Before the

Federal Communications Commission

Washington, D.C. 20554

In the Matter of Notice of Proposed Rulemaking:		
	)	
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

BRIEF ADDITIONAL COMMENTS OF DANIEL R. GROPPER

IN RESPONSE TO AASHTO COMMENTS FILED APRIL 25, 2011

Daniel R. Gropper ("GROPPER")[1] respectfully submits these brief additional comments in the above-captioned Petitions for Rulemaking[2] in response to the

[1] Daniel R. Gropper is an individual with over twenty (20) years of experience in the improvement of, and successful integration of, NOAA Weather Radio ("NWR") into other communications systems. GROPPER has played many roles in this process. Any comments made herein by GROPPER are solely his own and are not representative of the positions or opinions of any entity mentioned herein.

[2] Notice of Proposed Rulemaking, Travelers' Information Stations, released December 30, 2010; American Association of Information Radio Operators ("AAIRO") Petition for Ruling on Travelers' Information Station Rules, filed Sep. 9, 2008; Highway Information Systems, Inc. ("HIS") Petition for Rulemaking, RM-11514, filed July 16, 2008; American Association of State Highway and Transportation Officials ("AASHTO") Petition for Rulemaking, RM-11531, filed March 16, 2009.

comments filed by American Association of State Highway and Transportation Officials (AASHTO)[3] on April 25, 2011.

Permission to file these additional comments is requested to clarify National Weather Service (NWS) Emergency Alerting System (EAS) and Specific Area Message Encoding (SAME) procedures, and the importance of NON EAS and SAME'ed NWS statements and advisories to travelers, as referred to in the AASHTO filing.

The AASHTO is thanked for their public service foresight in supporting many of the proposals considered in the course of this rulemaking including, but not limited to, supporting the broadcast, on the TIS system, of AMBER (America's Missing: Broadcast Emergency Response) messages, the elimination of restrictions on networking or ribboning TIS systems to promote travelers evacuation and overall safety, and the broadcast of NWS EAS and SAME tone alerted messages. GROPPER is also in favor of these proposals.

GROPPER recently discussed the possibility of a FCC rule change to permit ribboning of TIS stations to aid evacuations, such as west bound lane reversals on I-64 from the Norfolk and Hampton Roads areas in the event of hurricanes, with Virginia State Department of Emergency Management officials. They expressed an immediate and favorable interest in TIS ribboning for this critical type of event.

[3] AASHTO comments filed April 25, 2011

AASHTO continues to dissent[4] on the rebroadcast of routine NWS NOAA weather radio weather reports on TIS. GROPPER respectfully disagrees with AASHTO's dissent on this issue. While broadcast radio regularly broadcasts weather information, some of the most important, time critical, weather information for traveler's safety is neither EAS or SAME tone alerted and is often mentioned only very briefly by broadcasters as a small part of their wide area programming content.

As set out in GROPPER's original submission[5] to the instant rulemaking, the NWS does NOT EAS or SAME tone alert traveler critical advisories and statements, such as dense fog advisories or winter storm statements, because they do not meet the NWS' wide area severe weather warning criteria. Some of the most important weather alert messages for travelers are NOT tone alerted by the NWS, such as Winter Storm Watches, as the NWS feels that these are long fused events and do not require immediate tone alerting.

Obviously these types of advisories and statements are time critical and have a huge impact on traveler's safety. An example of the importance of such NON tone alerted NWS advisories and statements to the safety of the traveling public were highlighted in GROPPER's comments[6]. On January 8, 2011 about one inch snow fell south of Washington, DC, for which the NWS, correctly, only issued advisories

[4] AASHTO comments filed April 25, 2011 at 1-2.
[5] GROPPER comments dated February 18, 2011, at 19 – 23.
[6] GROPPER comments dated February 18, 2011, at 20 – 21 and Attachment 5.

and statements. This light snowfall was a cause of a 52 vehicle crash on I-95 near Dale City, VA. This accident caused a major interruption of travel on I-95 and sent ten people to the hospital.

As noted by the AAHTSO, there are many sources of weather information, including broadcasters. The key to successfully providing critical information to the public is multiple, independent and redundant sources of the information. Just as pilots routinely check weather before and during flight, travelers should also have ready and reliable access to this information. A traveler will often not have any idea what local broadcast station covers weather for the brief time they are traveling though an area. It is unnecessarily dangerous and distracting for drivers to take their time and attention from driving to search for a local broadcaster for current local weather conditions when the driver could simply listen to the TIS system that they are passing, on the specific posted radio frequency, to obtain this critical information.

An event is dropped out of the NWR program cue only when the event has expired. If TIS is permitted to ONLY broadcast EAS/SAME coded weather warnings when they are first issued, listeners will likely miss critical severe weather messages that they will not know are still in effect. [7]

[7] "Emergency Alert System (EAS) Event Codes/WR Specific Area Message Encoding NWR-SAME) Codes." NOAA's National Weather Service. Web. 07 Jan. 2011. <http://www.weather.gov/os/eas_codes.shtml>.

The FCC is asked to find the proper balance to permit routine, non tone alerted, travel critical weather information to be intermittently broadcast on TIS to promote and enhance traveler's safety, while prohibiting the continuous broadcast of this weather information on TIS.

The AAHTSO also objects[8] to the broadcast of Silver Alerts on TIS as there are many varying state standards for the issuance of these alerts, unlike AMBER alerts that are issued based on a national standard. These types of alerts will become more critical as our population ages. Many state Departments of Transportation (DOTS) display Silver Alerts on roadway digital alert signage when the Silver Alert involves looking for a missing person in a vehicle. GROPPER proposes to permit Silver Alerts to be broadcast on TIS when such alerts are disseminated by the local DOT according to the local DOT's standards.

AAHTSO's comments[9] indicate that, "Severe weather alerts are also cancelled under one of two conditions. The alert was issued more than six (6) hours earlier, or a second SAME burst was received cancelling the alert." Neither of these statements is accurate.

As set out in detail in GROPPER's comments[10], although the NWS may issue EAS and SAME alerts for up to 72 hours, they, as a matter of internal procedure, will only EAS and SAME encode an alert for up to 6 hours, despite the actual watch or warning not

[8] AASHTO comments filed April 25, 2011 at 1.
[9] AASHTO comments filed April 25, 2011 at 2.
[10] GROPPER comments dated February 18, 2011, at 23-25.

expiring for a period of time much longer than 6 hours. GROPPER asked the FCC to require the NWS to EAS and SAME encode watches and warnings for the actual period of their duration as part of the Part 11 rulemaking in 2002[11], and the FCC declined to make this requirement.

> 80. Thunder Eagle complains that, as a matter of policy, NWS will not encode an alert message for more than six hours or reissue an alert message after the initial six-hour period, even though the message may actually have a valid time period of greater than six hours.[189] Thunder Eagle requests that we amend the Part 11 rules to specifically require either (a) that the valid time period indicate the actual duration of the alert, or (b) that the issuing agency reissue the alert message at the end of every six hour period for which a previously issued alert is still in effect. We will not amend the rules as requested by Thunder Eagle. We think that this is a matter best left to the discretion of NWS and other agencies that issue EAS alerts.
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> [189] Thunder Eagle Comments at 2-3. For example, Thunder Eagle states that although Hurricane Watches and Warnings regularly last for 24 to 48 hour periods, NWS will not encode a Hurricane Watch or Warning alert message for more than six hours or reissue the alert after the initial six-hour period.

The NWS has NOT adopted the above proposal to tone alert the actual duration of an event and will NOT re tone alert an issued alert every six hours.

Additionally, the NWS does not issue EAS and SAME encoded event cancelation codes.[12]

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[11] FCC 02-64 EAS 2002 Part 11 Rules Report and Order, at Paragraph 80.
[12] FCC 02-64 EAS 2002 Part 11 Rules Report and Order, at Paragraph 33. GROPPER comments dated February 18, 2011, at 25.

The FCC is thanked for giving consideration to these potentially life saving suggestions for system improvement.

Respectfully Submitted,

/Daniel R. Gropper/

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