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American Association of
State Highway and
Transportation Officials

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Kansas Department
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John Horsley
Executive Director

April 12, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W. Room TW-A325
Washington, DC 20554

Dear Chairman Powell:

Subject: Request to Deny Petition to Reconsider 511 Order (The Use of N11 Codes
and Other Abbreviated Dialing Arrangements, CC Docket 92-105)

The American Association of State Highway and Transportation Officials (AASHTO) believes that the assignment of 511 as a nationwide transportation information hotline is one of the most important transportation decisions that has been made in fifty years. Virtually every citizen either uses or benefits from the roadway system every day, and only a uniform national access code such as 511 has the capability to reach and affect this broad audience. With 511 operating at its full potential, citizens will have access to the latest road conditions and travel times on our national transportation system. It is our belief that 511 will save lives, increase transportation productivity, and enhance customer satisfaction with our roadways. **Therefore, we respectfully encourage the FCC to deny the Petition to Reconsider 511.**

AASHTO is providing the national implementation leadership for 511. To assist in this leadership, we have established the National 511 Coalition, which includes both public and private sector organizations. The public agencies include State Departments of Transportation, County governments, transit associations and agencies, the National Emergency Number Association (911), and the USDOT. Private organizations include the US Telecom Association, the Cellular Telephone and Internet Association, SBC, SCC Communications, Navtech, Traffic.com, Smart Route, AAA, Rand McNally, and ITS America. Additional members are added as they request to participate in forming the vision and directing the implementation of 511. The National 511 Coalition is currently developing policies for implementation that will set a compelling vision that incorporates the best ideas from both the public and private sectors. We believe that the implementation of 511 will provide substantial benefits to the traveling public and offer creative business opportunities for the private sector.

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Currently, there are several states that have 511 deployments underway, including California, Arizona, Utah, Minnesota, Michigan and Kentucky. In addition, there are hundreds of road condition information services offered by State and local transportation agencies using seven and ten digit dialing codes. A single 511 system would make these hundreds of systems operate as a single nationwide service. 511 would also be much easier to remember than a seven or ten digit dialing code.

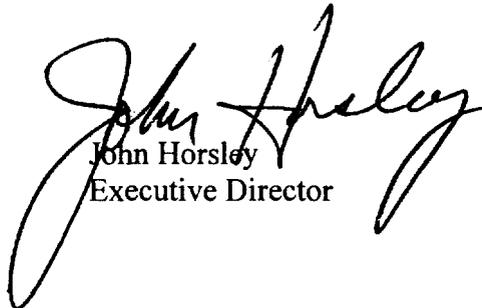
AASHTO believes that all of the issues raised by the six submitters for reconsideration are resolvable to the satisfaction of both the wireless industries and the transportation community. AASHTO's response to these issues is attached. The National 511 Coalition has committed to facilitating this cooperative effort through the initial actions taken to date, as well as through subsequent steps that might become necessary as the deployment of 511 spreads across the country.

Ultimately, 511 service could benefit virtually every citizen every day by improving the mobility of goods and people. In today's mobile society and with the explosion of wireless communications usage, to exempt the wireless industry from the 511 order would render the FCC's national designation of 511 for traveler information meaningless. ***Therefore, AASHTO respectfully requests that the FCC deny the request for reconsideration.***

Sincerely,



Dean Carlson
President



John Horsley
Executive Director

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Petition by the United States Department of Transportation for Assignment of an Abbreviated Dialing Code (N11) to Access Intelligent Transportation System (ITS) Services Nationwide)	NSD-L-99-24
)	
Request by the Alliance of Information and Referral Systems, United Way of America, United Way 211 (Atlanta, Georgia), United Way of Connecticut, Florida Alliance of Information and Referral Services, Inc., and Texas I&R Network for Assignment of 211 Dialing Code)	NSD-L-98-80
)	
The Use of N11 Codes and Other Abbreviated Dialing Arrangements)	CC Docket 92-105

To: The Commission

**OPPOSITION OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY
AND TRANSPORTATION OFFICIALS TO PETITIONS FOR
RECONSIDERATION**

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April 12, 2001

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To: The Commission

**OPPOSITION OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY
AND TRANSPORTATION OFFICIALS TO PETITIONS FOR
RECONSIDERATION**

The American Association of State Highway and Transportation Officials (AASHTO), pursuant to Section 1.429 of the Commission's Rules,¹ hereby respectfully submits its Opposition to the Petitions for Reconsideration filed in regard to the Commission's Third Report & Order² assigning 211 and 511 for information and referral and traveler information services, respectively. AASHTO requests that the Commission deny the Petitions for Reconsideration in their entirety.

¹ 47 C.F.R. § 1.429.

² *Use of N11 Codes and Other Abbreviated Dialing Arrangements*, CC Docket No. 92-105, Third Report and Order and Order on Reconsideration, 15 FCC Rcd 16753, FCC 00-256 (Released July 31, 2000), summarized in, 66 Fed. Reg. 9674 (February 9, 2001) ("*511 Third Report & Order*").

Overview

The fundamental premise upon which the transportation community requested the assignment of an abbreviated dialing code for traveler information was to improve the safety and efficiency of the transportation system. There are hundreds of traveler information systems operated by State and local transportation agencies using seven and ten digit dialing codes. In every instance, there is irrefutable evidence that these systems improve the traveling experience of the public. Unfortunately, not all travelers are familiar with how to access this information since there are literally hundreds of telephone numbers around the country. There is no doubt that the assignment of a national 511 code for traveler information will enable a broader segment of the traveling public access to existing public information, and eventually it will become available to virtually every citizen. Since almost all citizens use the transportation network every day, whether by private automobile or public transportation, 511 has the potential to assist every citizen every day. Only a national dialing code can provide this level of access.

The Federal Communications Commission's (FCC) assignment of 511 has been universally received by the transportation community as one of the most important steps forward in transportation since the beginning of the Interstate system fifty-five years ago. However, with the tremendous growth and the ubiquitous deployment of wireless communications, the 511 designation would be virtually meaningless without its application to the wireless industry.

Concerns of and Responses to the Wireless Industry

- 1. The petitioners for reconsideration assert that the assignment of 511 to government entities will restrict competition by not allowing the carriers to provide traveler information that is suited to their customers.**

The American Association of State Highways and Transportation Officials (AASHTO) believes that there is a difference in the definition of "traveler information" between the transportation community and the cellular carriers.

The transportation community's definition might be better characterized as "travel conditions," which requires detailed information on the speed of traffic on various segments of major roads, lane closures due to construction, incidents blocking traffic, and other similar detailed information. Transportation agencies instrument the roadways to obtain these data for two major reasons. First, these data are essential to the minute-by-minute management of the road system and the dispatching of emergency service when there are incidents. Second, transportation officials provide this road status information to the public to assist the traveler in avoiding incidents or major congestion. This information is distributed via electronic signs on the roadway, TV, the Internet, the current plethora of seven and ten digit telephone numbers, and other media.

The cellular community offers traveler information that includes airline flight information, traffic conditions, restaurants, movies, weather, and other services. The transportation agencies are only concerned with the "traffic" portion of these traveler information services.

There are a number of cities and States where detailed traveler information, or travel conditions, are currently provided to the public. In almost all of these instances, the actual provider of that information is a private company that is either under contract to a transportation agency or uses the transportation agency's information. These private "content providers" receive raw data from the local transportation authority, develop data from their own and other sources, and aggregate these data to develop information suitable for dissemination to the public. This information is concerned with roadway conditions, the status of congestion, and transit schedules. In fact, some of the cellular carriers purchase this type of traveler information for the "traffic" segment of their traveler information services.

The use of 511 will not change this fundamental business model. However, it is the objective of the 511 Policy Committee that the travel condition information meets minimum quality and consistency standards across the country in order to use the 511 designation. The local transportation agencies that provide a great deal of the raw data on travel conditions are in a position to ensure this quality of service to the traveling public. That is why the transportation community requested transportation agencies be the recipient of the 511 dialing code.

The establishment of minimum standards for travel condition and transit information that is provided to the public via 511 will not prevent any cellular carrier from using these types of services as a competitive tool or in any way restrict the additional information they may provide. The wireless carriers would be logical providers of these services to their customers.

2. The petitioners were concerned about which government entity within a region would be assigned the 511 number and how conflicts between government entities would be resolved.

The petitioners are correct in their assertion that there are numerous government entities in every region that could potentially be applicants for 511. It was for this very reason that the US Department of Transportation (DOT) instituted a grant program, published the "511 Implementation Issues" document, and established the 511 Policy Committee. The grant program provides financial incentives for State and local agencies to establish the coordination necessary to present one face to the telecommunications carriers specifically to avoid conflicts in the assignment of 511. Similarly, the Implementation Issues document addresses the specific issue of transportation coordination. In addition, the inclusion of representatives from both public agencies and private companies in the 511 Policy Committee will foster the working relationship between transportation agencies and the private companies that are content providers to the telecommunications industry.

The transportation community realized that this issue existed when the petition to the FCC for the assignment was submitted. However, it was not clear how the FCC could effectively designate a specific transportation entity to receive a 511 assignment that would be applicable nationwide. There is no monolithic model of the organization of transportation agencies that applies nationally. Each State has the authority to operate in a fashion that best fits its needs and those of the political jurisdictions within the State.

There is, however, an approach that has been successfully employed in a number of areas. In the Washington DC metropolitan area, twenty-six political jurisdictions have come together specifically to provide high quality traveler information to the public. This organization of transportation agencies, known as "Partners in Motion," presents a single face to the communications media. Other metropolitan areas and States have also organized in this fashion to ease the problem of disseminating information to the traveling public. However, this approach is not perfect and will not be used everywhere in the country.

In the final analysis, it will be the responsibility of the transportation community to facilitate the necessary coordination within each community to alleviate the potential of multiple applicants for the number assignment. The National 511 Coalition is committed to providing the leadership and assistance to State and local governments in the resolution of these issues.

3. The petitioners were concerned about the difficulties of routing calls properly in the cellular environment.

The transportation community recognized that the routing of calls in the cellular environment is different from that for wireline carriers. However, it should be noted that this problem has been addressed and solved by some of the national cellular carriers. There are currently several metropolitan areas that have 211 or #211 assigned for traveler information, including Washington DC, Minneapolis, Philadelphia, and Cincinnati. While it is understood that the routing of vertical service codes is not identical to 511, the fundamental problems of routing calls based upon the location of the caller is not insurmountable. For example, the 211 code used in Cincinnati and northern Kentucky is currently supported by Nextel, Sprint PCS, AT&T Wireless/Cincinnati Bell Wireless, Ameritech/Cingular, and AirTouch/Verizon. Obviously, these carriers have found an acceptable solution to these problems. Further, all of these traveler information services currently provided by transportation agencies are paid for by those agencies, including any nonrecurring costs associated with the routing of calls.

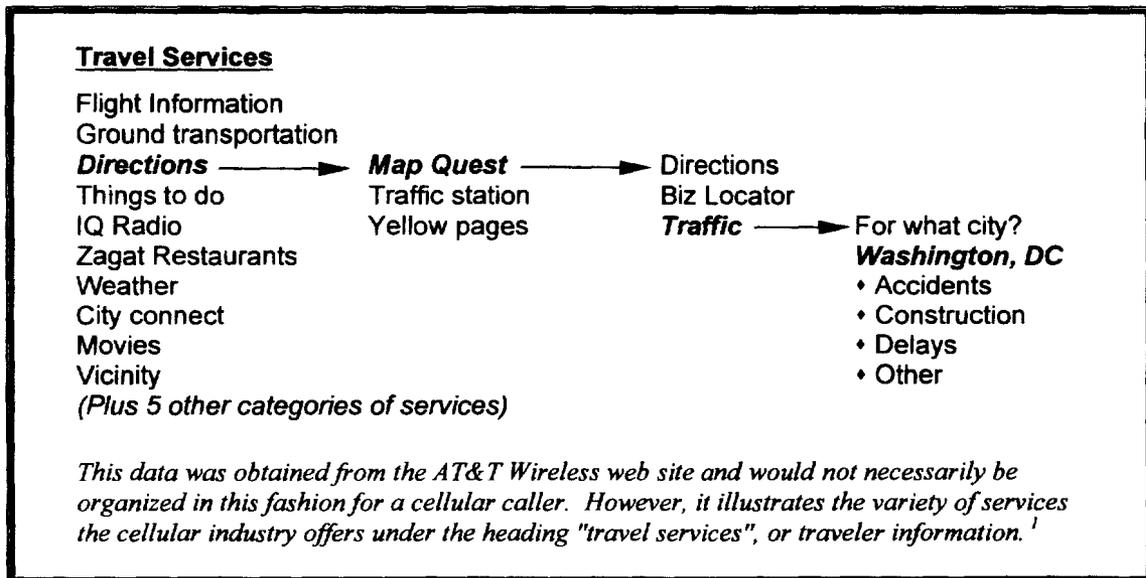
AASHTO believes that the concerns raised by the wireless industry are resolvable through the transportation community and the wireless industry working cooperatively. The National 511 Coalition is committed to facilitating this cooperation and ensuring a successful deployment of 511 to benefit the traveling public across the country.

In addition, AASHTO offers the following comments on specific concerns:

Competition

As stated by the petitioners, many cellular carriers offer traveler information/traveler services to their customers and use these services as a competitive differentiator. The allocation of 511 to transportation agencies should not affect this aspect of the cellular business.

When the cellular industry talks about traveler information, they are referring to a broad range of services offered to their customers. A typical example of travel services offered is shown below.



The transportation community's definition of "traveler information" encompasses only the "Traffic" portion of the services listed above. Outside the metropolitan areas, these traffic conditions could include such items as incidents, road closures, and weather conditions affecting the roads. Inside the metropolitan areas, travel conditions typically include average traffic speeds on specific road segments, average travel times between two points, delays caused by incidents on roads, alternate routes to avoid congestion, and bus and/or train schedules for transit agencies. The public agency's definition of "travel conditions" does not extend to "concierge" services such as airline flight information, things to do, etc., from the list above. This fundamental difference in the definition of traveler information is part of the basis for concern by the cellular industry.

The 511 designation for traveler information is meant to imply a certain level or "quality" of information on road conditions and public transit. The transportation community

¹ The US DOT is responsible for all traffic control devices installed on any street or highway, per 23 USC 109(d) and 402(a). Under the US DOT, the Federal Highway Administration (FHWA) has set the standards for all signs used on streets and highways per 23 CFR 655.603 and the National Manual on Uniform Traffic Control Devices (MUTCD). The FHWA is in the process of setting a new standard for all signs defining 511. These signs will read "Travel Conditions, Dial 511," will have white letters on a blue background, and will be of sizes consistent with the existing National MUTCD standards.

requested that the N11 designation be based upon the major investment that has been made by many cities and States to improve the quality of the information available on road conditions and transit operations. These agencies have installed sensors and other electronics on many of their roads to enable them to obtain a "real time" picture of the status of congestion, lane closures, etc. Transportation agencies use this information to better manage the transportation system through a variety of control measures, such as traffic signals. In addition, these agencies are providing this higher quality, finer grain, information to the traveling public.

Many transportation agencies currently provide this higher quality road condition information via seven or ten digit telephone numbers. In several cities, such as Washington DC, Philadelphia, Minneapolis, and Cincinnati, this high quality information is provided via 211 or #211 for cellular callers. In areas where this quality of information exists, it is most often provided to the public by a private company operating in partnership with the local transportation agency. These companies, known as content providers, aggregate the data provided by the transportation agency with other pertinent data and format it to present to the public. There are a number of content providers working with transportation agencies across the country. There are also content providers that generate their own road condition information, albeit usually based upon transportation agency data, and sell that information to radio stations and other companies that deal directly with the public, such as cellular carriers.

An example of this type of service is available in the Washington DC metropolitan area using #211 for cellular phones and 202-863-1313 for landline callers. Twenty-six transportation agencies from area municipalities, counties, and two states cooperate to provide a high quality traveler information service in the area. These agencies have installed sensors on the major arteries in the area to capture the detailed road condition data described above. A private company, under contract to these agencies, aggregates these data with other sources and provides the #211 service to the public. This road condition information is also available to the cellular carriers in the DC area; however, none of these carriers are currently providing this high quality information in their private labeled traveler information services.

In the Third Report and Order on Reconsideration, CC Docket No. 92-105, the FCC charged the transportation community with "facilitating the ubiquitous deployment of 511 ... to encourage a degree of national consistency ... appropriate to the national scope of our designation." To this end, the USDOT established the National 511 Coalition led by AASHTO to address the issues of the quality and national consistency of the traveler information provided using 511. This Coalition has concluded that the traveling public should expect a certain minimum level of quality and a degree of consistency in 511, and is now in the process of drafting guidance for transportation agencies implementing 511. These guidelines will define a minimum level of content, quality, and consistency for the "road conditions and transit" portion of travel conditions. Although they will not be Federal regulations, it is expected that transportation agencies will adhere to these guidelines.

The purpose for allocating the 511 number to "government entities" is to permit a level of control on the minimum content and quality of traveler information delivered via

511. It also means that expanded services, beyond the guidelines, would be expected and even encouraged.

For example, a possible scenario for the Washington DC area when 211 is converted to 511 includes having the cooperating agencies (as a group) evaluate the road condition and transit information provided by each cellular carrier to determine if the minimum standards were being met. If the information being provided is acceptable, then the carrier could be allowed to direct 511 calls to its own service. The road condition and transit information that meets the minimum standard will usually be available from several content providers in a region. In some cases, that provider might be a State or local transportation agency. The cellular 511 service can have as much additional information as the carrier chooses to include as he competes in his market. However, if the carrier chooses not to include the appropriate quality of information, the carrier would route the call to an acceptable service provider.

AASHTO believes that this type of process in no way hampers competition, but does meet the reasonable expectations of the traveling public. The US DOT has fostered the provisioning of traveler information services by the private sector since the inception of these services. The cellular carriers are certainly logical choices to serve their customers.

Conflicts in Assignment

The petitioners are concerned with the possibility of receiving multiple applications from a variety of transportation agencies within a region. While this possibility exists, the National 511 Coalition has taken actions to alleviate, or at least minimize, this occurrence.

This possibility exists due to the organization of transportation agencies within regions and States. The States are the recipients of the highway and transit federal aid that is appropriated by Congress. Further, the States are responsible for the Interstate system and the State roads, which usually include most of the roads not located in an incorporated municipality. Therefore, the State Departments of Transportation play a significant role in the transportation planning and operation of the transportation network.

In addition, there are 339 Metropolitan Planning Areas in the country, each of which is required to have a Metropolitan Planning Organization (MPO) whose function it is to coordinate the various political jurisdictions and transportation agencies within the metropolitan area for the purpose of planning all transportation facilities, infrastructure, and projects within the area. To accomplish this objective, the MPO serves as a forum for the discussion of transportation issues in the region, though it is not usually an implementing agency. Further, the MPO transportation plans must be coordinated with the State's plan, which further ensures coordination between government agencies.

Given this process for coordinating transportation plans, it still remains for the State and each political jurisdiction to implement projects within their areas. Therefore, as with any process that deals with political jurisdictions, the system does not produce perfect coordination and cooperation among political entities. Imperfect as it is, though, this transportation structure has been the basis for the current implementation of traveler

information in most States. The common model for traveler information is based upon the way in which State and local governments operate the transportation network. A State that has invested in the infrastructure to obtain data necessary for high quality information usually has at least one Transportation Management Center (TMC) where data from the roadways are routed for use in the management function. It is these TMCs, or hubs of data collection, that are the generators of the basic information needed to develop travel conditions. In a metropolitan area within the State, there is another TMC that collects transportation data specifically for that area. This TMC usually covers an area encompassing a number of political jurisdictions to facilitate the coordination of the transportation network in the metropolitan area. In general, the State TMC assumes that role outside the boundaries of the metropolitan TMC. There are a number of States and metropolitan areas that operate in this fashion, and this model helps alleviate the problem of dealing with multiple jurisdictions for the assignment of 511.

The San Francisco bay area is an example. The Metropolitan Transportation Commission (MTC) is the entity that has taken the lead to provide traveler information to the area. The MTC encompasses a nine county area, including 27 transit agencies and one hundred and one cities, that serves six and a half million people. As such, it has already drawn the boundary within which it will operate. The MTC has a contractor that is responsible for aggregating its data for use by a variety of media including both wireline and wireless telephone service. Outside the MTC boundaries, the California State Department of Transportation (Caltrans) has responsibility for providing the traveler information.

Another example cited previously is the Washington DC area. This system encompasses twenty-six political jurisdictions including two States, Maryland and Virginia, that have organized to present a single face to the communication media for the purpose of providing quality information to the traveling public.

Although this approach to the division of responsibilities among transportation agencies will minimize the problem of who controls the 511 number, it will not be perfect. This is another reason for the National 511 Coalition. This coalition provides a means for convening all the stakeholders concerned with 511 and developing guidance on dealing with these issues for both the public and private sectors. In the final analysis, it should be the responsibility of the transportation community to resolve who gets the 511 number and how calls should be routed.

Difficulties in Routing Calls

There is no question that the routing of calls consistent with the caller's location is very different and more difficult in the wireless environment. However, the problem has been solved in several areas of the country.

The petitioners commented that the cellular system is not aligned with the boundaries of political jurisdictions. It should be noted that neither is the transportation network. It is not necessary that there be alignment of these two networks. In the Washington DC example cited previously, the boundaries where 211 service is available is determined by the coverage

characteristics of the cellular carriers in the area, not the boundaries of any political jurisdiction. This is another example of why it is essential that the transportation community accept the responsibility for coordination among jurisdictions.

As also noted previously, there are at least four metropolitan areas where this problem has been successfully addressed. In each of these cities, there are multiple wireless carriers that have implemented the service. While not the identical to a 511 designation, these implementations do illustrate that routing problems are not insurmountable. Further, in none of these implementations do the coverage boundaries of the service align with political boundaries.

In Cincinnati and northern Kentucky, for example, 211 has been in operation for several years. Here, again, the political boundaries do not match the coverage by cellular carriers in that area. Currently, there are six cellular carriers in the region that are providing 211 service. The travel condition information is obtained from a private content provider hired by the Kentucky and Ohio DOTs to aggregate their data for presentation to the public. In addition, all of the cellular carriers have solved the problem of routing calls in this region. Therefore, although the wireless environment is more difficult, the routing problems are apparently resolvable.