENT LIMITATIONS	ALLOCATION AFTER CONSOLIDATION	POST CONSOLIDATION LIMITATIONS	REF NO
160.4400	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.4475			PW	USE RESTRICTED	16,19
160.4550	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.4625			PW	USE RESTRICTED	16,19
160.4700	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.4775			PW	USE RESTRICTED	16,19
160.4850	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.4925			PW	USE RESTRICTED	16,19
160.5000	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5075			PW	USE RESTRICTED	16,19
160.5150	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5225			PW	USE RESTRICTED	16,19
160.5300	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5375			PW	USE RESTRICTED	16,19
160.5450	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5525			PW	USE RESTRICTED	16,19
160.5600	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5675			PW	USE RESTRICTED	16,19
160.5750	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5825			PW	USE RESTRICTED	16,19
160.5900	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.5975			PW	USE RESTRICTED	16,19
160.6050	IS, LR	SEE RULES FOR LIMITATIONS 3, 4, 5	PW	USE RESTRICTED	16
160.6125			PW	USE RESTRICTED	16,19
160.6200	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.6275			PW	USE RESTRICTED	16,19
160.6350	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.6425			PW	USE RESTRICTED	16,19
160.6500	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.6575			PW	USE RESTRICTED	16,19
160.6650	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.6725			PW	USE RESTRICTED	16,19
160.6800	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16

FREQUENCY	CURRENT ALLOCATION	CURRENT LIMITATIONS	ALLOCATION AFTER CONSOLIDATION	POST CONSOLIDATION LIMITATIONS	REF NO
160.6875			PW	USE RESTRICTED	16,19
160.6950	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7025			PW	USE RESTRICTED	16,19
160.7100	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7175			PW	USE RESTRICTED	16,19
160.7250	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7325			PW	USE RESTRICTED	16,19
160.7400	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7475			PW	USE RESTRICTED	16,19
160.7550	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7625			PW	USE RESTRICTED	16,19
160.7700	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7775			PW	USE RESTRICTED	16,19
160.7850	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.7925			PW	USE RESTRICTED	16,19
160.8000	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.8075			PW	USE RESTRICTED	16,19
160.8150	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.8225			PW	USE RESTRICTED	16,19
160.8300	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.8375			PW	USE RESTRICTED	16,19
160.8450	LR	SEE RULES FOR LIMITATIONS 3, 4	PW	USE RESTRICTED	16
160.8525			PW	USE RESTRICTED	16,19
160.8600	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.8675			PW	USE RESTRICTED	16,19
160.8750	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.8825			PW	USE RESTRICTED	16,19
160.8900	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.8975			PW	USE RESTRICTED	16,19
160.9050	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.9125			PW	USE RESTRICTED	16,19
160.9200	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.9275			PW	USE RESTRICTED	16,19

FREQUENCY	CURRENT ALLOCATION	CURRENT LIMITATIONS	ALLOCATION AFTER CONSOLIDATION	POST CONSOLIDATION LIMITATIONS	REF NO
160.9350	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.9425			PW	USE RESTRICTED	16,19
160.9500	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.9575			PW	USE RESTRICTED	16,19
160.9650	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.9725			PW	USE RESTRICTED	16,19
160.9800	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
160.9875			PW	USE RESTRICTED	16,19
160.9950	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0025			PW	USE RESTRICTED	16,19
161.0100	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0175			PW	USE RESTRICTED	16,19
161.0250	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0325			PW	USE RESTRICTED	16,19
161.0400	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0475			PW	USE RESTRICTED	16,19
161.0550	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0625			PW	USE RESTRICTED	16,19
161.0700	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0775			PW	USE RESTRICTED	16,19
161.0850	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.0925			PW	USE RESTRICTED	16,19
161.1000	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.1075			PW	USE RESTRICTED	16,19
161.1150	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.1225			PW	USE RESTRICTED	16,19
161.1300	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.1375			PW	USE RESTRICTED	16,19
161.1450	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.1525			PW	USE RESTRICTED	16,19
161.1600	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.1675			PW	USE RESTRICTED	16,19
161.1750	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16

FREQUENCY	CURRENT ALLOCATION	CURRENT LIMITATIONS	ALLOCATION AFTER CONSOLIDATION	POST CONSOLIDATION LIMITATIONS	REF NO
161.1825			PW	USE RESTRICTED	16,19
161.1900	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.1975			PW	USE RESTRICTED	16,19
161.2050	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.2125			PW	USE RESTRICTED	16,19
161.2200	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.2275			PW	USE RESTRICTED	16,19
161.2350	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.2425			PW	USE RESTRICTED	16,19
161.2500	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.2575			PW	USE RESTRICTED	16,19
161.2650	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.2725			PW	USE RESTRICTED	16,19
161.2800	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.2875			PW	USE RESTRICTED	16,19
161.2950	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.3025			PW	USE RESTRICTED	16,19
161.3100	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.3175			PW	USE RESTRICTED	16,19
161.3250	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.3325			PW	USE RESTRICTED	16,19
161.3400	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.3475			PW	USE RESTRICTED	16,19
161.3550	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.3625			PW	USE RESTRICTED	16,19
161.3700	LR	SEE RULES FOR LIMITATIONS 3, 4, 6	PW	USE RESTRICTED	16
161.3775			PW	USE RESTRICTED	16,19
161.3850	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.3925			PW	USE RESTRICTED	16,19
161.4000	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4075			PW	USE RESTRICTED	16,19
161.4150	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4225			PW	USE RESTRICTED	16,19

FREQUENCY	CURRENT ALLOCATION	CURRENT LIMITATIONS	ALLOCATION AFTER CONSOLIDATION	POST CONSOLIDATION LIMITATIONS	REF NO
161.4300	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4375			PW	USE RESTRICTED	16,19
161.4450	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4525			PW	USE RESTRICTED	16,19
161.4600	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4675			PW	USE RESTRICTED	16,19
161.4750	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4825			PW	USE RESTRICTED	16,19
161.4900	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.4975			PW	USE RESTRICTED	16,19
161.5050	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.5125			PW	USE RESTRICTED	16,19
161.5200	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.5275			PW	USE RESTRICTED	16,19
161.5350	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.5425			PW	USE RESTRICTED	16,19
161.5500	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16
161.5575			PW	USE RESTRICTED	16,19
161.5650	LR	SEE RULES FOR LIMITATIONS 3, 4, 7	PW	USE RESTRICTED	16

(16) This frequency will be assigned only to railroad common carriers that are regularly engaged in the transportation of passengers and property when such passengers or property are transported over all or part of their route by railroad for transmission of communications and to assure safety of operations essential to such activities of the licensee, provided, however, that non-railroad entities may apply to use this frequency upon making the following showing: (1) a determination by a qualified frequency coordinator that there are no other satisfactory frequencies available within the applicant's area of desired operation; (2) a statement from a frequency coordinator having responsibility for coordination of this frequency concurring in its assignment in the manner requested by the application, provided that, in cases where concurrence is not given, the coordinator of this frequency must provide an explanation why the requested sharing is inappropriate and; (3) a statement that the proposed use of the frequency will not violate any of the technical limitations applicable to use of the frequency.

* * *

(19) This frequency will be assigned with an authorized bandwidth not to exceed 11.25 kHz.

EXHIBIT D

Letter to FCC from Federal Railroad Administration

December 12, 1995

U.S. Department
of Transportation

Federal Railroad Administration

Office of the Administrator

400 Seventh St., S.W.
Washington, D.C. 20590

DEC 12 1995

PR Docket No. 92-235
EX PARTE PRESENTATION

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Chairman Hundt:

The Federal Railroad Administration (FRA) is concerned that the Federal Communications Commission's proposal in PR Docket No. 92-235 to consolidate the Private Land Mobile Radio (PLMR) services may result in the elimination of the Railroad Radio Service and thereby jeopardize public safety.

FRA is responsible for the administration and enforcement of Federal railroad safety laws and regulations. Each day, operations relying on railroad radio involve millions of passengers, millions of tons of freight (including freight being moved in support of the Armed Forces), and significant quantities of hazardous materials in all areas of the Nation. As highlighted in FRA's July 1994 Report to Congress entitled, "Railroad Communications and Train Control," the railroad industry depends on voice and data radio communications to perform critical safety functions. A copy of that report is enclosed for your reference.

FRA has a significant interest in the Commission's action because FRA believes that elimination of the Railroad Radio Service would lead to unsafe railroad operating conditions and increased accidents to the detriment of the general public, railroad passengers, shippers, and railroad employees.

Eliminating the Railroad Radio Service would ignore the unique characteristics of railroad radio usage and the industry's unique requirement for control over its own frequencies, and poses a serious threat to public safety. Eliminating the railroad industry's exclusive control over its allotted frequencies and allowing non-railroad users easy access to railroad frequencies would result in increased interference from both co-channel and adjacent channel users. This creates a serious public safety concern.

The railroads rely on their sophisticated radio network to control train movements; for dispatching, safety monitoring, remote defect detection and for a multitude of other safety-related purposes. In this regard, the railroads' radio use is quite similar to the Federal Aviation Administration's air traffic control system. For both users, having constant access to clear

channels and avoiding conflicting transmissions that can lead to confusion or operational error is imperative. The risk of a lost, jammed or obscured radio transmission is simply not acceptable because the consequences can be disastrous. Unfortunately, if the Commission eliminates the Railroad Radio Service, this requirement for ready access will become impossible to satisfy.

For the past four decades, the U.S. railroad industry has been able to optimize radio use and to minimize harmful interference by performing the frequency coordination function for itself through the Association of American Railroads (AAR), which serves as the FCC-certified frequency coordinator for all channels in the Railroad Radio Service. AAR has also ably coordinated the needs of Railroad Radio Service users other than freight railroads, such as commuter rail operators and the urban rail transit industry. This coordination function allows the industry to preserve the nationwide interoperability that is critical to railroad safety and is a unique requirement among the PLMR users. The need for nationwide interoperability arises from the track and equipment-sharing arrangements among and between the various railroads. Thus, for example, the radio equipment aboard an Amtrak locomotive must communicate with Norfolk Southern dispatchers when on Norfolk Southern track and with Union Pacific dispatchers when on Union Pacific track.

If the Railroad Radio Service is eliminated and non-railroad users are interleaved on railroad frequencies, it will be impossible to preserve nationwide interoperability, and the increased operational complexity of the resulting plan will have an immediate adverse impact on safety. Both the railroad industry and the FRA are presently sponsoring the development and deployment of prototype communication-based positive train control systems. The development and deployment of such systems is on the "most wanted list" of technology improvements being sought by the National Transportation Safety Board. Significant levels of public and private investment have already been committed to this effort. Within the next two years, FRA expects communications-based train control systems to be operational in the States of Washington, Oregon, Michigan, and Illinois. Uncertainty as to the availability of spectrum or circumstances which threaten the availability of spectrum risk the abandonment of future investment in these train control development efforts.

An additional impact of eliminating the Railroad Radio Service would be increased contention for access to each channel as well as the need for the equipment on each train to operate on many more frequencies than at present. This would increase the complexity of designing and operating railroad radio equipment, which again will have a direct, negative impact on safety. Communications equipment that is complicated to operate leads to misunderstandings and mistakes, which are catastrophic in railroad operations where freight trains weighing thousands of tons move at speeds up to 79 mph and passenger trains are regularly scheduled at speeds as high as 125 mph. These trains take over one mile to stop.

The Commission's consolidation proposal will endanger safety by compromising the very tools the railroad industry relies on to preserve safety. It will result in increased interference to critical railroad communications and will add to the complexity of the railroad radio equipment. The continued authorization of the Railroad Radio Service is imperative.

Sincerely,

Jolene M. Molitoris

Jolene M. Molitoris
Administrator

Enclosure

cc: Mr. Edwin L. Harper

EXHIBIT E

Letter to FCC from Chairman, National Transportation Safety Board

December 15, 1995

National Transportation Safety Board
Washington, D.C. 20594
Office of the Chairman

December 15, 1995

PR Docket No. 92-235
EX PARTE PRESENTATION

Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Chairman Hundt:

The National Transportation Safety Board has learned that the Federal Communications Commission (FCC) is proposing to consolidate the current Private Land Mobile Radio Services, of which the Railroad Radio Service is one, into a few broad user pools.[1] The Safety Board has significant interest in this plan because the railroad industry relies on its radio communications systems to perform essential safety functions.

U.S. railroads operate vast communications networks, which are used continuously to control critical functions of railroad operations. A modern railroad command and control system depends on secure communications to safely control train movements, switch operations, and signals. Direct communications safety functions include monitoring of train equipment integrity, track conditions, and train operations.

The Safety Board is concerned that the consolidation of the Railroad Radio Service into a broader pool, and the consequent access to traditional railroad frequencies that will be provided to nonrailroad users, would have serious negative consequences for railroad safety. Railroads depend on compatible systems and nationwide interoperability of mobile radio equipment for effective coordination of safety practices. The centralized management of assigned railroad frequencies by the Association of American Railroads is essential to maintain the industry's ability to satisfy these compatibility and interoperability requirements.

Consolidation of railroad frequencies with those of other user groups directly threatens interoperability. The risk of interference would greatly increase due to the elimination of the requirement that the railroad industry consent to channel-sharing and assignment of adjacent channels. Uniform assignments for safety applications would be difficult to obtain, thereby increasing the complexity of railroad safety management. Allowing nonrailroad users to occupy railroad channels would also compromise the railroad's continuous access to clear channels for making emergency transmissions.

---

[1] *Report and Order and Further Notice of Proposed Rulemaking, PR Docket No. 92-235 at 50 (June 23, 1995)*

The complexity of railroad operations and the critical nature of emergency transmissions would make adjacent and cochannel interference particularly dangerous. The safety of railroad passengers, crew, and cargo would be jeopardized. Greater yet would be the risk to the safety and welfare of the general public.

The Safety Board urges the FCC to recognize that the safety concerns that originally inspired creation of a separate Railroad Radio Service in 1945 dictate its preservation today.

Sincerely,

Jim Hall
Chairman

cc: Nancy L. Wilson
Association of American Railroads

CERTIFICATE OF SERVICE

I, Chotima Harris, hereby certify that on this 7th day of February, 1997, copies of the foregoing "Comments of the Affiliated American Railroads" were mailed, first class postage prepaid or hand delivered on this 7th day of February to the following:

Chairman Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Commissioner James H. Quello
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, D.C. 20554

Commissioner Rachelle B. Chong
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

Kathryn Hosford
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5114-E
Washington, D.C. 20554

Roger Noel
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5114-E
Washington, D.C. 20554

Dan Phythyon
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Ronald F. Netro
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Michele Farquhar
Chief Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Roz Allen
Assistant Bureau Chief
Wireless Communications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Dan Phythyon
Deputy Chief
Wireless Communications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Gerald Vaughn
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Ira Keltz
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5119
Washington, D.C. 20554

David Horowitz
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8010
Washington, D.C. 20554

Herb Zeiler
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8010-D
Washington, D.C. 20554

D'Wana Speight
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7130-I
Washington, D.C. 20554

Tom Stanley
Wireless Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7130-K
Washington, D.C. 20554

The Honorable Jim Hall
Chairman
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

James A. Arena, Director
Office of Surface Transportation Safety
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

Robert C. Lauby, P.E.
Chief, Railroad Division
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

The Honorable Jolene M. Molitoris
Administrator
Federal Railroad Administration
400 Seventh Street, S.W.
Room 8206
Washington, D.C. 20590

Robert J. McCown
Director, Technology Dev. High Speed Rail
Federal Railroad Administration
Office of Research & Development
400 Seventh Street, S.W.
Code RDV-33
Washington, D.C. 20590

Richard Shamberger
Department of Transportation
7th & D Streets, S.W., Room 8300
Washington, D.C. 20590

Grady Couthen
Federal Railroad Administration
Office of Safety
400 Seventh Street, S.W.
Code RRS-2
Washington, D.C. 20590

William E. Kennard, Esq.
General Counsel
Federal Communications Commission
1919 M Street, NW, Room 614
Washington, D.C. 20554

Larry Miller
American Association of State Highway and
Transportation Officials
444 North Capitol Street, N.W., Suite 225
Washington, D.C. 20001

John A. Prendergast, Esq.
Blooston, Mordkofsky, Jackson & Dickens
2120 L Street, N.W.
Washington, D.C. 20037

Alan R. Shark, CAE
President
American Mobile Telecommunications
Association
1150 18th Street, N.W., Suite 250
Washington, D.C. 20036

John Reardon, Esq.
Keller and Heckman
1001 G Street, N.W., Suite 500 West
Washington, D.C. 20001

Gustav E. Gyllenhoff
Communications-Electronics Specialist
American Trucking Associations, Inc.
2200 Mill Road
Alexandria, VA 22314

Steven A. Lewis, Director
Oklahoma Department of Wildlife Conservation
1801 North Lincoln
Post Office Box 53465
Oklahoma City, OK 73152

Martin W. Bercovici, Esq.
Keller and Heckman
1001 G Street, N.W., Suite 500 West
Washington, D.C. 20001

William K. Keane, Esq.
Winston & Strawn
1400 L Street, N.W.
Washington, D.C. 20005-3502

Kenton E. Sturdevant
Executive Vice President
Forest Industries Telecommunications
871 Country Club Road, Suite A
Eugene, Oregon 97401-2200

Rob Hoggarth
Assistant Director, Government Affairs
Personal Communications
Industry Association
1019 19th Street, N.W.
Suite 1100
Washington, D.C. 20036

Stu Overby
Assistant Director, Spectrum Planning
Corporate Government Relations
Motorola, Inc.
1350 I Street, N.W., Suite 400
Washington, D.C. 20005

Robert Gurss, Esq.
Wilkes, Artis, Hedrick & Lane
1666 K Street, N.W., Suite 1100
Washington, D.C. 20006

Michael Altschul
Vice President & General Counsel
Cellular Telecommunications Industry
Association
1133 21st Street, N.W., Third Floor
Washington, D.C. 20036

Richard S. DeMello
Forestry Conservation Communications
Association
c/o Michigan Department of Natural Resources
MID-Telecommunications
Post Office Box 30028
Lansing, MI 48909

Mark E. Crosby
President & Managing Director
Industrial Telecommunications Association, Inc.
1110 North Glebe Road, Suite 500
Arlington, VA 22201-5720

Jeffrey L. Sheldon, Esq.
Utilities Telecommunications Council
1140 Connecticut Avenue, N.W., Suite 1140
Washington, D.C. 20036

Carl R. Frank
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

Len Kolsky
Motorola, Inc.
1350 I Street, N.W.
Suite 400
Washington, D.C. 20005

Russell Fox
Gardner, Carton & Douglas
1301 K Street, N.W., Suite 900 East Tower
Washington, D.C. 20005

Leonard R. Raish
Fletcher, Heald & Hildreth, P.L.C.
11th Floor
1300 North 17th Street
Arlington, VA 22209

Dick Shiben
Consultant
Ericsson GE Mobile Communications, Inc.
5860 Fairway Drive
Fayetteville, PA 17222

Michael Lewis
Motorola, Inc.
1350 I Street, N.W.
Suite 400
Washington, D.C. 20005

Chotima Harris