

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

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In the Matter of )

Request for Waiver by the National )  
Telecommunications and Information )  
Administration To Allow Aeronautical Utility )  
Mobile Stations To Use 1090 MHz for )  
Runway Vehicle Identification and Collision )  
Avoidance )  
\_\_\_\_\_ )

WT Docket No. 09-128

To the Wireless Telecommunications Bureau

**COMMENTS OF  
AIRPORTS COUNCIL INTERNATIONAL-NORTH AMERICA**

Airports Council International – North America (“ACI-NA”) respectfully submits these Comments in response to Public Notice, DA 09-1566 (July 17, 2009). The Wireless Telecommunications Bureau seeks comments regarding the request of the National Telecommunications and Information Administration (“NTIA”) that Parts 2 and 87 of the Commission’s rules be waived to permit certain airports to obtain licenses to operate runway vehicle identification and collision avoidance equipment on frequency 1090 MHz (the “Waiver Request”). In comments on the related rulemaking petition,<sup>1</sup> ACI-NA supported the proposed amendment of Part 87 to allow aeronautical utility mobile (“AUM”) stations to use 1090 MHz

<sup>1</sup> Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking by the National Telecommunications and Information Administration to Allow Aeronautical Utility Mobile Stations to Use 1090 MHz for Runway Vehicle Identification and Collision Avoidance, Public Notice, RM-11503, 23 FCC Rcd 16611 (2008).

for this purpose.<sup>2</sup> ACI-NA continues to support that proposal, and ACI-NA supports a waiver in principle. Nevertheless, ACI-NA has concerns regarding three specific terms of the waiver proposed by NTIA.

1. Additional Airports Should Be Eligible for a Waiver.

The Waiver Request would apparently apply to thirty-nine specific airports, plus any additional airports that implement ASDE-X systems before the pending rulemaking is resolved. ACI-NA agrees that all of those airports should be eligible for any waiver, and this approach should be satisfactory if the rulemaking is completed promptly. Nevertheless, ACI-NA wishes to emphasize the importance of allowing airports to deploy advanced collision avoidance systems expeditiously, whether they do so under a waiver while the rulemaking is pending, or pursuant to final rules. Therefore, both the final rules and any waiver provision limited to airports that implement ASDE-X must be interpreted liberally. The terms of any waiver should not be allowed to interfere with deployment of 1090 MHz AUM stations generally, or interpreted in any way that could hinder or discourage a particular airport from deploying the technology.

2. The Limit on the Number of 1090 MHz AUM Stations Should Be Waived Entirely.

The Waiver Request specifies that “[e]ach license shall be limited to a maximum of two hundred stations.” While two hundred stations may be sufficient for many airports, it is not likely to be sufficient for larger airports. Such airports may have 750-800 or more vehicles on which AUM equipment of one kind or another has been mounted, and if an airport has determined that its safety needs demand the installation of 1090 MHz AUM stations, it is in the public interest that all the AUM stations on all such vehicles be upgraded to transmit on the 1090

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<sup>2</sup> Airports Council International-North America, Statement in Support of NTIA’s Petition for a Rulemaking Proceeding, RM-11503 (Dec. 15, 2008).

MHz frequency. Indeed, for air traffic control personnel to be able to identify some vehicles and not others could create additional safety hazards. It would also be time-consuming, labor intensive, and ultimately impractical for 1090 MHz AUM stations to be transferred from one vehicle to another in order to stay under an artificial limit. Even if the restriction applies only to the number of stations in operation at any one time, the 200 station limit may be too low at particular airports at particular times. Accordingly, ACI-NA recommends that airports be licensed to operate the number of stations necessary for them to conduct safe and effective ground operations, without regard to any specific numerical limit.

3. The Frequency Stability Requirement May Be Too Stringent.

The Waiver Request specifies that the frequency stability requirement “shall be at least 1 part per thousand.” ACI-NA is concerned that this standard may be stricter than necessary, and would impose excessive costs on airports by requiring them to purchase more expensive equipment than would otherwise be needed. While appropriate for equipment installed on aircraft, a stability requirement of one part per thousand may be greater than that needed for ground station equipment. ACI-NA believes that it is in the public interest for airports to deploy 1090 MHz AUM stations, and imposing excessive costs will hinder deployment. Therefore, ACI-NA recommends that this standard be reexamined to ensure that it will not preclude use of lower cost, technically-adequate equipment.

**CONCLUSION**

ACI-NA urges that the terms of the proposed waiver be modified or clarified to address the points addressed above.

Respectfully submitted,



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