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COMMITTEE ON ENERGY AND COMMERCE

Congress of the United States

HOUSE PERMANENT SELECT
COMMITTEE ON INTELLIGENCE

House of Representatives

Washington, DC 20515-1309

July 27, 2012

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CHIEF DEPUTY WHIP

Chairman Julius Genachowski
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

*WTB
Spectrum
965*

RE: WT Docket No. 11-79 Spectrum Needs for Positive Train Control

Dear Chairman Genachowski:

I write in regards to a matter before the FCC that will impact my constituents and Metra (the Northeast Illinois Regional Commuter Railroad Corporation), a commuter railway system serving the Chicagoland area. I hope to gain a better understanding of the status of the proceeding before the FCC and to learn about FCC's plans to accommodate the concerns expressed by Metra and many other passenger rail lines.

The Railroad Safety Improvement Act of 2008 took several important steps to better protect the public from railway accidents that threaten passenger safety and regional security. Among the important changes was the plan to establish a Positive Train Control system which would use new technology to prevent train collisions, track malfunctions, and other damaging consequences. It also set a deadline of December 31, 2015 for implementation of the PTC system for Class I freight as well as passenger railroads.

Metra has served the Chicago area well, completing over 80 million passenger trips in 2010. The cost of implementation of the PTC could be as much as \$200 million for Metra alone. Metra – like many other commuter railways – is not in a position to fund that kind of an investment, nor does it want to pass the cost on to commuters and businesses that rely upon its services.

Last May, the FCC's Wireless Telecommunications Bureau (WTB) announced that it would seek comments from stakeholders regarding the frequency bands and amount of spectrum needed to successfully implement PTC. According to the FCC, "the record received in response to this Public Notice will be instrumental in a Commission determination of what future proceedings or actions, if any, might facilitate an effective, efficient, and timely process for railroads to acquire spectrum to comply with the PTC implementation requirements under the RSIA and FRA regulations." Metra joined with other commuter railroads and submitted comments through the American Public Transportation Association (APTA) to that proceeding. The comment period closed over a year ago, but no action has yet been announced on this matter.

I would like to know when action can be expected in response to the WTB proceeding. As you know, the deadline for implementation is quickly approaching, and Metra and other commuter

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Chairman Julius Genachowski

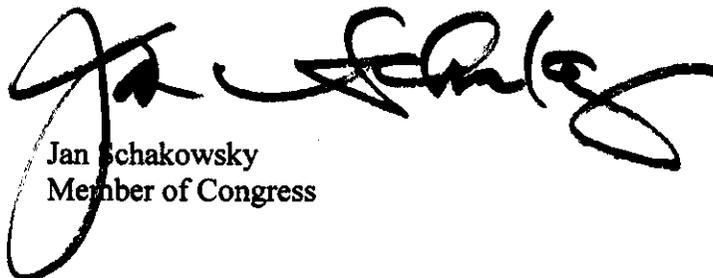
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railroads would benefit from information relevant to their PTC obligation. It is my hope that cost and feasibility will be seriously considered in implementing the PTC, and that accommodations will be made if necessary to enable commuter railways to comply.

Your attention to these issues is much appreciated. I look forward to hearing from you regarding the WTB proceeding and the FCC's plan to address the concerns raised by Metra and other commuter rail lines.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Schakowsky". The signature is stylized and cursive, with a large initial "J" and a long, sweeping tail.

Jan Schakowsky
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION

October 2, 2012

JULIUS GENACHOWSKI
CHAIRMAN

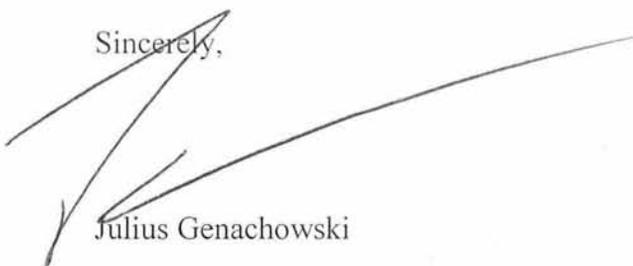
The Honorable Janice D. Schakowsky
U.S. House of Representatives
2367 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Schakowsky:

Thank you for your letter regarding the Northeast Illinois Regional Commuter Railroad Corporation known as Metra. I appreciate your interest in this matter and have directed the Chief of the FCC's Wireless Telecommunications Bureau to respond. I am pleased to provide the enclosed letter addressing your concerns.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,



Julius Genachowski

Enclosure



Federal Communications Commission
Washington, D.C. 20554

October 2, 2012

The Honorable Janice D. Schakowsky
U.S. House of Representatives
2367 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Schakowsky:

Thank you for your letter regarding the spectrum needs of Metra and other rail lines to implement the positive train control (PTC) provisions of the Rail Safety Improvement Act of 2008 (RSIA). I recognize the vital role that PTC will play in enhancing rail safety and the Commission is committed to helping rail carriers find PTC spectrum.

Commission staff has worked with numerous commuter rail carriers to educate them about ways to acquire spectrum pursuant to the Commission's secondary markets policies and to facilitate such transactions. Commission staff also has been working with interested federal agencies to facilitate the secondary market process.

The Commission believes that there is adequate spectrum available on the secondary market that is appropriate for PTC use. In recent months, transactions have been consummated for some of the most challenging markets, including Los Angeles and New York City. With Commission staff assistance, Metra and PTC-220 are working closely to implement PTC in Chicago, including via spectrum and infrastructure sharing. There is other secondary market spectrum available in Chicago, as well, to meet any further needs of these parties. The Commission and staff will continue working with Metra and other stakeholders as they implement PTC for the benefit of the American public.

I appreciate your interest in this important matter. Please do not hesitate to contact me if you should require further assistance. We will place a copy of your inquiry and our response in the Commission's PTC docket.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruth Milkman".

Ruth Milkman
Chief
Wireless Telecommunications Bureau