

United States Senate

WASHINGTON, DC 20510

October 6, 2016

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler:

As members of the Senate Committee on Commerce, Science, and Transportation (the Committee), we wrote to you in September 2015 expressing our support for a testing plan to evaluate interference avoidance and potential sharing solutions between proposed Unlicensed National Information Infrastructure (U-NII) devices and Dedicated Short Range Communications (DSRC) operations in the 5.9 GHz band. On June 1, 2016, the Federal Communications Commission (FCC) responded with a Public Notice seeking comments to update and refresh the record in the proposed rulemaking regarding unlicensed devices in this band. The notice included an interdependent three-phase test plan for joint execution by the FCC, Department of Transportation (DOT) and National Telecommunications and Information Administration (NTIA), with an expected completion date in early 2017.

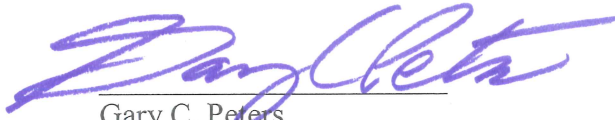
You testified recently before the Committee that the FCC has received prototype equipment from five manufacturers and is prepared to begin bench and field testing using empirical data in the analysis of device interference. We believe the Commission must evaluate all sharing proposals rigorously with facts and data, as well as allow for open review of the final test plan, testing data, engineering designs, and test results. Further, testing and final determinations must move expeditiously both to ensure continued innovation within the wireless community and allow for unhindered deployment of life-saving technologies.

In addition, we recognize that industry has capabilities that should be utilized to reach a full understanding of the effects of U-NII devices sharing the 5.9 GHz band. We expect that any test results from outside parties submitted on the record will be given full consideration. Further, we encourage the Commission to leverage the extensive industry and DOT experience with DSRC and Wi-Fi throughout the field testing process.

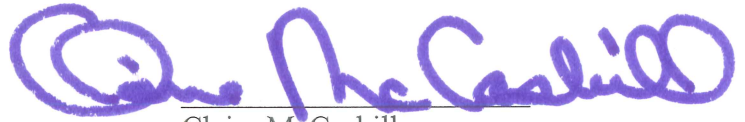
All members of Congress, the FCC, DOT, NTIA, and the public should fully understand the implications of the proposed sharing solutions, as well as the operational theories upon which they are premised, for the 5.9 GHz band. The stakeholder community must be allowed an open review of relevant testing information and data, and the final decision must be based upon the data and objective evaluation of test results. Transparent, thorough, and expeditious interference testing in the 5.9 GHz band provides the best opportunity to deploy revolutionary, life-saving vehicle technologies and drive continued wireless innovation. We urge you to commit to a strong

scientific testing process, and to continue to work with Congress and stakeholders to ensure a fair process that will yield an outcome that increases the safety of Americans while driving economic growth.

Sincerely,



Gary C. Peters
United States Senator



Claire McCaskill
United States Senator

Cc: Secretary Foxx, Department of Transportation
Secretary Pritzker, Department of Commerce