



Friday, February 27, 2004

Office of the Secretary  
Federal Communications Commission  
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Washington, D.C. 20554

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**RE: COMMENT ON MARITIEL, INC. PROPOSAL FOR SHARED USE OF MARITIME VHF CHANNELS 87B AND 88B FOR AUTOMATIC IDENTIFICATION SYSTEMS (DA-04-378) AND THE NTIA PETITION FOR RULEMAKING (RM-10821)**

I am writing on behalf of the US Global Ocean Observing System Steering Committee (USGSC) to urge the Federal Communications Commission to reject the MariTel, Inc. proposal and to grant the Petition for Rulemaking submitted by the National Telecommunications and Information Administration (NTIA) to allocate the VHF frequencies 161.975 MHz (Channel 87B) and 162.025 MHz (Channel 88B) for government and non-government use on a shared basis nationwide for Automatic Identification Systems (AIS) exclusively.

The USGSC was formed in 1998 at the request of Dr. D. James Baker, Jr., then Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration (NOAA), on behalf of interested Federal agencies (see <http://ocean.tamu.edu/GOOS/usgsc.html>). The USGSC is an extra-governmental committee that advises relevant Federal agencies on matters pertaining to planning, implementation, and operation of the Integrated Ocean Observing System (IOOS), the US contribution to the Global Ocean Observing System (see <http://ocean.us>). The IOOS will provide critical information on oceanic conditions to decision makers in coastal waters of the US and on the high seas to enhance safe and efficient maritime transportation and homeland security, among other purposes.

The USGSC strongly opposes MariTel's request to be designated the exclusive "frequency coordinator" for AIS. The USGSC feels that designation of a for-profit frequency coordinator for AIS is both inappropriate and unworkable. The fees for use of these AIS frequencies proposed by MariTel are onerous. There is simply no value added in MariTel's proposal. The USGSC views AIS and these channels as a critical medium to transmit information on oceanic conditions, such as sea state, currents, winds, and water levels, to ship operators at sea. Such information is vitally important for safety of lives at sea and must be provided freely. MariTel's proposal could seriously infringe on the ability of Federal agencies, such as NOAA, or others, such as marine exchanges or port authorities, to provide such information or for ships at sea to receive the same. Here in Tampa Bay, the Tampa Bay Physical Oceanographic Real-Time System (see <http://ompl.marine.usf.edu/ports>) has been providing such information to ships transiting the harbor via a prototype AIS network since 1998 with great success. MariTel's proposal would have a chilling effect on future development of such life-saving decision support systems.

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The USGSC fully supports NTIA's concern that, "The practical and legal implication of a private company dictating the use of frequencies necessary for maritime safety and homeland security is a serious cause of concern for this country's spectrum management process." We urge the FCC to act quickly to reject MariTel's proposal and to grant the NTIA Petition for Rulemaking in the best interests of safety of life at sea and homeland security.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Luther". The signature is written in a cursive style with a large, stylized initial "M".

Mark E. Luther, Ph.D.  
Associate Professor, University of South Florida  
Vice-Chair, USGSC