**Via Electronic Filing**

Marlene H. Dortch, Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: *Amtrak Request for Waiver of Rule Sections 15.407(a)(1)(iii) and 15.407(a)(3);* ET Docket 16-415

Dear Ms. Dortch:

In DA 17-109, the Commission requests comments regarding the National Railroad Passenger Corporation d/b/a Amtrak (Amtrak) request for waiver of Sections 15.407 (a)(1)(iii) and 15.407(a)(3) of the Commission’s rules to allow Amtrak’s trackside network (TSN) in the Northeast Corridor (NEC) to operate under the specifications that apply to fixed point-to-point operation in the 5.15-5.25 GHz (U-NII-1) and 5.75-5.825 GHz (U-NII-3) bands. The request is unsupported by data to show the impact of this service on Wi-Fi networks in the vicinity of the trackside. IEEE 802, the LAN/MAN Standards Committee has reviewed the information, and has a number of questions about the request.

Although the waiver request discusses the benefits for Amtrak, there is no mention of its potential impact on private and public Wi-Fi networks in the vicinity of the rail line. As an engineering driven organization, IEEE 802 are accustomed to making decisions of this kind based on simulations and actual measurements of the propagation characteristics of the service being evaluated, and the wireless network environment within range of the service. With this information, an impact study can determine the interference potential.

Amtrak has provided no technical details regarding their network, no simulation results or measured data, and no characterization of the environment. With no information we cannot begin to understand its impact on neighboring Wi-Fi networks.

Allowing this waiver would therefore be granting preferred Part 15 status to the Amtrak network, as it would be done with no consideration for other networks that should have equal status.

We therefore ask that before granting the waiver, the Commission request an impact study performed by or for Amtrak. If no study exists, the Commission should not proceed if and until such a study is done, and reviewed and evaluated by IEEE 802.