

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendment of Part 90 of the Commission’s	)	PS Docket No. 15-199
Rules to Enable Railroad Police Officers to	)	RM-11721
Access Public Safety Interoperability and	)	
Mutual Aid Channels	)	

**COMMENTS OF APCO**

The Association of Public-Safety Communications Officials-International, Inc. (APCO) hereby submits the following comments in response to the Commission’s *Notice of Proposed Rulemaking (NPRM)* in the above-captioned proceeding.<sup>1</sup>

Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 25,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including public safety answering points (PSAPs), dispatch centers, emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies. APCO appears regularly before the Commission on a wide range of public safety communications issues, and is the largest FCC-certified frequency coordinator for Part 90 Public Safety Pool channels.

The Commission is proposing to amend its rules to permit railroad police officers to use public safety interoperability and mutual aid channels to communicate with public safety entities already authorized to use those band segments.<sup>2</sup> As an initial matter, APCO has no objection to

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<sup>1</sup> Amendment of Part 90 of the Commission’s Rules to Enable Railroad Police Officers to Access Public Safety Interoperability and Mutual Aid Channels, *Notice of Proposed Rulemaking*, FCC 15-105, PS Docket No. 15-199 and RM-11572, (rel. Sept. 1, 2015), available at [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-15-105A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-105A1.pdf).

<sup>2</sup> *NPRM* at para. 1.

the Commission's proposed approach to what constitutes a "railroad police officer."<sup>3</sup> APCO generally favors promoting interoperability between railroad police and public safety to support emergency response such as in the event of accidents or other security incidents involving the U.S. rail network. Thus, APCO suggests the Commission adopt a definition of railroad police officers that accomplishes this goal. To determine the best means of coordinating and licensing these new users, APCO is similarly guided by the overall objective of promoting interoperability between railroad police and other eligible public safety users in mutual aid situations.

The *NPRM* seeks comment on how best to "facilitate the use of interoperability and mutual aid channels by railroad police."<sup>4</sup> APCO recommends an approach that primarily relies on sharing agreements between railroad police and public safety licensees.<sup>5</sup> Sharing agreements are expedient, locally-focused, and in some cases are already being put to use for railroad police.

In the event a railroad police agency cannot find an appropriately licensed public safety sponsor for a sharing agreement, railroad police should follow the regular process for the frequency band in question to directly license mobiles and portables. This would mean using the services of certified public safety frequency coordinators and, for the 700/800 MHz band, the interim step of pre-coordinating with the RPC or state interoperability executive committees prior to using the services of certified public safety coordinators.

Direct licensing of mobile and portable units is preferable to the Commission's proposal to employ a blanket licensing approach.<sup>6</sup> Direct licensing offers the same benefit of a local focus afforded by sharing agreements, by providing the relevant parties the opportunity to share

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<sup>3</sup> See *NPRM* at para 9.

<sup>4</sup> *NPRM* at para. 15.

<sup>5</sup> See *NPRM* at paras. 24-25.

<sup>6</sup> *NPRM* at para. 16.

awareness of railroad police operations, which is important for coordination, situational awareness, conflict management, and interference mitigation if needed.

The *NPRM* also inquires whether the Commission should allow base and control station operation by railroad police.<sup>7</sup> APCO does not believe that authorization of railroad police base and control station operations is needed. The two-pronged approach outlined above for coordination and licensing – to employ sharing agreements, or if no sponsor is available, directly license mobiles and portables – negates the need to permit railroad police to operate base and control stations. By definition, if there are no public safety base stations available to share or support mobile/portable operations in a particular area, then there is no opportunity for railroad police to conduct mutual aid with other public safety agencies in the first place.

## CONCLUSION

APCO supports measures to enable public safety interoperability and mutual aid with railroad police consistent with the comments herein.

Respectfully submitted,

APCO INTERNATIONAL

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<sup>7</sup> See *NPRM* at para. 17.