

Robert Moses Building
Randall's Island
New York, NY 10035-0035
212-360-3100 Tel
212-360-2979 TTY

Michael C. Ascher
President



Bridges and Tunnels

April 14, 2003

Docket Clerk
Federal Communications Commission
445 12th Street, SW., TW-A325
Washington, DC 20554

Re: WT Docket No. 01-90; Response to Comments

Dear Madam/Sir:

MTA Bridges & Tunnels (the Authority) is respectfully submitting its response to comments to the Notice of Proposed Rule Making (NPRM) for governing the licensing and use of the 5.850-5.925 GHz band (5.9 GHz band) for Dedicated Short Range Communications (DSRC) service in Intelligent Transportation System (ITS) applications.

The Authority has distributed over 3 million E-ZPass tags, investing over \$335 million in the development and installation and 75% of all our toll transactions are now through E-ZPass. We believe that the ruling should provide for operations in the 900 MHz band to continue indefinitely in order to allow a viable and orderly transition to the new band.

The Authority is looking toward the private sector to stimulate commercial interest and deploy an infrastructure. The establishment of a customer base should occur using an open DSRC standard that will alleviate the dependence on proprietary devices, which restricts interoperability, increases costs and limit participation and competition.

The Authority, as well as the wide majority of those commenting, strongly supports the adoption by the FCC of the ASTM E2213-02 DSRC Standard. The adoption of this standard by the FCC will serve the best interests of customers, service providers, developers and equipment manufacturers. Compliance with a national standard for DSRC systems will ensure interoperability, competition and market growth. Additionally, we urge the FCC to consider any revisions to the ASTM standard, i.e. upper layers, to be automatically accepted in the Rule without the need for rule making. The Authority recommends that the rules specifying interoperability include equipment compatibility in order to achieve national interoperability.

A few of those commenting suggested that non-interoperable systems should be permitted in the band for private systems designed to operate with other systems. While DSRC service areas are localized, the danger of destructive interference cannot be dismissed.

The Authority believes the definition of "public safety radio services" in the ruling should be broad enough to include Electronic Toll Collection provided by toll agencies.

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The Authority is engaged in its day-to-day activities with the protection of the safety of our customers as they travel across our seven bridges and two tunnels. We have a 24/7 Operations Command Center in direct contact with the New York City Office of Emergency Management's Command Center. We urge the FCC to grant the toll industry the same status that is given in the NPRM to other public safety services providers.

We recommend that the FCC permit private, non-safety related DSRC operations in the 5.9 GHz band. The private use of some channels in the band will promote the widespread deployment of On Board Units (OBUs) and relieve the public sector of the need to establish the infrastructure. The FCC should assure licenses for public safety and electronic toll agencies such as ours. The license should provide us the right to operate on a site-specific basis within a designated class of "communications zone".

The licenses for Road Side Units (RSUs) should be granted on a site-by-site basis with each RSU corresponding to a specifically defined "communications zone". To ensure national interoperability OBUs in the 5.9 GHz band must be manufactured and tested in conformance with a nationally accepted standard. We strongly urge OBUs operating in the 5.9 GHz band be licensed by rule.

All public or private users should operate on a shared basis across the spectrum, rather than be granted discrete channel designations. The division of the band into separate public and private use bands does not serve the goal of interoperability; however, we recommend that public safety warnings have priority over private messages.

Finally, we support all of those commenting on auctions, in that auctioning would be counterproductive to the goal of spurring market growth.

Thank you for the opportunity to comment on this valuable initiative.

Sincerely,



Martha Walther
Acting President