

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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May 16, 2013

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

RE: Notice of Proposed Rulemaking ET Docket Number 13-49: Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure Devices in the 5 GHz Band

Dear Ms. Dortch:

On behalf of the Colorado Department of Transportation (CDOT), I am writing to express the department's opposition to the proposal to authorize unlicensed, non-transportation users to share the radio frequency spectrum currently allocated for dedicated short-range communications systems (DSRCS).

As you are aware, in 1999, the Federal Communications Commission (FCC) allocated 75 MHz of spectrum in the 5.9 GHz band to be used for DSRCS by Intelligent Transportation Systems (ITS). I was disappointed to learn of recent proposals to share portions of this critical spectrum with Unlicensed-National Information Infrastructure (U-NII) devices. This would introduce significant risks to the viability of this critical transportation system, and pose serious hazards.

Recently, the National Telecommunications & Information Administration (NTIA) evaluated the potential risks of sharing the 5.9 GHz spectrum with U-NII devices. The NTIA initial report released in January concluded that further analysis is necessary in order to fully comprehend the risks that spectrum sharing may pose to critical transportation industry applications. Notably, the NTIA also concluded that U-NII technologies may be unable to detect DSRCS signals, and that DSRCS may experience reduced performance due to interference caused by the spectrum sharing. CDOT has significant concerns due to the possible adverse effects discussed in the NTIA report.

DSRCS meets all needs of the connected vehicle program, and is capable of reliable, high-speed data communications transmittal between moving motor vehicles and highway infrastructure. Some of the safety applications require data to be transferred in mere milliseconds. If the FCC moves ahead with current proposals to share the spectrum, many critical advantages of DSRCS may be compromised. Ultimately, public safety could be adversely affected.

Again, I urge the FCC to reevaluate Proposed Rulemaking 13-49, further analyze the NTIA report conclusions, and preserve the current use of the DSRCS solely for transportation purposes. CDOT remains opposed to any proposal to share the 5.9 GHz spectrum beyond the intent of the

original 1999 rulemaking. Acting otherwise and sharing this spectrum with non-transportation users could seriously hamper critical safety applications and erode our ability to improve highway mobility.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald E. Hunt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Donald E. Hunt
Executive Director

cc: Mr. Bud Wright, Executive Director, AASHTO
Mr. Ryan Rice, Director, Division of Operations, CDOT
Mr. Kurt Morrison, AASHTO Liaison, CDOT