



Amtrak supports the Federal Communications Commission's (FCC) proposed expansion of the existing Nationwide Programmatic Agreement for the Collocation of Wireless Antennas to address small facility deployments. The evolution of communications technologies to ever smaller equipment is an exciting development in the field, with positive implications for telecommunications infrastructure deployment in the public sphere. Amtrak has a demonstrated interest in the deployment of such communications systems in terms of operations and customer service, both in the stations and along the corridors that the company owns and services. In addition to Amtrak's Positive Train Control (PTC) system, certain internal radio communications and internal and client-facing broadband services require FCC licenses throughout its system. This includes a Proof-of-Concept program currently under construction for on-board wi-fi service that, if successful, may be implemented along the Northeast Corridor. Further, some Amtrak-owned or served facilities are considered historic properties under Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). The company must deploy communications equipment in stations and along railroad corridors to comply with federal safety requirements, facilitate operations, and improve the passenger experience to further its mission of "Delivering intercity transportation with superior safety, customer service and financial excellence." Considering Amtrak's interest in the expansion of the NPA and its utility to the company, we offer the following brief comments.

1. **Definition of "utility:"** The proposed revision to the NPA considers excluding or limiting Section 106 review for small facility deployments within certain rights of way (utility or communications). The Communications Act of 1934, which the FCC relies on to define utility rights-of-way, specifically excludes railroads from its definition of utility corridors. While not necessarily providing public power, gas, water or other provisions, Amtrak's electrified territory does provide an internal power supply along poles, catenary wires, and other infrastructure that is consistent with an electricity utility. Amtrak suggests that electrified railroad rights-of-way be considered utilities for the purpose of the revised NPA.
2. **Exclusion of certain locations:** Amtrak supports the exclusion of railroad rights of way from Section 106 review where overhead catenary or electricity transmission lines are visually and structurally consistent with electrical utility infrastructure.
3. **Deployments on Historic Properties or in or near Historic Districts:** Amtrak supports the exclusion of Section 106 review in certain locations and on certain structures. Portions of Amtrak's right-of-way, including electrified territory, are considered historic properties under Section 106. Amtrak believes that the installation of small facility deployments is consistent with the historical character and use of the right-of-way, and can be deployed without removal of character-defining features or adversely affecting the historic resource. Amtrak would support size and location restrictions to exempt deployment of small facilities on railroad structure types such as existing catenary poles, signal bridges, huts, and other features of the right-of-way.
4. **Visibility restrictions:** Owing to the nature of the structures where deployments could be collocated in Amtrak right-of-way (e.g. catenary poles, signal bridges, huts), and potential telecommunications coverage needs, meeting visibility restrictions could be difficult, if not impossible. Amtrak suggests that there be no visibility restrictions for railroad-related small facility deployments in railroad right-of-way, as long as proposed size and other restrictions are met. Amtrak assumes that visibility restrictions would apply to historic stations, which are the most publicly visible and celebrated aspects of our system.



5. **Replacement of facilities in historic districts:** Amtrak supports an exemption for the replacement of facilities that do not constitute a substantial increase in size, rather than “in-kind.” This allows for more flexibility in changes to technology over time, while addressing the key aspect of these facilities that might have a new effect on a historic property.

Amtrak appreciates the FCC’s consideration of stakeholder comments on the proposed addendum to the NPA. We look forward to consulting with the FCC as the amendment is further developed.