



PUBLIC NOTICE

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**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON
APPLICATION AND REQUEST FOR WAIVER BY AVON GROVE REGIONAL EMERGENCY
MANAGEMENT AGENCY TO LICENSE A NEW TRAVELERS' INFORMATION STATION ON
1670 KHZ**

File No. 0006590493

Comments Due: April 20, 2015

Reply Comments Due: May 5, 2015

The Public Safety and Homeland Security Bureau seeks comments on an application filed on December 19, 2014 by Avon Grove Regional Emergency Management Agency (Avon Grove) for a new Travelers Information Station (TIS) to operate on frequency 1670 kHz.¹ In connection with this application, Avon Grove seeks waiver² of Sections 90.242(a)(2)(i), (b)(4)(i), and (b)(4)(iv) of the Commission's rules.³

Avon Grove states that it provides emergency services to Southeastern Chester County, PA which has over 30,000 residents, not including transient travelers on US highway 1 and Pennsylvania State Highways 41, 841, 795, and 896.⁴ It proposes to license a new Travelers Information Station (TIS) on 1670 kHz in West Grove, PA to broadcast "information related to travel and traffic hazards due to road construction and the resulting detours, directions for visitors to make travel more efficient and traffic information for all drivers so they may avoid congestion."⁵

During emergencies, Avon Grove says its TIS station will "advise motorists within Southeastern Chester County, PA of hazards and emergencies endemic to the area."⁶ Avon Grove argues that in an emergency and especially in an event which would disrupt electrical service to residents,⁷ its proposed

¹ See Application in File No. 0006590493 (filed Dec. 19, 2014) (Avon Grove TIS Application).

² 47 C.F.R. §1.925.

³ See attachment to Avon Grove TIS Application labeled "Field Strength – Distance" (Technical Study). See also 47 C.F.R. §§ 90.242(a)(2)(i), (b)(4)(i) and (b)(4)(iv).

⁴ See attachment to Avon Grove TIS Application labeled "Elig and Coord" at 1 (Waiver Request).

⁵ *Id.*

⁶ *Id.*

⁷ Avon Grove notes that in the first week of February 2014, an ice storm severed power to Chester County, affecting 180,000 residents causing many residents to lose power, heat, and all communication. Waiver Request at 1.

TIS station would be “critical as a conduit to provide all manner of local information to protect life and property.”⁸

With its application, Avon Grove seeks a waiver of Section 90.242(b)(4)(i) of the Commission’s rules⁹ which specifies that the antenna height above ground for any TIS station shall not exceed 15.0 meters.¹⁰ Avon Grove states it tested its TIS antenna from available locations at the conventional 15 meters height but that distortion of the signal by an adjacent tower “sharply limited the antenna’s ability [to] provide useful coverage in all directions.”¹¹ Accordingly, Avon Grove seeks to mount its antenna atop an existing water tower which presently stands 34 meters above ground thereby resulting in an antenna height above ground of 39 meters.¹²

In support of its request for waiver, Avon Grove refers to engineering statements which purport to demonstrate that no interference will be caused to any co-channel or adjacent-channel broadcast station from an increase in antenna height above 15 meters.¹³

Avon Grove also seeks a waiver of Section 90.242(b)(4)(iv) of the Commission’s rules¹⁴ which specifies that the field strength of a TIS station shall not exceed 2.0 mV/m when measured with a standard field strength meter at a distance of 1.50 kilometers (0.93 miles) from the transmitting antenna.¹⁵ Avon Grove seeks a waiver of this rule because its calculations indicate that the 2.0 mV/m contour from its proposed TIS station will extend a distance of approximately 2.6 kilometers (1.62 miles) from the transmitter site.¹⁶

Avon Grove argues that its proposed TIS station can operate without causing interference to standard broadcast stations even with relaxation of the field strength intensity distance limitation.¹⁷ It also argues that designing a system that could comply with the field strength distance limitation in Section 90.242(b)(4)(iv) would roughly quadruple the cost of the project because a minimum of three TIS stations and additional synchronization equipment would be needed to cover the same service area as its one proposed TIS station.¹⁸

⁸ Waiver Request at 1. Avon Grove proposes to operate its TIS station on a generator so that emergency communication services would be maintained to its citizens despite electrical outages characteristic of emergencies. *Id.*

⁹ 47 C.F.R. §90.242(b)(4)(i).

¹⁰ *See* Waiver Request at 2.

¹¹ *Id.*

¹² *Id.* Avon Grove intends to use an ANXX center loaded vertical whip antenna with the radiating portion of the antenna extending five meters in length. *See* Technical Study at 1.

¹³ Waiver Request at 2; Technical Study at 4.

¹⁴ 47 C.F.R. §90.242(b)(4)(iv).

¹⁵ *See* Waiver Request at 2-3.

¹⁶ Technical Study at 1-2.

¹⁷ Waiver Request at 2. *See also* Technical Study at 2-4 (claiming the only other station close enough to require evaluation is WTTM(AM) operating on 1680 kHz and including a map showing no contour overlap between WTTM(AM) and its proposed TIS station).

¹⁸ Waiver Request at 2.

Lastly, Avon Grove seeks a waiver of the requirement under Section 90.242(a)(2)(i) to separate its TIS antenna by at least a distance of 15 kilometers (9.3 miles) from the 0.5 mV/m contour of any broadcast station operating on an adjacent-channel.¹⁹ Avon Grove again refers to engineering statements which purport to indicate that interference will not result from its proposed station being only 13.5 kilometers (8.4 miles) compared to 15 kilometers (9.3 miles) from the 0.5 mV/m signal of adjacent-channel station WTTM(AM).²⁰

Avon Grove also states that grant of its waiver requests would be consistent with the public interest because broadcasting daily TIS content would facilitate it in protecting life and property of motorists in Southeastern Chester County in times of emergency and imminent danger.²¹ Furthermore, dangerous weather conditions that are characteristic of the area, which have caused residents loss of not only power, but also heat and communication, including 911 access, serve as unique and unusual circumstances to support waiver relief.²²

Interested parties may file comments on Avon Grove's TIS application and waiver requests on or before **April 20, 2015**. Parties may file reply comments on or before **May 5, 2015**. Parties may file comments and replies electronically²³ or by paper.

All comment and reply comment filings should reference the subject "Avon Grove TIS Application and Waiver Request" and include the DA number on this *Public Notice*. Comments may be filed: (1) electronically by accessing the applicant's file number(s) in the Commission's Universal Service Licensing System (ULS),²⁴ or (2) by filing paper copies.

Electronic Filers: Pleadings may be submitted electronically as follows:

- From the ULS website at <http://wireless.fcc.gov/uls/>, begin the process of submitting a pleading by clicking on the "ULS Pleadings" link in the menu on the lower left side of the ULS web page. The link will take you to the "*Pleading Information*" screen for "Non-docketed Pleadings" where you select "Reply" in the drop-down window for the type of pleading and then enter the pleadings filer information. Completion of the contact information is optional. Upon completion of this screen, please note the instructions for the filing: "*Pleadings must be dated and must include a signature, in this instance an electronic signature, and the address and phone number of the signing party.*"²⁵ Click on "CONTINUE."
- The second step is to complete the *File Numbers/Call Signs* screen. Click if the pleading pertains to a File Number or Call Sign and enter the File Number or Call Sign. Please note

¹⁹ 47 C.F.R. §90.242(a)(2)(i). *See also* Waiver Request at 3.

²⁰ Waiver Request at 3; Technical Study at 2-4.

²¹ Waiver Request at 1.

²² *Id.*

²³ *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

²⁴ *See* "Wireless Telecommunications Bureau Enhances the Commission's Universal Licensing System to Implement Electronic Filing for Pleadings," *Public Notice*, 21 FCC Rcd 424 (WTB 2006). *See* http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-06-125A1.pdf.

²⁵ *See* 47 C.F.R. Part 1.

that you must enter a File Number or Call Sign to continue. If the pleading pertains to multiple applications or licenses, you must enter each File Number or Call Sign as appropriate. After clicking the “SUBMIT” button, the screen will update to show all the File Numbers/Call Signs associated with the pleading. At this time, you may delete selected File Numbers/Call Signs from the page before continuing.

- The third step is to complete the *Attach File* screen to attach the pleading document. Use the drop down box to select Pleading or Confidential Pleading. The “BROWSE” button opens a file upload window where you will locate and select your pleading file. The Description field allows you to enter a brief description for the pleading. Click the “ADD ATTACHMENT” button to upload your pleading. You may submit up to thirty files for each pleading but each file must be smaller than 10 MB in size. You also have the opportunity to delete any selected file from the pleading.
- Finally, to complete your electronic pleading submission, click on the “SUBMIT PLEADING” button and the *Confirmation* screen will be displayed. The *Confirmation* screen will display your Confirmation Number as well as your entered pleadings information. You may print this page for your records by selecting the Print Page link at the top of the page and have the option of submitting another pleading or returning to the ULS website by selecting a link at the bottom of the page.

The ULS Application and License Search results will display pleadings under the ADMIN tab when a comment or reply comment has been filed. Users can view the pleading by clicking on the link for the specific comment or reply comment in the Description field. The general public will not be able to view confidential pleadings.

For additional information or assistance on how to file a comment or reply comment or other relevant pleading, you may visit the Web at <http://esupport.fcc.gov>. You may also call the FCC ULS Customer Support Center at (877) 480-3201 and select option 2, or (888) 225-5322 and select Option 2, or (717) 338-2888. For TTY, please call (717) 338-2824. Assistance from the FCC ULS Customer Support Center is available between the hours of 8 a.m. to 6:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls to FCC ULS Customer Support Center are recorded.

Paper Filers: Parties who choose to file by paper must submit an original and four copies of each filing.

- Send hand-delivered or messenger-delivered paper filings for the Commission’s Secretary to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building..
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9300 East Hampton Drive, Capitol Heights, M.D. 20743.
- Send U.S. Postal Service first-class, Express, and Priority to 445 12th Street, SW, Washington, D.C. 20554.

The application(s), waiver request, and comments and reply comments can be accessed electronically via the Commission's Universal Licensing System, <http://wireless.fcc.gov/uls>. The full text of the Avon Grove TIS application, waiver request, comments and reply comments will be available for inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI. Email fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau, (voice) (202) 418-0530, (TTY) (202)-418-0432 to request materials in formats accessible to people with disabilities, e.g. Braille, large print, electronic files, audio format.

For further information regarding this proceeding, contact Mr. Brian Marengo of the Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418-0838 or via e-mail to Brian.Marengo@fcc.gov.

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