

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Part 90 of the Commission's	)	WP Docket No. 07-100
Rules	)	
	)	
	)	
	)	

**COMMENTS OF THE JOINT COUNCIL ON TRANSIT WIRELESS  
COMMUNICATIONS**

The Joint Council On Transit Wireless Communications (the "Joint Council"), pursuant to Section 1.415 of the Federal Communication Commission ("FCC" or "Commission") Rules and Regulations, 47 C.F.R. § 1.415, hereby responds to the Commission's request for comments on a proposed rule change announced in the Second Report and Order and Second Further Notice of Proposed Rule Making<sup>1</sup> in the above captioned proceeding, a summary of which was published in the Federal Register on April 14, 2010 and DA 10-1653<sup>2</sup>.

The Joint Council is an alliance of professionals and transportation organizations created to represent surface land passenger transportation service operators nationwide within the United States on matters of wireless voice and data communications. The Council membership is drawn from public agencies, private providers and industry serving road, water, and rail transit. The council seeks to educate and inform public and private transportation agencies and providers on issues relating to their use of wireless

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<sup>1</sup> Second Report and Order and Second Further Notice of Proposed Rule Making in Docket No. 07-100, FCC 10-36, released March 11, 2010 (hereafter "Second Further Notice")

<sup>2</sup> FCC Public Notice, DA 10-1653 released 8/31/2010.

communications. For additional detail regarding the Joint Council, please refer to our website – [www.transitwireless.org](http://www.transitwireless.org)

### **COMMENTS**

The Joint Council commends the FCC for opening a comment period to consider various changes of it's rules regarding the request from the AAR to allow an increase in transmit power for End Of Train (EOT) devices used on freight trains. Specifically we support the request for rulemaking to increase the power limit to 8 watts for this telemetry application unique to freight operations.

The Joint Council is pleased to present these comments to the Commission and urges consideration of our suggestions and welcomes further discussion on these issues to the benefit of the commuter rail industry.

Respectfully submitted,

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By: /s/ Karl Witbeck

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