

July 28, 2022

The Honorable Jessica Rosenworcel  
Chairwoman  
Federal Communications Commission  
45 L Street Northeast  
Washington, D.C. 20554

*Re: Public Notices Seeking Comment on Requests for Waiver of the Commission's Rules to Deploy C-V2X In Frequencies Reserved For These Purposes, ET Docket No. 19-138*

Chairwoman Rosenworcel,

As an increasing number of public and private transportation stakeholders seek authority to operate Cellular Vehicle-to-Everything (“C-V2X”), NEMA urges the Commission to grant these requests expeditiously.<sup>1</sup> Investment in and deployment of C-V2X safety services clearly advance the public interest.

In 2020, the Commission designated C-V2X as the intelligent transportation system technology to be deployed in the 5.895-5.925 GHz band. In its decision, the Commission determined that the deployment of C-V2X technology in these frequencies “best serves the American public.” And while the Commission sought comment on final C-V2X technical rules, it also indicated it would utilize its waiver process to accommodate demand for near-term C-V2X deployments while those rules are being developed.

In response to this invitation, public and private stakeholders alike have submitted requests to invest in C-V2X safety services prior to the adoption of final rules. For instance, the C-V2X Joint Waiver Request seeks relief that would allow automakers (*i.e.*, Ford Motor Company, Audi of America, and Jaguar Land Rover North America), state departments of transportation (*i.e.*, the Utah and Virginia departments of transportation), and certain equipment makers to begin widescale deployment of C-V2X safety applications.<sup>2</sup> More recently, the Ohio

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<sup>1</sup> See *Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Seek Comment on a Request For Waiver of Intelligent Transportation System Rules to Use C-V2X Technology in the 5.895-5.925 GHz Band*, Public Notice, DA 22-611 (rel. Jun. 7, 2022); *Public Safety and Homeland Security Bureau Seeks Comment on Waiver Requests from Intelligent Transportation System Licensees to Use C-V2X Technology in the 5.895-5.925 GHz Band*, DA 22-617 (rel. Jun. 7, 2022).

<sup>2</sup> *Request for Waiver of 5.9 GHz Band Rules to Permit Initial Deployments of Cellular Vehicle-to-Everything Technology*, ET Docket No. 19-138, Ford Motor Company et al., December 13, 2021 (“C-V2X Joint Waiver Request”); *Joint Request for Waiver of 5.9 GHz Band Rules to Permit Initial Deployments of Cellular Vehicle-to-Everything Services*, ET Docket No. 19-138 (filed April 20, 2022), <https://www.fcc.gov/ecfs/search/search-filings/filing/104201266008794> (“C-V2X Joint Waiver Supplement”).

Department of Transportation and the New York City Department of Transportation each filed waivers requesting the same relief.<sup>3</sup> And the Georgia, Florida, and Maryland departments of transportation also have filed waiver requests to allow near term deployments of C-V2X applications.<sup>4</sup>

NEMA urges the Commission to use its waiver authority to grant these requests and allow for immediate investment in and deployment of C-V2X services. Traffic fatalities reached a 16-year high in 2021, with more than 42,000 people dying in motor vehicle traffic crashes. Secretary Pete Buttigieg has called these rising traffic fatality rates “a crisis on America’s roadways.” Addressing this public health crisis requires the use of every tool in our toolbox.

Intelligent transportation system technologies hold the potential to help improve roadway safety, while also advancing other societal goals such as improved mobility and reduced greenhouse gas emissions. In light of these benefits, policymakers across the federal government have worked for decades to spur the widespread deployment of these technologies.

The pending waiver requests reflect a collaborative public-private effort to invest in and deploy C-V2X safety services to the traveling public. Never before have there been more unified efforts for the deployment of an intelligent transportation system technology among both public

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<sup>3</sup> See Ohio Department of Transportation Request for Waiver, ET Docket No. 19-138, Ohio Department of Transportation/DRIVEOhio, June 10, 2022; New York City Department of Transportation Request for Waiver, ET Docket No. 19-138, New York City Department of Transportation, July 1, 2022.

<sup>4</sup> See Florida Request for Waiver and Waiver Supplement for Call Sign WQBS407: <https://wireless2.fcc.gov/UlsEntry/attachments/attachmentViewRD.jsp;ATTACHMENTS=n11rv1dGLFqTJyRt8Dh7JDXtr1rwy3fKLTPvhjLtgIhFpQTDyQrV!560130442!1071318750?applType=search&fileKey=824024548&attachmentKey=21437925&attachmentInd=applAttach> and <https://wireless2.fcc.gov/UlsEntry/attachments/attachmentViewRD.jsp?applType=search&fileKey=380862473&attachmentKey=21490155&attachmentInd=applAttach>; Georgia Request for Waiver and Waiver Supplement for Call Sign WRAT914: <https://wireless2.fcc.gov/UlsEntry/attachments/attachmentViewRD.jsp?applType=search&fileKey=488583324&attachmentKey=21298366&attachmentInd=applAttach> and <https://wireless2.fcc.gov/UlsEntry/attachments/attachmentViewRD.jsp?applType=search&fileKey=699457663&attachmentKey=21490180&attachmentInd=applAttach>; and Maryland Request for Waiver and Waiver Supplement for Call Sign WRKJ514: <https://wireless2.fcc.gov/UlsEntry/attachments/attachmentViewRD.jsp?applType=search&fileKey=62040067&attachmentKey=21435297&attachmentInd=applAttach> and <https://wireless2.fcc.gov/UlsEntry/attachments/attachmentViewRD.jsp;ATTACHMENTS=8T6wvP6cNSKjHVnXfkyB6RyWQyvjbVwpQKcGdSjCVtkpy8gzF7K!560130442!1071318750?applType=search&fileKey=470416313&attachmentKey=21488488&attachmentInd=applAttach>.

and private stakeholders. These collaborative efforts to ensure the successful implementation of this safety technology is a good thing for the American public.

Moreover, a grant of these C-V2X waivers will not impact any other licensed users in these or nearby frequencies. The technical and operating conditions under which the requested C-V2X operations will occur are consistent with, and in some cases more conservative than, the current FCC rules in Part 90 and Part 95 for Dedicated Short Range Communications-based technologies with respect to both transmit power and out-of-band emissions limits.<sup>5</sup>

NEMA appreciates the Commission's interest in expediting C-V2X deployment through the waiver process. For the above reasons, the Commission should expeditiously grant the pending requests seeking authority to invest in and deploy C-V2X safety services and promptly grant any future C-V2X waiver requests from other transportation stakeholders.

Sincerely,



By: Spencer Pederson ,

NEMA Vice President of Public Affairs  
1300 17<sup>th</sup> Street North, Suite 900  
Arlington, VA 22209  
[spencer.pederson@nema.org](mailto:spencer.pederson@nema.org)

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<sup>5</sup> See, e.g., C-V2X Joint Waiver Request at Appendix 1; C-V2X Joint Waiver Supplement at 3.