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- San Bernardino County Transportation Commission
  - San Bernardino County Transportation Authority
  - San Bernardino County Congestion Management Agency
  - Service Authority for Freeway Emergencies
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May 29, 2013

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St N.W.  
Washington, D.C. 20554

Re: WT Docket 13-85

Dear Secretary Dortch:

On behalf of the San Bernardino Associated Governments, a member agency of the Southern California Regional Rail Authority (SCRRA), I urge the Federal Communications Commission (FCC) to quickly and efficiently make the necessary communications spectrum available to SCRRA for use to implement Positive Train Control (PTC) on its system. This action is clearly in the public interest for safe commuter rail operations in California.

Ensuring the public's safety on the system is the top priority for SCRRA. A robust, reliable, and advanced telecommunication system is a critical component of PTC implementation to ensure safe operations, particularly on those systems that share track usage with freight rail. Congress recognized this in enacting the Rail Safety Improvement Act of 2008 (RSIA), originally mandating the development and implementation of PTC on "Class I" and passenger railroads by December 31, 2015. California stakeholders, including SCRRA, are committed to meeting this deadline and need the spectrum approved in order to appropriately fulfill the requirements of RSIA with respect to communication needs for full PTC implementation.

In March 2010, SCRRA filed an application with the FCC seeking approval to acquire spectrum from Maritime Communications/Land Mobile, LLC, but that application still has not been acted on by the Commission. We are hopeful that this application will be moved forward soon.

In the meantime, SCRRA has obtained, through an interim lease arrangement, other spectrum to facilitate at least partial, temporary compliance with the RSIA. Unfortunately, that arrangement affords SCRRA less spectrum than is necessary for full compliance now, much less for future compliance as PTC-related spectrum needs increase. Moreover, that arrangement is temporary and terminable at the discretion of the lessor, which leaves SCRRA vulnerable.

As we learned from the tragic incident in Chatsworth, California in 2008, we cannot afford to wait any longer to implement the lifesaving technology of PTC on our busy, shared use commuter-freight rail corridors. We encourage the FCC to act expeditiously to award spectrum to SCRRA for PTC use. Thank you for your attention on this important issue.

Respectfully submitted,

A handwritten signature in blue ink that reads "Janice Ruthorford". The signature is written in a cursive, flowing style.

JANICE RUTHORFORD

President, San Bernardino Associated Governments

c: Michael P. DePallo, CEO, Southern California Regional Rail Authority  
Van Scoyoc Associates