

Before the
FEDERAL COMMUNICATIONS COMMUNICATION
Washington, D.C. 20554

FILED/ACCEPTED

DEC 28 2012

Federal Communications Commission
Office of the Secretary

In the Matter of)	
)	
Travelers' Information Stations)	PS Docket No. 09-19
)	
American Association of Information Radio)	
Operators Petition for Ruling on Travelers')	
Information Station Rules;)	
)	
Highway Information Systems, Inc.)	RM-11514
Petition for Rulemaking;)	
)	
American Association of State Highway and)	RM-11531
Transportation Officials Petition for)	
Rulemaking)	

**SUPPLEMENTAL EX PARTE FILING OF CORRESPONDENCE
PURSUANT TO SECTION 1.1206 OF THE RULES**

The American Association of Information Radio Operators ("AAIRO") hereby respectfully submits its Supplemental Ex Parte filing of correspondence related to the issues in the above-captioned docket.

Attached are additional supplemental correspondence from public safety officials regarding the need for enhanced services and content by Travelers' Information Station ("TIS") operators. As these correspondents point out, prior to and during emergency situations like Superstorm Sandy and the Newtown, Connecticut school shootings, TIS outlets need the utmost leeway broadly to broadcast information to protect life and property. This authority must be explicitly included in Section 90.242 of the FCC's rules. Moreover, TIS warnings

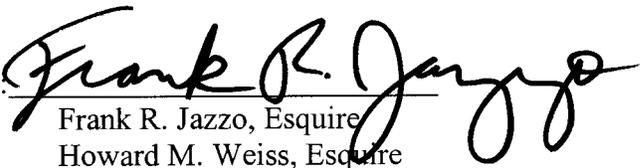
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must not be arbitrarily limited in scope or time; the FCC's rules ought to specifically allow TIS stations to broadcast information in advance of an emergency in order to mitigate its effects.

An example of the benefits of this type of emergency notification is the school shooting scenario, unfortunately so common now. Prior to such an emergency, the TIS station can be an invaluable source of information regarding the procedures a motorist should follow should an incident occur and advising regarding how to report suspicious activity on campus. When an incident actually occurs, the TIS operator can trigger signs with flashing beacons or CMS text that will notify drivers to proceed away from the campus in an orderly fashion and to tune to the TIS signal for updated information which can include phone numbers and/or how to sign up to receive updates on portable devices. Most importantly, the broadcast will warn drivers regarding their immediate personal safety and will identify the emergency point of assembly. In this manner, TIS would fulfill its potential to serve as a primary source of pre-emergency and emergency information.

We ask that the FCC give consideration to this correspondence in its resolution of Docket 09-19.

Respectfully submitted,
American Association of Information
Radio Operators

By: 
Frank R. Jazzo, Esquire
Howard M. Weiss, Esquire
Fletcher, Heald & Hildreth, PLC
1300 N. 17th Street, 11th Floor
Arlington, Virginia 22209
(703) 812-0400

Date: December 28, 2012



DEPARTMENT OF PUBLIC SAFETY
TELECOMMUNICATIONS DIVISION



**367 Valley Brook Avenue
Lyndhurst, New Jersey 07071
Captain Paul N Haggerty
201-939-2900 EXT. 2605**

December 19, 2012

To Honorable Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Subject: Petition Docket 09-19

As a sworn public safety official in the capacity of a Law Enforcement Officer, Deputy Emergency Management Coordinator and Alert/Warning & Communications Coordinator, for the Township of Lyndhurst, in the State of New Jersey, I am requesting the FCC to consider the recommendation of AAIRO (the American Association of Information Radio Operators) as stated in the Petition for Declaratory Ruling.

Lyndhurst Township is a progressive community with a population of 19,383 (the business day impact grows to 30,000) located 6 miles west of the Borough of Manhattan, New York, and is situated between several large cities, Passaic, Paterson, Newark, North Bergen, Union City and Jersey City, in the State of New Jersey.. The following major Interstate 95 running the eastern part of the township and NJ Route 17, runs through the center of the town, NJ Route 3 borders our northern side of the township, and NJ Route 21 borders our western part of the township, which links the following three cities Newark, Passaic and Paterson, Bergen County Routes 11, 26, 28, 30, 507 and 530 with hazardous materials and freight being transported, on a daily basis. The township is also in the flight pattern of Newark Liberty International , Kennedy, LaGuardia and Teterboro Airport's. There is also a newly constructed Heliport, just 1 ¼ miles southwest of the township, in the City of Newark. The township is surrounded by two large bodies of water, the Hackensack River and the Passaic River Basin, where it is prone to flash flooding and storm surge. Close proximity of the Meadowlands Sports and Exposition Authority, where its residual fans park their vehicle's in commercial parking lots within our meadowlands industrial area and Mass Transit is used to bus them to the stadium.

The TIS station is essential to our community and emergency operations procedures that are needed to be meet with the townships emergency operations plan, to provide citizens with Early Warning Notifications on impending emergencies. The impending emergencies are designated, as Amber Alerts, Enhanced 9-1-1 failure, hazardous material incidents, power outages, public health warnings, existing road closures, snow emergencies, terrorist threat levels , severe weather, water main breaks, natural disasters, and other emergency management notices, operating on 1700 kHz. with

a FCC Call Sign of WPUV838, was first granted May 13, 2002, and just renewed this invaluable radio service license, with a expiration date May 13, 2022.

The Township of Lyndhurst, New Jersey had, two Hurricanes Irene and Sandy the last 14 months, in which impacted our township with Major Storm Surge and the loss of many homes and water rescue evacuations. Hurricane Sandy storm surge and 90 MPH sustained wind, than Irene did. This storm caused an outage of our Reverse 9-1-1, Electric, Cable TV, Internet, Cell Phone, Email, Nixle & Smart Phones. The only way Lyndhurst & surrounding communities were able to get the proper emergency information and post storm information was, on our AM Alert Radio Station, on 1700 kHz.. It took utility companies two weeks to restore these services. The older technology is more guaranteed to work than our newest technology today!

We encourage the FCC to promptly publish new rules for this valuable service making it, much more, clear that TIS stations may mitigate the loss of life and property, broadcast critical weather and safety information to the traveling public in advance of, during and following such emergencies and disaster.

APCO Member 227033
Atlantic Chapter Active Class
N9RSQ General Class

Thanking You In Advance,

Electronically Signed

Captain.Paul N Haggerty



December 2012

The Honorable Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street SW
Washington DC 20554

The terrible event in Connecticut last week reminds us that the public expects our agency to protect and serve them. We must be able to contact the public with immediate information in a crisis.

We believe that it is imperative that the current rules be modified to allow our agency to access the public directly and continuously.

Richard Labowitz
Technology Program Specialist
Irvine Police Department
1 Civic Center Plaza
Irvine, CA 92623



December 2012

The Honorable Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Subject: TIS Use in Burlington County, NJ

Burlington County, New Jersey utilizes its TIS stations on AM 1620, 1650 and 1700 to provide our residents, visitors and travelers with vital information.

Beyond use in our communities, our stations have aired emergency road closures and alternate route information and weather information in advance of storms posing serious threats to lives and property.

Our TIS stations stand ready to support not only our county but our fellow shore counties when evacuations must be executed promptly and efficiently. These stations can provide critical information with pin point accuracy to areas in the path of a storm, for a route of travel in evacuations or in time of power and communications loss when access to information is essential. TIS stations can fill a need that commercial broadcasters can only perform on a much broader, generalized scale.

Jeff Matheson
Burlington County
Public Safety / Emergency Management
PO Box 6000
Westampton, NJ 08060



PEABODY POLICE DEPARTMENT

December 19, 2012

The Honorable Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Peabody is a busy suburban community north of Boston bisected by 3 state highways as well as Interstate 95, as a result we have become a retail, medical and industrial hub in the Northeast.

1640 radio enables us to keep residents as well as local and distant travelers informed of safety as well as weather conditions on our roadways.

We have increasingly utilized the radio backbone in conjunction with mobile electronic visibility boards to commuter, weather and construction delays as well as Homeland security evacuation routes.

Our view is regardless of ones economic status this basic communication tool partnered with today's digital technology helps create a level of confidence and security in local government in times of crisis as well as life's daily chores.

Robert L Champagne
Chief of Police
6 Allens Lane
Peabody, Massachusetts. 01960



December 2012

The Honorable Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Subject: Putting Out Fires; Information Stations Invaluable in California Wildfire Evacuations

Two significant wildfires in three weeks near Santa Barbara, California, tested the area's Information Radio Stations' ability to direct the public quickly out of harm's way.

On October 17th, a vegetation fire caused by downed power lines required the evacuation of Painted Cave, CA – a community that lost more than 400 homes and public buildings in a devastating fire in 1990. The nearby San Marcos Pass Information Station on AM 1040, which I operate, broadcast critical fire and evacuation information continuously for residents as they lined up on Highway 154 to exit. In the end, all lives and structures were saved and the fire was contained to 44 acres.

Three weeks later, a similar fire in Montecito, California's, backcountry triggered emergency evacuation information to be broadcast on Montecito Fire Protection District's Information Station on AM 1610. The San Marcos Pass station carried the evacuation information, as well. Fortunately, this fire was contained by late afternoon and residents returned to intact homes. (Please see "**Montecito**" below.)

The use of low power radio in emergency situations proves invaluable. The ability to provide quick information to the public is essential during fast moving events such as wildfires.

Montecito: It was early Wednesday morning October 17th when the alarm sounded for a vegetation fire in Santa Barbara's San Marcos Pass below the community of Painted Cave. Considering it was not even 8 am yet, this seemed like a potential false alarm. However, everyone quickly learned that that was not the case. This fire had profound potential to be dangerous and destructive. Time of day and no wind were going to be huge factors.

The Lookout Fire was a mid-slope fire that started by down power lines creating an instant emergency. The entire Painted Cave community was immediately evacuated. Interestingly, this fire was not even one mile from the start point of the disastrous \$250

million dollar 1990 Painted Cave Fire that destroyed 427 homes, 11 public buildings and calmed the life of a woman trying to escape the flame front. Local fire history was on the minds of everyone as the morning unfolded.

The San Marcos Pass Emergency Radio System - SMPERS AM-1040 quickly transitioned from daily weather and public safety programming to fire and evacuation information. Local residents, businesses and commuters on Highway 154 were able to receive regular updates as the day progressed.

Aggressive response and use of aircraft, coupled with no wind, created a successful combination as firefighters were able to contain the blaze with no loss of structures. Local community and agency fuel mitigation projects and basic brush clearing no doubt saved many homes and was instrumental in keeping the fire out of the Painted Cave community. In the end, the fire burned only 44 acres within the rugged area of the Los Padres National Forest.

Just three weeks later the alarm went out for a vegetation fire in the backcountry of Montecito, home to many serious Santa Barbara front country fires, including the November 2008 Tea Fire that destroyed 210 homes and the May 2009 Jesuita Fire that destroyed 80 homes and damaged 15 more before being contained at 8,722 acres. The Cold Fire was also a midslope fire that was in very rugged country within the forest. Again, aggressive aircraft use and use of hand crews kept this fire small. The lack of any wind was the significant factor in keeping the fire from quickly spreading.

Within minutes of dispatch, Montecito Fire Protection District activated the Montecito Informational AM Radio System AM-1610 with immediate evacuation information to local residents. The evacuation notice was supported by SMPERS AM-1040 because of its coverage into back areas of Montecito. Both stations were updated throughout the day as the fire was quickly contained by late afternoon.

Once again, the use of low-power radio in emergency situations proved invaluable. The ability to provide quick information to the public is essential during fast moving events such as wildfires.

While the history of Santa Barbara County front country fires continues, the Lookout Fire and the Cold Fire were quickly placed into the history books. These fires also proved that planning, preparation, prevention and public education efforts work. Coupled with aggressive suppression response supported by timely and accurate public information from the source the public was well served.

Low-power AM radio – It Works.

Michael S. Williams
President-Executive Director
Wildland Residents Association, Inc.,
San Marcos Pass VFD
5655 West Camino Cielo
Santa Barbara, CA 93105

December 18, 2012

The Honorable Julius Genachowski, Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Petition Docket 09-19

I am a retired Emergency Management Coordinator with 31 years of experience dealing with various emergencies and disasters. I am also a Certified Emergency Manager with the International Association of Emergency Managers. I have also worked in 7 Presidentially Declared Disasters.

My last employment was in Naperville, Illinois. During my tenure there we implemented several means of notifying our residents of impending emergencies, such as tornado watches and warnings, severe rains with flooding, winter storms, etc. One of our programs was the installation of an information radio system with the assistance of Information Station Specialists of Zeeland, Michigan. This station proved to be the only tool we had available to provide information to our residents during a flood that affected over 10,000 homes. All other means of communication were down for 3 days (does not include telephone), Cable TV with community over ride for emergency information was down as well. We were able to provide information on shelters, supplies, etc. to our residents using the radio system. During the winter months we were able to provide information on streets and highways that were open or closed from snow and when the plows would be out. If under a tornado watch or warning this information was also aired to the residents along with safety information.

I believe that this system is one of the best ways to communicate with your residents on a day to day basis to keep them informed of impending emergencies, such as a gas or water main break, traffic problems, weather, etc. I do encourage the passage of this Petition Docket 09-19.

Very truly yours,

William E. Reynolds, CEM Retired

21588 Windham Run
Estero, Florida 33928

CERTIFICATE OF SERVICE

I, Evelyn Ojea, an assistant in the firm of Fletcher, Heald & Hildreth, PLC, hereby certify that a true and correct copy of the foregoing "Supplemental Ex Parte Filing of Correspondence Pursuant to Section 1.1206 of the Rules" was sent on this 28th day of December, 2012, via electronic mail or as otherwise specified, to the following:

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Robert M. McDowell
Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Mignon Clyburn
Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Jessica Rosenworcel
Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ajit Pai
Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Mr. Thomas Beers
Public Safety and Homeland Security Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554


Evelyn Ojea