

June 21, 2001

**FILED ELECTRONICALLY**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Ex Parte Submission in WT Docket No. 01-90**

Dear Secretary Salas:

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, notice is hereby submitted to WT Docket No. 01-90 regarding an *ex parte* presentation by representatives of the Intelligent Transportation Society of America ("ITS America") to members of the Wireless Bureau's Public Safety and Private Wireless Division on June 20, 2001.

Representing ITS America were Paul Najarian, Director of Telecommunications for ITS America, and Robert Kelly and Mark Johnson of the law firm Squire, Sanders & Dempsey L.L.P., counsel to ITS America. Also in attendance was Broady Cash, a Senior Engineer with ARINC, Inc., who also is the Chairman of the DSRC Standards Writing Group of the American Society for Testing and Materials ("ASTM") Working Group E17.51. Attending from the Wireless Bureau's Public Safety and Private Wireless Division were D'wana Terry, Chief, Ramona Melson, Deputy Chief (Legal), Herb Zeiler, Deputy Chief (Technical), John Schauble, Chief, Policy and Rules Branch, Nancy Zaczek, Staff Attorney, Policy and Rules Branch, and Geraldo Mejia, Electronics Engineer. Thomas Stanley, Chief Engineer of the Wireless Bureau's Policy Division, also participated.

The purpose of this meeting was to review the recently filed comments in response to the Commission's March 16, 2001 Public Notice requesting comments on ITS America's "Status Report on Licensing and Service Issues and Deployment Strategies for DSRC-based Intelligent Transportation

Ms. Magalie Roman Salas  
June 21, 2001  
Page 2

Services in the 5.850-5.925 GHz Band.”<sup>1</sup> Specifically, ITS America reiterated the position from its Comments and Reply Comments that DSRC services will likely be comprised of non-traditional public safety uses for transportation, that the DSRC spectrum should not be considered “new” spectrum for traditional public safety uses in lieu of the Commission making other frequency bands available. The parties also discussed the possible schedule for the release of a Notice of Proposed Rulemaking (“NPRM”) by the Commission in fall 2001 and that the NPRM should propose a single, candidate standard.

ITS America explained how it expects the DSRC spectrum to be utilized by both public safety entities for management of traffic and related purposes and how commercial entities will utilize it for private wireless applications. ITS America restated its position that the spectrum is not appropriate for commercial wireless activities, such as those based on a cellular architecture, by the private sector. Further discussion centered on the standards setting process to “down select” to a single, candidate standard.

Please do not hesitate to contact me if there are any questions regarding this filing.

Sincerely,



Mark D. Johnson

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<sup>1</sup> *Wireless Telecommunications Bureau Seeks Comments Regarding Intelligent Transportation System Applications Using Dedicated Short Range Communications*, WT Docket No. 01-90, Public Notice, DA 01-686 (March 21, 2001).