

**Massachusetts Bay Transportation Authority**  
**2017 Annual Band Manager Report and Waiver Request**  
**Call Signs WPOI695, WPOI709, WPOI710, WQWD762**

The Massachusetts Bay Transportation Authority ("MBTA") respectfully requests a waiver of Section 27.607(b) of the Commission's Rules, 47 C.F.R. § 27.607(b), to allow the MBTA to file the 2017 Annual Band Manager Report after the March 1, 2017 filing deadline. Due to an administrative oversight, the MBTA inadvertently did not submit the report by the March 1, 2017 filing deadline, however, the MBTA is immediately taking steps to correct the oversight and submit the 2017 Annual Band Manger Report.

Pursuant to Section 27.607 of the Commission's Rules, 47 C.F.R. §27.607, the Massachusetts Bay Transportation Authority ("MBTA") hereby provides the 2017 Annual Band Manager Report for call signs WPOI695, WPOI709, WPOI710 and WQWD762 ("the licenses").

On May 6, 2015, the Commission consented to the MBTA's Application for Assignment, file number 0006748339, to acquire the licenses authorized for common carrier commercial operation. However, consistent with the Commission's rules, the MBTA has elected to utilize the licenses for private, internal, non-commercial use, specifically to meet the Railroads' federal requirement to implement Positive Train Control, ("PTC").

The purpose of the MBTA's conversion of the licenses is to avoid accidents involving railroads. And, in addition to being a federal mandate, the system is for one purpose, and that is public safety.

The MBTA Railroads are required by federal law to implement a PTC system which is interoperable with other commuter and freight railroads with which they share trackage. The MBTA Railroads will need to implement a PTC system utilizing the same radio as that being utilized by the freight and passenger railroads. The freight railroads are implementing PTC in the 220-222 MHz spectrum, with a radio which has limited frequency range. Therefore, the MBTA Railroad's spectrum options are in the 218-219 MHz Radio Service, the Automated Maritime Telecommunications Service ("AMTS") or the 220-222 MHz band. In performing its research, the MBTA Railroads found that spectrum in the AMTS and 218-219 MHz bands did not address its needs. Thus, the MBTA Railroads have no reasonable alternative but to implement PTC in the 220-222 MHz band.

Based upon the foregoing premises, the MBTA's proposed use of the licenses for internal non-commercial use is in the public interest.