



September 2, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Petition For Reconsideration or Clarification, WT Docket 01-90

Dear Ms. Dortch:

The Intelligent Transportation Society of America ("ITS America") hereby requests that the Commission clarify in certain respects the licensing and service rules adopted for the Dedicated Short range Communications Service ("DSRCS") in the 5.85-5.925 GHz band (5.9 GHz Band"). Those rules were issued by the FCC in its Report and Order, FCC 03-324 on February 10, 2004 and were published in the Federal Register on August 3, 2004. 69 Fed. Reg. 46438 (August 3, 2004).

In 1997, ITS America petitioned the FCC to allocate the 5.9 GHz Band for DSRC systems providing intelligent transportation applications. ITS America has participated in industry standards development activity that led to the adoption of the ASTM-DSRC Standard¹ and submitted a Report and Recommendation for Licensing and Service Rules that, in part, formed the basis for the rules adopted in the Report and Order.

The issuance of the Report and Order, and, in particular, the adoption of the ASTM-Standard to ensure interoperability are a major step towards implementation of an ITS infrastructure in the U.S. ITS America commends the Commission for its commitment to the safety of the traveling public and for its decisions in this, and the predecessor Docket, that will contribute to saving lives.

DSRCS Site Registration

In the Report and Order, the FCC adopted a geographic area licensing/site registration model for the licensing of the 5.9 GHz Band similar to that employed in the 71-76, 81-86 and 92-

¹ American Society of Testing and Materials, Standard Specification for Telecommunications and Information Exchange Between Roadside and Vehicle Systems—5 GHz Band Dedicated Short Range Communications (DSRC) Medium Access Control (MAC) and Physical Layer (PHY) Specifications, Designation: E 2213-03 (published September 2003) ("ASTM-DSRC Standard")

95 GHz bands. This is a new model and, as such, was not fully considered by the ITS community as an option for DSRC licensing. ITS America has discussed this licensing model with ITS stakeholders since release of the Report and Order. Based on those discussions, ITS America believes that the geographic area/site registration model will, with certain refinement, form the basis for a successful deployment of DSRC. The major concern identified in discussions among the ITS community over the site registration model is that the absence of frequency management within the licensing process will result in post-licensing conflicts between DSRC licensees that will be difficult, expensive and time consuming to rectify. While the short range nature of DSRC communications with the common use of ASTM-DSRC Standard compliant equipment will serve to alleviate potential frequency conflicts to some degree, ITS America is nevertheless concerned that there will be significant instances of frequency conflicts between DSRC users, particularly in concentrated urban areas, absent frequency management in the licensing process. Similarly, ITS America is concerned that absent such frequency management, the database of licensed users and their registered sites may become relatively uninformative since users likely would simply register all frequencies at their sites.

Accordingly, ITS America respectfully requests that the Commission clarify the site registration process on reconsideration in a manner that provides for interactive frequency management. In this respect, the registration model that is employed in the Wireless Medical Telemetry Service as administered by the American Society for Healthcare Engineering (“ASHE”) of the American Hospital Association provides an example of interactive frequency management.

ITS America further recognizes that the FCC indicated that it may revisit the issue of whether the DSRC database should be maintained by a third party or third parties instead of within the Commission’s Universal Licensing Service. ITS America believes that consideration of third party database management is appropriate in connection with any review of the site registration process. The FCC has used third parties to house the WMTS database and ultimately to house the 70-80-90 GHz band databases. Such third parties may bring benefits to their licensee constituencies not currently available on ULS. But, any decision to employ a third party must carefully balance those benefits with the expected costs to end users. ITS America currently is studying the potential costs of establishing and maintaining a third party database and will provide the FCC further information when its study is complete. Pending the conclusion of its study and in the event the FCC elects to appoint a third party manager, ITS America here expresses its interest in serving the ITS community as the database manager for the DSRC.

Channel 172

In the Report and Order (paras. 28-29), the FCC found that it was “premature” to reserve Channel 172 for vehicle safety applications that require high availability and low latency. The Commission there noted its view that channel assignments are best addressed by priority levels of the Control Channel protocol.

Since release of the report and Order, ITS America has further discussed the need for a specific channel designation for vehicle safety applications with interested ITS stakeholders. These parties have affirmed their view that a specific channel designation for vehicle safety applications is particularly important, and that reliance upon Control Channel assignments will be inadequate to provide sufficient assurance of channel capacity for critical safety communications as the ASTM-DSRC Standard contemplates that RSUs will be assigned specific service channels—i.e., that the Control Channel protocol can not accomplish a uniform assignment of safety applications to an always available channel.

Although ITS America generally supports the channelization plan established by the Commission, based on its discussions regarding vehicle safety applications, it believes that a specific channel designation for these purposes will serve the public interest. In this respect, a channel designation for vehicle safety applications will serve to ensure that adequate capacity is available on a timely basis for the core safety applications that are a critical component of ITS. Vehicle manufacturers must plan several years ahead regarding the incorporation of new devices and systems in their vehicle models. Deferred consideration of the designation of a specific vehicle safety channel will create uncertainty in the vehicle manufacturers and potentially delay or deter the incorporation of DSRC devices in new vehicles. ITS America, accordingly, respectfully requests that the FCC revisit the designation of channel 172 for high availability, low latency vehicle safety applications on reconsideration.

Respectfully submitted,
Intelligent Transportation Society of
America



Neil D. Schuster
President & CEO