Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Part 90	)	WP Docket No. 07-100
of the Commission's Rules	)	

To: The Commission

REPLY COMMENTS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

Respectfully submitted,

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The American Association of State Highway and Transportation Officials (AASHTO), pursuant to Section 1.415 of the Federal Communication Commission ("FCC" or "Commission") Rules and Regulations, 47 C.F.R. § 1.415, hereby respectfully submits its Reply Comments in the above-captioned proceeding.[1]

I. INTRODUCTION

AASHTO, *The Voice of Transportation*, is a non-profit association representing the departments of transportation for all fifty states, the District of Columbia, and Puerto Rico. AASHTO acts with the consensus, and on behalf, of its members and is a catalyst for organizational and technical excellence. AASHTO advocates for transportation-related policies and provides technical services to support its members in their efforts to efficiently and safely move people and goods. AASHTO is certified by the Commission as a Public Safety Frequency Advisory Committee (FAC)[2], with primary responsibility for the Public Safety channels dedicated to the Highway Maintenance Radio Service. AASHTO is certified to coordinate the

[1] *Notice of Proposed Rulemaking and Order*, WP Docket No. 07-100, 22 FCC Rcd 9595 (May 14, 2007) ("*NPRM*" or "*Notice*").
[2] Frequency Advisory Committees are also known as "Frequency Coordinators."

shared Public Safety Pool and the 700 and 800 MHz band Public Safety frequencies. AASHTO is an active member of the Land Mobile Communications Council (LMCC), the Public Safety Communications Council (PSCC), the National Public Safety Telecommunications Council (NPSTC), and the Intelligent Transportation Society of America (ITSA) with membership on many telecommunications committees. AASHTO is an American National Standards Institute (ANSI) recognized standards development organization (SDO) and has published or contributed to standards used in the design, construction, operation, and maintenance of transportation facilities worldwide.

II. REPLY COMMENTS

AASHTO, in these reply comments, addresses some of the comments and additional proposals for modification to Part 90 of the Commission's rules provided by other commenters, and those which were not specifically raised in the NPRM. The NPRM did, however, request comment on other potential Part 90 rule changes.[3] In the following paragraphs, AASHTO addresses some of those comments and additional proposals.

Frequency Coordination. AASHTO is in agreement with comments filed by others[4] supporting its position that Private Land Mobile Radio (PLMR) users requesting a change in the analog emissions mask from 25 KHz channels to 12.5 KHz channels on the same center frequency should not require coordination as long as no other technical parameters are changed. AASHTO recognizes the changing of a license to add narrowband analog emissions provides an opportunity to add and update many other items that may be missing or incorrect. Modification of technical parameters such as, but not limited to, changes of antenna height, effective radio

[3] *NPRM* at ¶ 1.
[4] *See* Comments of Motorola on the NPRM, Pages 2–3; Forest Industries Telecommunications, pg. 2; RadioSoft, pg. 3; State of Wisconsin, Department of Transportation, Page 1; and others.

(radiated) power, the number of units, and other 'minor' changes may have significant impact on both adjacent and co-channel operators and therefore must continue to be processed by an authorized frequency coordinator. AASHTO supports the requirement that any change to an existing license which may modify any other technical parameter be submitted to an authorized coordinator.

Transit Systems and Toll Roads. AASHTO notes the majority of comments received by the Commission support AASHTO's position that private operators of transit systems and toll roads should not be granted access to public safety frequencies. Should a private operator no longer function as a quasi-public service provider, any public safety license granted would remain with the operator and is not subject to transfer to a new entity that may be selected to perform the same function.

AASHTO firmly supports the burgeoning public-private partnerships that are being forged to provide essential transportation services for the public. Private operators of toll roads, public transportation systems, and other essential services may access public safety frequencies through agreements or a contractual clause thus keeping the frequency assignment firmly within the control of the granting agency and focused on the function rather than the provider.

Station Identification. Motorola recommends the Commission review §90.425 of its rules regarding call signs and station identification for systems operating under Part 90.[5] In particular, Motorola suggests that the Commission 1) allow, in general, the transmission of the required station identification using digital signals instead of Morse code; and 2) allow PLMR licensees operating multi-site networks to utilize a single call sign for the required station

[5] *See* Comments of Motorola on the NPRM, Pages 13-15.

identification. AASHTO supports both of these proposals as they would eliminate unnecessary burdens on licensees, while still ensuring that stations can still be identified.

With respect to multi-site PLMR networks using a single call sign for station identification, AASHTO notes that managing multiple call signs is a difficulty for large trunked systems. The Universal Licensing System (ULS) database only allows six sites per license, so the larger systems can end up with numerous call signs, also considering that there are separate licenses for each Radio Service code. Public Safety, for example, has separate Radio Service Codes for 700 MHz trunking, 800 MHz trunking, and NPSPAC trunking. It becomes cumbersome to manage the broadcast of numerous call signs throughout the system. If the system as a whole broadcasts one call sign throughout, other entities can find the related call signs and licenses in ULS, through "associated" call signs. Looking up any of the associated call signs would lead to all call signs in the system. It should also be noted the Commission's rules[6] allows CMRS stations to use a single call sign for commonly-owned facilities that are operated as part of a single system. Similar provisions for PLMR systems could be added to §90.425 to allow PLMR licensees the same flexibility as CMRS.

III. CONCLUSION

AASHTO is pleased to have this opportunity to provide reply comments on the Commission's proposed revisions to Part 90 to assist the Commission in achieving effective and efficient use of the Part 90 spectrum.

[6] 47 C.F.R §90.425(e)(2)