

October 26, 2010

By Electronic Filing

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: ET Docket No. 09-234

Subject: Notice of Ex-Parte

Dear Ms. Dortch:

NJ TRANSIT (NJT), an instrumentality of the State of New Jersey chartered with the responsibility to deliver public transportation services throughout the State of New Jersey, understands the TETRA Association is seeking a waiver that would allow TETRA, an ETSI digital radio standard used everywhere in the world, except North America, to be made available in the United States, as is, without modification to the current TETRA standard.

NJ TRANSIT enthusiastically supports the waiver request of the TETRA Association and would welcome the entry of TETRA land mobile radio (LMR) technology to the United States LMR marketplace.

Currently, NJT is using a proprietary and very dated analog trunked radio system to deliver LMR services to users within the NJT community. The system has long since passed its useful life and NJT is actively engaged in creating specifications to procure a new digital LMR system that will be able to achieve the agency's needs for the next 20 years. These needs include but are not limited to: spectral efficiency, capability to support voice and data, and life-cycle cost. NJT has, through its own research, found TETRA to be a very viable solution to meet our business needs now and into the future. Not only is it spectrally efficient but, being standards-based, it can be acquired, maintained, and expanded in a cost-effective manner given the multitude of vendors and the competitiveness of the TETRA market.

NJT has looked at other digital radio technologies and finds that they either do not provide the overall capability that TETRA provides from a spectral efficiency or data transport perspective or are proprietary with an uncertain future. Further, these technologies that are available to the U.S. market come so at a significant acquisition cost and long term cost of ownership given the price of the available subscriber units vs. TETRA.

As has been stated in previous submissions by others, NJT supports the notion that TETRA, as is, will not cause harmful interference. In fact, TETRA peacefully co-exists in other markets with analog and digital technology that is currently used in the United States.

NJ TRANSIT sees no reason why a digital technology such as TETRA, used elsewhere in the world without harmful effects – a technology that is much more developed and

competitive than the current digital radio standard used in the United States (APCO P25) – is not available.

NJT supports an immediate move by the FCC to grant the waiver for TETRA technology and make it available, as is, to the United States market place. The United States is a free-market economy that is open to competitive market practices. Keeping TETRA from the U.S. market is anti-competitive and does nothing to serve the better good of LMR users or U.S. tax-payers that are needlessly funding expensive LMR systems that could be more economical to procure and maintain if the market was open to TETRA technology.

TETRA is a worldwide digital radio standard. It is competitive and supported by many vendors - including the largest U.S. LMR vendor. It is a viable option to achieve 6.25 KHz equivalency, and is a cost-effective, robust solution for many enterprises looking for an advanced digital LMR system for voice and data.

It must be made available in the United States.

Sincerely,

Andrew E. Schwartz
Director, Radio Communications
NJ TRANSIT
1 Penn Plaza East
Newark NJ 07105-2246

Tel. 973.491.7745