

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

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|--|---|---------------------|
| In the Matter of |) | |
| |) | |
| Amendment of the Commission’s Rules |) | WT Docket No. 10-61 |
| Governing Certain Aviation Ground Station |) | |
| Equipment |) | |
| |) | |
| Petition of the National Telecommunications and |) | RM – 11503 |
| Information Administration to Allow |) | |
| Aeronautical Utility Mobile Stations to Use 1090 |) | |
| MHz for Runway Vehicle Identification and |) | |
| Collision Avoidance |) | |
| |) | |
| Potomac Aviation Technology Corporation |) | WT Docket No. 09-42 |
| Request for Interpretation or Waiver of Sections |) | |
| 87.71 and 87.73 of the Commission’s Rules |) | |

To: The Commission

**COMMENTS OF
THE BOEING COMPANY**

The Boeing Company (“Boeing”), by its attorneys and pursuant to Section 1.415 of the Commission’s Rules, 47 C.F.R. § 1.415, hereby submits the following comments in support of the Commission’s proposed amendment of Part 87 of its rules to allow aeronautical utility mobile stations to use 1090 MHz for runway vehicle identification and collision avoidance.¹

In its comments responding to the Commission’s Public Notice of the National Telecommunications and Information Administration’s (“NTIA’s”) petition for

¹ See *Petition of the National Telecommunications and Information Administration to Allow Aeronautical Utility Mobile Stations to Use 1090 MHz for Runway Vehicle Identification and Collision Avoidance*, RM-11503, Notice of Proposed Rulemaking, FCC 10-37 (Mar. 16, 2010).

rulemaking in this proceeding,² Boeing raised concerns about substantial difficulties and delays associated with securing from the Commission radio-navigation land test and experimental licenses necessary to conduct installation and checkout testing of new Traffic Collision Avoidance System (“TCAS”) and identification friend or foe (“IFF”) systems utilizing the 1090 MHz band.³ These delays appear to be caused by difficulties in securing NTIA and Federal Aviation Administration (“FAA”) approval for the issuance by the Commission of such experimental licenses.

Boeing’s concern was that the delay could be due to existing congestion in the 1090 MHz frequency segment and could be exacerbated by further congestion caused by the introduction of runway vehicle identification and collision avoidance systems. TCAS and IFF communications systems are used to monitor the airspace around aircraft and to warn pilots of any threat of a mid-air collision. As part of aircraft design, manufacturing and certification, Boeing is required to test and certify these important systems using the frequency 1090 MHz. It is essential that Boeing be able to obtain the necessary radio-navigation land test and experimental licenses to do so in a timely manner.

Subsequent to Boeing’s previous comments on this issue, Boeing, NTIA and FAA opened a dialogue to discuss the delays that have occurred in the past with regard to the NTIA and FAA review process for FCC experimental license applications involving 1090 MHz. The review progression remains difficult, but Boeing looks forward to continuing to work with NTIA and FAA on the development of an efficient process. This

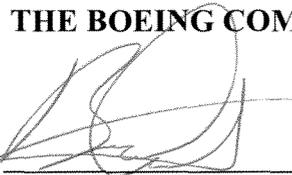
² See *Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking by the National Telecommunications and Information Administration to Allow Aeronautical Utility Mobile Stations to Use 1090 MHz for Runway Vehicle Identification and Collision Avoidance*, RM-11503, Public Notice, DA 08-2502 (November 13, 2008).

³ See Comments of The Boeing Company, RM-11503 at 2-3 (filed Dec. 15, 2008).

progress, however, could be stifled if the designation of 1090 MHz for aeronautical utility mobile stations were to slow the review process further. Therefore, although Boeing generally supports the Commission's proposed revision to the Part 87 rules to permit aeronautical utility mobile stations to use 1090 MHz for runway safety communications, such changes should be made in concert with efforts by the NTIA and FAA to improve the review and approval process for experimental license applications to use the 1090 MHz band to support TCAS and IFF test operations.

Respectfully submitted,

THE BOEING COMPANY

By:  _____

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