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April 13, 2015

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 - 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Ex Parte

Re: Notice of Ex Parte Presentation PS Docket No. 13-229 and RM-11635.

Dear Ms. Dortch:

This is to notify you pursuant to Section 1.1206 of the Commission's Rules and in connection with the above-referenced proceeding that on April 9, 2015 that H. Russell Frisby, Jr. on behalf of the Edison Electric Institute (EEI) along with the undersigned from the Utilities Telecom Council (UTC) met with Louis Peraertz from the Office of Commissioner Clyburn.

During the meeting, the representatives from EEI and UTC opposed authorizing the use of the six 173 MHz telemetry channels (i.e. 173.2375, 173.2625, 173.2875, 173.3125, 173.3375, and 173.3625 MHz) for Vehicular Repeater Systems (VRS). Consistent with their comments on the record in this proceeding, the representatives from EEI and UTC explained that VRS use of these channels posed an unacceptable risk of interference that could not be effectively mitigated through frequency coordination. Mobile voice is incompatible with telemetry equipment currently employed in the band. Moreover, utilities, pipeline companies and other critical infrastructure industries (CII) use these frequencies for mission critical communications to support applications such as supervisory control and data acquisition (SCADA), distributed automation (DA) and early warning sirens at nuclear power plants and water dams. Interference to these communications systems poses an unreasonable risk to public safety and operational reliability. There are reasonable alternatives for VRS to use other frequencies besides the 173 MHz telemetry channels, and VRS proponents have failed to provide a sufficient technical justification for the use of the 173 MHz telemetry channels. Finally, the representatives suggested instead that the Commission relax the technical rules in the band to allow 12.5 kHz operations that would support increased utility and CII capacity requirements for certain applications.

Thank you for your help in this matter. If there are any questions concerning this matter, please let me know.

Respectfully,

A handwritten signature in black ink that reads "Brett Kilbourne". The signature is written in a cursive, flowing style.

Brett Kilbourne

cc: FCC Participants