



# New Jersey Turnpike Authority

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VERONIQUE HAKIM, Executive Director

December 21, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW Room TW-A325  
Washington, DC 20554

## **RE: Request by Progeny LMS, LLC for Waiver of Certain Multilateration and Monitoring Service Rules. WT Docket No. 11-49**

The New Jersey Turnpike Authority (NJTA) is submitting the following comments in regards to the above-referenced subject. The NJTA is an independent Authority created by an act of the New Jersey State Legislature and is responsible for operating the New Jersey Turnpike and the Garden State Parkway. The NJTA is a member of the E-ZPass Group<sup>1</sup>, an association of 24 toll agencies in 14 states. The E-ZPass Group uses a common set of electronic toll collection equipment operating in the 902 to 928 MHz band to allow customers to travel on any of the member's facilities and to seamlessly pay the toll. The system is comprised of base stations licensed by the Federal Communications Commission ("FCC") on a co-primary geographic area basis and in-vehicle (mobile) devices that operate under Part-15 of the FCC rules that communicate with the base stations. The E-ZPass Group currently has more than 23 million such RFID ("mobile") devices issued to customers across the United States. The E-ZPass Group collects \$8 billion in toll revenue annually using this electronic toll collection system. The NJTA's electronic toll collection system became fully operational on the two roadways in 2000. The electronic toll collection system's user base has continued to grow annually and at the end of November 2012 the usage rate on the New Jersey Turnpike was 79.2% and on the Garden State Parkway was 75.9%. In 2011 our toll revenue totaled slightly

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<sup>1</sup> E-ZPass Group members: Buffalo and Fort Erie Public Bridge Authority, Burlington County Bridge Commission, Delaware Department of Transportation, Delaware River and Bay Authority, Delaware River Joint Toll Bridge Commission, Delaware River Port Authority, Illinois State Toll Highway Authority, ITR Concession Company, LLC, Massachusetts Department of Transportation, Maryland Transportation Authority, Maine Turnpike Authority, New Hampshire Department of Transportation, New Jersey Turnpike Authority, New York State Bridges Authority, New York State Thruway Authority, Ohio Turnpike Commission, Port Authority of New York & New Jersey, The Pennsylvania Turnpike Commission, Rhode Island Turnpike and Bridge Authority, Skyway Concession Company, South Jersey Transportation Authority, Triborough Bridge and Tunnel Authority, Virginia Department of Transportation, and West Virginia Parkway Authority

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over \$1.4 billion with a significant amount of that revenue was collected relying on the use of the electronic toll collection system. The NJTA relies on the FCC to protect its systems operation against harmful interference from entities requesting to use the same spectrum by requiring the entities to provide evidence in the form of technical analyses to show that their operations will not interfere with existing operations.

On July 6, 2012, President Obama signed into law P.L. 112-141, the Moving Ahead for Progress in the 21st Century Act (**MAP-21**) which has a mandate that requires that all electronic toll collection systems in the United States be interoperable by 2016. The E-ZPass operators and the operators of similar electronic toll systems across the country are working on implementing the federally mandated national electronic toll interoperability requirement by establishing an equipment standard within the 902-928 MHz band in which they operate. Maintaining an uninterrupted and clear 902-928 MHz band is a crucial component in achieving and maintaining a national interoperable electronic toll collection system as mandated by MAP-21.

Therefore, the NJTA supports the comments submitted by Kapsch TrafficCom IVHS, Inc.<sup>2</sup>, our equipment manufacturer, regarding Progeny's October 31 submission. We are deeply concerned that the October 31 Progeny report was limited to analyzing three companies operations' that are not reflective of our operating environment. We respectfully request that the FCC direct Progeny (1) to provide a response to Kaspch TrafficCom IVHS, Inc.'s<sup>3</sup> recommended changes to Progeny's systems operation and (2) to direct Progeny to conduct interference testing with Kapsch TrafficCom IVHS, Inc. and submit a written report to the FCC providing data that show that Progeny's systems will not interfere with our suppliers Non-Multilateration Location and Monitoring Service equipment, before the FCC makes a final decision on whether or not to allow Progeny permission to operate mobile radio transmitters and high power base stations.

If you have any questions or are in need of further information, please feel free to contact me (732) 750-5300. Thank you in advance for your attention to this matter.

Sincerely,



Veronique Hakim  
Executive Director

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<sup>2</sup> See Comments of Kapsch TrafficCom IVHS Inc., WT Docket No. 11-49 (filed Dec 21, 2012) ("Kapsch December 2012 Comments").

<sup>3</sup> See Comments of Kapsch TrafficCom IVHS Inc., WT Docket No. 11-49 (filed Mar. 15, 2012) ("Kapsch March 2012 Comments").