

DUNCAN HUNTER
50TH DISTRICT, CALIFORNIA

COMMITTEE ON ARMED SERVICES

COMMITTEE ON
EDUCATION AND THE WORKFORCE

COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE



U.S. House of Representatives
Washington, DC 20515-0550

May 22, 2013

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Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Secretary Dortch:

I am writing regarding Choctaw Holding, LLC's application to acquire spectrum from Maritime Communications/Land Mobile, LLC (MCLM). The spectrum is needed by the Southern California Regional Rail Authority (SCRRA) to implement a proven safety system that will save lives and greatly reduce the risk of a catastrophic accident.

The need to improve rail safety is demonstrated by the fact that a SCRRA operated train crashed in 2008, killing 25 passengers and injuring more than 100. A subsequent investigation found that using positive train control (PTC) would have prevented the accident. In the wake of the crash, Congress passed the Rail Safety Improvement Act of 2008 which mandates the use of PTC on certain passenger railroads by December 31, 2015. To date, SCRRA is one of only a few rail operators in the country that is on track to implement PTC by this deadline.

PTC relies on signals and sensors along the track to communicate the train location and any relevant speed restrictions. If a train is traveling outside established safety parameters, on-board equipment will automatically slow or stop the train. As the Commission is aware, one of the challenges for train operators to implement PTC is acquiring the necessary spectrum that the system requires. SCRRA filed an application with the Federal Communication Commission (FCC) in 2010 to acquire spectrum from MCLM. To date, the commission has not acted on the application.

SCRRA has leased spectrum to ensure that it will have the necessary resources to implement PTC. However, the arrangement is only temporary in nature, and does not provide SCRRA with the necessary resources for full implementation of PTC, making it necessary to ensure SCRRA has dedicated spectrum.

In the interest of public safety, I urge the Commission to take action and approve Choctaw's application. I appreciate your attention to this matter.

Sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "Duncan Hunter".

Duncan Hunter
Member of Congress