

**FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Travelers Information Stations)	PS Docket No. 09-19
)	
American Association of Information Radio Operators Petition for Ruling on Travelers' Information Station Rules)	
)	
Highway Information Systems, Inc. Petition for Rulemaking)	RM-11514
)	
American Association of State Highway and Transportation Officials Petition for Rulemaking)	RM-11531
)	
To: The Commission		

**COMMENTS OF
NATIONAL PUBLIC RADIO, INC.**

Introduction

Pursuant to Section 1.415 of the Commission's Rules, 47 C.F.R. § 1.415, National Public Radio, Inc. ("NPR") hereby submits its Comments in response to the Commission's Notice of Proposed Rulemaking in the above-captioned matter.¹

NPR is a non-profit membership corporation that produces and distributes noncommercial educational ("NCE") radio programs through more than 900 NCE radio stations nationwide. In addition to broadcasting award-winning NPR programming, including *All Things Considered*[®], *Morning Edition*[®], and *Talk of the Nation*[®], NPR's member stations are significant

¹ In the Matter of Travelers Information Stations; American Association of Information Radio Operators Petition for Ruling on Travelers' Information Station Rules; Highway Information Systems, Inc. Petition for Rulemaking; American Association of State Highway and Transportation Officials Petition for Rulemaking, PS Docket No. 09-19, RM-11514, RM-11531, released Dec. 30, 2010 [hereinafter "TIS NPRM"].

producers of local, regional, and national news, information and cultural programming. NPR also operates the Public Radio Satellite Interconnection System and provides representation and other services to its member station licensees.

In response to the petitions that spawned this proceeding, NPR supported the approach taken by the AASHTO petition,² which proposed expanding the categories of permissible TIS transmissions in specific, clearly articulated ways that are in keeping with the spirit of the existing rules.³ By contrast, two other petitions proposed far reaching, but ill-defined changes to those TIS service rules,⁴ prompting NPR to file a statement questioning the wisdom of adopting the proposed changes or even initiating a rulemaking proceeding on the basis of those petitions.⁵ The TIS NPRM recounts many of the questions that were raised by NPR and others,⁶ without proposing any specific rule amendments.

As enumerated in our prior statements, NPR recognizes the value of the TIS service in providing highly localized travel- and public safety-related information that is largely

² Petition for Rule Making of the American Association of State Highway and Transportation Officials, RM-11531, filed Mar. 16, 2009 [hereinafter "AASHTO Petition"]. The AASHTO Petition proposed to expand the TIS rules to allow the broadcasting of America's Missing: Broadcast Emergency Response ("AMBER") Alerts and information about the availability of 511 services, which are traveler advisory services transmitted telephonically. See TIS NPRM at ¶ 35.

³ See Statement of National Public Radio, Inc., RM-11531, at 4-5, filed May 26, 2009 [hereinafter "NPR Statement on the AASHTO Petition"].

⁴ See Petition for Rulemaking to Revise and Update the Travelers Information Service Rules of Highway Information Systems, Inc., filed July 16, 2008 [hereinafter "HIS Petition"]; Petition for Ruling, filed Sept. 9, 2008.

⁵ See Statement of National Public Radio, Inc., RM-11514, PS Docket No. 09-19, at 4-6, filed Mar 16, 2009.

⁶ See, e.g., TIS NPRM at ¶ 27 & n.71 (inquiring whether the TIS service rules should continue to require a nexus between TIS transmissions and traveling motorists).

unavailable elsewhere.⁷ We also recognize that amending the TIS rules may be warranted to permit the transmission of new categories of information. We continue to believe, however, that maintaining the existing travel and public safety nexus is essential to justifying the TIS service because many other broadcast and non-broadcast means exist and are emerging to provide information of general public interest.⁸ Accordingly, the Commission should not proceed to recast the TIS service as a general purpose, low power radio service without geographic limitation,⁹ absent a compelling case for such a fundamental change in the TIS service.

Neither the TIS NPRM nor the record in this proceeding to-date makes that case. In addition to concerns over the scope of permissible TIS content, we share the concerns raised over eliminating TIS transmitter site technical limitations.¹⁰ For those reasons, we remain skeptical that such a case can be made.

Accordingly, we encourage the Commission to proceed instead with the narrower expansion of permissible TIS content proposed in the AASHTO Petition. As the Commission itself noted, there was no substantive opposition to expanding the TIS rules to permit the

⁷ See NPR Statement on the AASHTO Petition at 2-3.

⁸ For this reason, we agree with AASHTO's suggestion that "the Commission should re-focus the type of information that should be permitted on TIS stations to include information intended to promote situational awareness and not . . . routine weather information." Comments Of The American Association Of State Highway And Transportation Officials, PS Docket No. 09-19, RM-11514, at 6-7 (filed Mar. 16, 2009). See also TIS NPRM at ¶ 17. Compare id. at ¶ 27 (inquiring about "retaining the travel-nexus requirement") (emphasis added).

⁹ See HIS Petition at 9 (proposing converting the TIS service into a "Local Government Radio Service").

¹⁰ See TIS NPRM at ¶ 29 (quoting the comments of Hatfield & Dawson Consulting Engineers).

transmission of AMBER Alerts and information about 511 services,¹¹ and uniquely compelling reasons justify those changes.¹² Because these incremental changes are consistent with the nature of the TIS service, they can and should be implemented expeditiously.

Conclusion

NPR supports authorizing the TIS transmission of AMBER Alerts and announcements regarding the availability of 511 services and urges the Commission to proceed cautiously in considering more fundamental change.

Respectfully submitted,

NATIONAL PUBLIC RADIO, INC.



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¹¹ Id. at ¶ 35.

¹² See NPR Statement on the AASHTO Petition at 3-5.