

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Amendment of the Commission's Rules)	
Regarding Dedicated Short-Range Communication)	WT Docket No. 01-90
Services in the 5.850-5.925 GHz Band (5.9 GHz)	
Band))	
)	
Amendment of Parts 2 and 90 of the Commission's)	ET Docket No. 98-95
Rules to Allocate the 5.850-5.925 GHz Band to the)	RM-9096
Mobile Service for Dedicated Short Range)	
Communications of Intelligent Transportation)	
Services)	

To: The Commission

**COMMENTS OF
THE INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION**

The International Municipal Signal Association ("IMSA") by its attorneys, respectfully submits these Comments in response to the Notice of Proposed Rulemaking and Order released by the Commission on November 15, 2002.¹

I. INTRODUCTION.

IMSA is a non-profit organization dedicated to the development use of electric signaling and communication systems in furtherance of public safety. IMSA members include representatives of federal, state, county, city, township and borough governmental bodies, and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the activities pertaining to electrical engineering,

¹ 17 FCC Rcd 23136 (2002) ("NPRM").

including the public safety use of radio technology. IMSA and the International Association of Fire Chiefs, Inc. (“IAFC”), are recognized as one of the four public safety frequency coordinating committees, and have responsibility for the frequencies assigned exclusively for Fire and Emergency Medical services. IMSA is pleased to submit its Comments regarding the Commission’s proposal to adopt rules to implement the 5.9 GHz allocation for the Dedicated Short Range Communications (“DSRC”) of Intelligent Transportation Systems (“ITS”).

IMSA has been a participant in the Commission’s ITS rulemaking process, beginning with its support of the Petition for Rulemaking filed by the Intelligent Transportation Society of America (“ITS America”) as well as the Commission’s allocation proceeding, ET Docket No. 98-95.

II. COMMENTS.

ITS applications offer the opportunity to provide a variety of services and information which provide the potential to materially enhance the utilization and efficiencies of our increasingly congested highway systems. To name a few, these services and opportunities include toll payment systems which are common throughout the United States, traffic hazard and traffic condition warnings with suggestions for routing alternatives, highway work zone advisories, and control of traffic signals to expedite response time by public safety vehicles. Widespread application of ITS services and broad-based installation in automobiles and trucks truly can be transforming of the highway use experience.

Central to the ITS concept and to obtaining maximum benefits from ITS implementation is the element of universality. To this end, all ITS operators *must* utilize a common platform. An ITS protocol has been developed, through the consensus standards-making processes of the

American Society of Testing and Materials.² It is absolutely inimical to the ITS concept that different ITS services could utilize different standards and that full realization of ITS program benefits would require multiple On-Board installations. Just as the Commission has mandated interoperability for utilization of the new 700 MHz Public Safety band allocation,³ so too the Commission must mandate full interoperability for the DSRC Service. The ASTM standard recognizes multiplicity of ITS applications through utilization not only of a common transmission standard but also through utilization of a common control channel.

Adoption of standardization and full interoperability provides the path for addressing a number of the other issues raised by the Commission in the NPRM. For example, the ASTM scheme will accommodate both Public Safety and commercial applications. Moreover, the Public Safety applications can be recognized as having priority status from an operational standpoint. It is essential that first responder and other governmental functions be first accommodated before information and other services are satisfied in order for ITS to fulfill its basic promise. Accordingly, IMSA supports utilization of the statutory Section 337(f) Public Safety definition.⁴ Commercial or other non-governmental/non first responder uses will be amply accommodated within the DSRC allocation.

IMSA contemplates that ITS functionality will be included as a standard component in automobiles and trucks. To achieve true universality, it will be important, therefore, that licensing of On-Board Units be provided by rule, rather than ancillary to ITS operator license

² See ASTM E2213-02 DSRC Standard.

³ See The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State, and Local Public Safety Communication Requirements for the Year 2010, FCC WT Docket No. 96-86, 14 FCC Rcd 152 (1998), 15 FCC Rcd 16844 (2000) and 16 FCC Rcd 2020 (2001).

⁴ See NPRM at paragraphs ¶20-21.

authority. As a low power device, licensing of On-Board Units by rule is completely consistent with FCC practice and precedent. With regard to ITS system operator licensing, the DSRC Service should be considered to be a shared service, subject only to frequency coordination. The concept of ITS licenses being subject to competitive bidding is inconsistent with the notions of standardization and universality utilizing the ASTM standard and a common control channel. No licensee by itself may own or control that common control channel. Site-based licensing will be necessary to accommodate the coordination required to maximize utilization of the DSRC allocation and the potential benefits from the development of ITS Services.

IMSA is a member of ITS America and supports the comments and position of ITS America in this proceeding. IMSA appreciates the opportunity to comment to the Commission on the means of implementing the Dedicated Short-Range Communication Services in the 5.9 GHz Band.

WHEREFORE, THE PREMISES CONSIDERED, the International Municipal Signal Association respectfully urges the Federal Communications Commission to adopt the DSRC Service implementing rules in accordance with the views expressed herein.

Respectfully submitted,

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