

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

In the Matter of)
)
Amendment of Part 90 of the) WP Docket No. 07-100
Commission's Rules)

To: The Commission

**RESPONSE TO
PETITION FOR RECONSIDERATION**

The undersigned parties (“Parties”) provide the following response to the Petition for Reconsideration (“PFR”) filed by the American Association of State Highway and Transportation Officials (“AASHTO”) in the above-identified proceeding. The PFR urges reconsideration of certain FCC decisions in the 7th Report and Order in the proceeding¹ and adoption instead of a “Band Manager Light” approach to the 4.9 GHz band.

The Parties endorse many of the positions espoused by AASHTO in the PFR but are not persuaded that reconsideration of the 7th R&O is needed to achieve AASHTO’s objectives. In their opinion, adoption of the recommendations in the Parties’ Reply Comments submitted yesterday in response to the 9th FNPRM would address AASHTO’s concerns without requiring a wholesale reconsideration of the 7th R&O and the attendant further delay in adopting final rules for this important band. A copy of those Reply Comments is attached.

¹ *Amendment of Part 90 of the Commission’s Rules*, WP Docket No. 07-100, Seventh Report and Order and Ninth Further Notice of Proposed Rulemaking, FCC 23-3 at ¶ 1 (rel. Jan. 18, 2023) (“7th R&O”; 9th FNPRM”).

Respectfully submitted,

Suzanne Lemieux
Director, Operations Security &
Emergency Response Policy
American Petroleum Institute

Robin J. Cohen
President/CEO
Enterprise Wireless Alliance

Ralph Haller
Executive Director
Forestry Conservation Communications Association

Wendy Jeffres
National Frequency Coordinator
International Municipal Signal Association

Jonathan Thompson
Executive Director and CEO
National Sheriffs' Association

Brett Kilbourne
Senior Vice President Policy and
General Counsel
Utilities Technology Council

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