



*Preserving America's Heritage*

April 16, 2014

Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Wheeler:

The Advisory Council on Historic Preservation (ACHP) appreciates the Federal Communication Commission's (FCC's) commitment to working with the ACHP on the development of a Program Comment to address its Section 106 responsibilities under Section 106 of the National Historic Preservation Act (NHPA) for the Positive Train Control (PTC) Program. We have been consulting with stakeholders regarding the draft Program Comment on the PTC Wayside Facilities since FCC submitted the program alternative to us on March 5, 2014, and believe that we are making progress in our review. The implementing regulations for Section 106, "Protection of Historic Properties" (36 CFR Part 800), provide that the ACHP may comment on a category of undertakings in lieu of conducting individual project reviews (36 CFR Section 800.14(e)). The ACHP is required to provide such comments within a 45-day period from receipt of the request from the agency unless it obtains the consent of the agency official to extend the period for providing the comment. This 45-day period would conclude April 18, 2014.

Based upon the status of our review and the critical issues raised by stakeholders that must be addressed in the Program Comment, we find it necessary to request an extension to the 45-day comment period. In recognition of the importance of the PTC Program to the nation and the extensive planning that has been done by the railroads, we are eager to find the appropriate balance between the installation of towers and consideration of their effects on historic properties. To ensure that we afford stakeholders an adequate opportunity to review revisions the ACHP has made to FCC's Program Comment submitted on March 5, 2014, we request that FCC provide an extension until May 16, 2014, to afford the ACHP the necessary time to conclude its review and act upon this request.

I appreciate your consideration of this matter, and look forward to your consent. A copy of this letter also has been provided to your staff. If you have any questions, please contact Charlene Dwin Vaughn, AICP, at 202-606-8533, or via e-mail at [cvaughn@achp.gov](mailto:cvaughn@achp.gov).

Sincerely,



John M. Fowler  
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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