PAN AM RAILWAYS
1700 IRON HORSE PARK
NO. BILLERICA, MA 01862

December 10, 2013

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

Re: WC Docket No. 13-247 – Section 63.71 Application of MCI Communications Services, Inc. d/b/a Verizon Business Services

Dear Ms. Dortch,

It has only been recently that we have been made aware of MCI Communications Services, Inc. d/b/a Verizon Business Services ("Verizon Business") application for authority under Section 214(a) of the Communications Act and Section 63.71 of the Commission's rules to grandfather and eventually discontinue interstate private line DS0 service (64 kbps or less). While we realize the comment period for this docket has expired, as our use of the affected circuits directly impacts public safety, we ask that you give this submittal due consideration. As a customer that utilizes a considerable number of these interstate private line DS0 services, (hereinafter referred to as "affected circuits" or just "circuits"), we have objections to MCI Communications Services, Inc. application. Please accept this letter as notice of our objections.

Pan Am Railways (PAR) is a regional rail carrier, operating a 1300 mile system of rail lines throughout New England and eastern New York. Pan Am Railways hosts its own centrally located operations control center that is responsible for dispatching all train movements system wide. These operations include the dispatching of 12 AMTRAK regional passenger trains and 122 Massachusetts Bay Transportation Authority commuter passenger trains in addition to the company's own 89 freight trains each weekday. A considerable number of passenger and freight trains also operate on weekends and holidays. On average, Pan Am Railways moves over 300 million tons of freight annually.

The affected circuits are employed in the day to day operation of the railroad. The circuits are utilized in the control of signals, switches, and provide authority for train movements on all our rail lines. These circuits are also utilized in providing indications to our control center about the locations and statuses of trains, the position of switches, the state of signals which grant authority, and the operational state of railroad grade crossings. All aspects of which, both control and indication, are vital to the safe operation of train movements, and subsequently in the interest of public safety. Indeed, all our circuits are TSP coded. As such there is already federal recognition that these circuits, their operation and reliability, are in the public interest and safety.

While the communication of the data in and of itself can be accomplished through a number of different means, there are additional services provided in the supply of the circuits in question beyond just supplying a path for voice and data. Paramount of these additional services is the provision of power for the terminating equipment though the circuit's own lines. Such circuits are known as passive circuits, or passively terminated circuits. They allow for the use of the circuit, the transmission and receipt of voice and/or data, without the customer needing to provide power, and the facilities for that power, to the terminating equipment. This is significant in that it allows for the data circuit's continued operation during commercial electrical utility outages or where commercial power is unavailable or unreliable.

The services and circuits proposed to replace the affected circuits require the customer to provide power to the terminating equipment. Such circuits are known as active circuits, or actively terminated circuits. This requirement of customer supplied power to operate these new circuits is one of considerable inconvenience and consequence.

The self powering of terminating equipment in passive circuits allows for the use of a data circuits in environments that would not be otherwise capable of supporting active terminating equipment or backup power systems to support the active terminating equipment. The main consideration here is space. With the current circuits, the passive termination can fit in a small cabinet mounted to a pole. The proposed replacement circuits require significantly more equipment to terminate and operate the circuit along with a backup power supply to ensure the circuits reliability. This added space requirement may necessitate a small building to contain the additional equipment which may lead to real estate or geographical conflicts.

Another concern is that most active terminating equipment and backup power supplies are only designed to operate in environmentally controlled settings. Such equipment is not designed to operate in settings where temperatures are below freezing or are in excess of 120 degrees Fahrenheit, nor in settings of excess humidity. This makes equipment that can be operated in such conditions specialty items and especially costly.

As the service providers of these circuits provide power to them and support them in the same manner as they do for dial telephone service, (also known as 'plain old telephone service' or POTS) the telephone company can supply power for these circuits almost indefinitely during an extended power outage. For a customer to provide its own power to the same level of reliability would be extremely cost prohibitive. The cost would go well beyond the expense of purchasing the equipment to provide the back up power. That equipment also has to be housed, have energy provided to it in either the form of commercial electrical power or fuel for a generator, and the equipment needs to be secured from theft.

Another attribute of the affected circuits that is not found in any other provided multi-drop data circuit is that it is electrically similar to plain old telephone service. This is significant in that when there is a failure of an affected circuit, the POTS network can be used as a backup communications provider without requiring any additional hardware or software.

The POTS network is highly reliable in that it provides for its own redundancy and resiliency, and does this from the point a customers circuit enters the local phone system to the point where it leaves. In contrast, most private data circuits, including the affected circuits, may be routed through multiple local and long distance phone system facilities in a static path before being put into a routable network. Also, due to the point to point nature of phone calls, the POTS network provides a reasonably secure path for sensitive communications. That is to say it would be highly difficult for an individual to hijack the communication path or the railroad's facilities controlled by that communication path.

In order to preserve the same level of redundancy and security as provided by the combination of the affected circuits and a POTS circuit a customer would have to either provide significant additional equipment and possibly computer software to utilize that equipment or create a new network equal in geographic reach and complexity as what is currently provided to the customer by the phone company.

The circuits in question currently provide services at over 100 different locations across the railroad. To purchase the specialized equipment, provide for reliable backup power, and house and secure that equipment, as well as provide for equipment to continue to utilize the POTS network as a backup or create a new backup network would cost millions of dollars and many thousands of man hours. Indeed, it would take longer than the six (6) months notice of termination described in the Section 63.71 Application of MCI Communications Services, Inc. to implement replacement circuits. To note, recently it has taken MCI Communications Services, Inc. well in excess of a year following an order to install modern T1 circuits on the railroad.

The termination of the concerned circuits would put a considerable undue burden on the railroad to continue to provide for safe and reliable movement of trains. Further, alternate services may not be capable of providing the same levels of security, resiliency, and redundancy, which may adversely affect the reliability and safety in which the railroad is dispatched. The results of which could range from delay of trains to loss of life due to the inability of dispatchers to control rail movements in a timely and reliable manner. Therefore, we ask that you deny the WC Docket No. 13-247 – Section 63.71 Application MCI Communications Services, Inc.

Sincerely,

Mack B Wallace

Mack B. Wallace
Assistant Chief Engineer C&S
Pan Am Railways