

MRFAC previously has registered its concerns about the use of high-powered boosters, and expressed opposition to an increase in the power allowed boosters from 5 to 35 watts due to the risk of increased interference to other users.² However, in this instance the frequencies in question are all railroad-exclusive. Moreover, as MRFAC understands it the boosters themselves would be located track-side in remote areas and rugged terrain, further attenuating the possibility of interference.

However, MRFAC also observes that Rule 90.35 note 59, applicable to several of these frequencies including 452/457.96875 MHz at the railroad band edge, provides that “on a secondary basis this frequency may be assigned for remote control of all types of locomotives and, within a railroad yard or terminal area, for remote control of cab indicator devices placed with a locomotive to give visual signals to the operator of the locomotive.” (emphasis added).

MRFAC does not envision the waiver extending to railroad yards or terminal areas, nor does the Request suggest that the waiver should be so extended. On the contrary, the Request makes clear that the waiver is needed given that, for long trains

“[end-of-train] communications between the front and the rear can be obstructed in areas of challenging topography, including where tracks make sharp turns around mountain passes or encounter quick inclines and declines along hilly terrain.”³

In these limited locations, MRFAC takes no issue with the proposition that railroads need track-side signal boosters to maintain communications. However, there is nothing in the Request which suggests a need for 30 watts in other areas, especially rail yards or terminal areas. And there is a risk of interference to other users on channels above 452/457.96875 MHz (i.e. the

² See NAM/MRFAC Comments filed July 25, 2011 in WT Docket No. 10-4 at page 5.

³ Request at page 3.

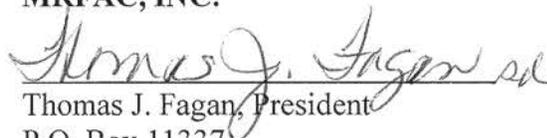
frequency 457.975 MHz and up) and below 452/457.900 MHz (i.e. the frequency 457.89375 MHz and below) in these areas.

Taking these factors into account, MRFAC would suggest that the waiver be conditioned to provide that, "This waiver is limited to track-side devices where, due to (1) remote, rugged terrain and (2) long train length, normal end-of-train communication cannot be otherwise achieved." The Commission might also want to consider requiring use of a directional antenna so as to further minimize unwanted emissions.

Accordingly, for the foregoing reasons, MRFAC supports the Request provided it is limited to areas of difficult terrain and excludes the rail yards and terminal areas referenced in note 59.

Respectfully submitted,

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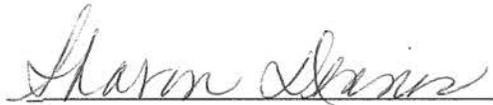
July 28, 2014

CERTIFICATE OF SERVICE

I, Sharon Dennis, hereby certify that (except as otherwise noted) on July 28, 2014 a true and correct copy of the attached AAR Request for Waiver was deposited in the U.S. Mail, first class postage prepaid, to the following:

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