

Cooperative Automated Transportation (CAT) Coalition Policy, Legislative, and Regulatory Working Group

December 14, 2020 Webinar
Notes and Summary of Discussions

Welcome

Paul Ajegba and Jennifer Toth (co-chairs of the working group) welcomed attendees. A webinar slide deck was used to support the discussions. A copy of the slide deck is being circulated with this summary.

FCC Decision on Spectrum Reallocation

Tim Drake (ITS America) provided a recap of the FCC decision on spectrum reallocation.

- On November 18th, The FCC voted to move forward with a proposal to reallocate the band and allow indoor devices to begin using a portion of the band immediately.
- This proposal allows DSRC use of the band for one year before needing to vacate the band.
- This proposal also provides 30 MHz of the upper bandwidth to move toward C-V2X.
- A two-year transition period is proposed that will begin from the publication date, and the rule was still not published at the time of the webinar, but was expected any time in the next 4-5 weeks.

Tim noted a number of outstanding issues regarding the proposal, including:

- Power and out of band limits for interference.
- Reimbursement for incumbents that were operating in the lower bandwidth.
- Whether FCC should provide additional spectrums elsewhere. There have been several suggestions encouraging FCC to provide additional spectrum elsewhere.

Questions asked:

Question: Any comments on possibility of reversing the rule?

- Tim noted that there are a few options for this, such as:
 - o Someone could file a petition for reconsideration. This may be effective in changing some of the outcomes, but likely not all of them.
 - o There is the option of a legal appeal of the rulemaking. This would involve arguing FCC did not follow the process and not consider USDOT's perspective and should have given them greater weight. He noted it is typically difficult to change an agency decision in court.
 - o New Administration/new Congress. ITS America is communicating the importance of the 5.9 GHz band to everyone who will be involved in the next administration. President Biden will appoint a new commissioner and a new chair.

Question: Are there any next steps ITS America and/or AASHTO will take?

Tim noted that ITS America has remained in close communication with partner associations such as AASHTO and ITE. Once the Federal Register publication is issued, ITS America will form their next steps direction. King Gee noted that AASHTO has been working closely with ITS America and other partners. AASHTO is preparing for the register publication, Venkat Nallamothu is the point person.

Question: In light of trend of events, it is not too soon for this committee to establish a subcommittee to consider the problems and opportunities for moving activities into a world of C-V2X (both at the policy level and technical level). Jennifer noted that this is something to consider.

Tim concluded by noting the longer-term transition issues. ITS America is “technology neutral” as an approach. Once there is a mandate for a specific technology, ITS America will work with members and partners to make sure that is done properly. ITS America has the benefit of bringing in multiple different viewpoints and well positioned to help with conversation.

Michigan’s Detroit to Ann Arbor CAV Corridor

Collin Castle provided an overview of the Detroit to Ann Arbor CAV Corridor project. He noted that MDOT conducted a procurement in May 2020, and selected CAVNUE to conduct a feasibility study to explore “if you were to invest in technology infrastructure to connect to CAVs, what would it look like?”.

Project will allow CAVNUE to come in with their own investment to invest in a pilot deployment of shared lanes. Colin noted that from MDOT’s perspective, if they are continuing to invest in the future of vehicles, there is an interest in looking into the infrastructure to support them.

Collin described the first phase of this effort as a 24-month feasibility study as follows:

- MDOT owns the right-of-way and has subject matter experts responsible for operations.
- CAVNUE will be the fundraiser and master developer.
- An OEM Advisory Committee (OEMs and ADS developers) will comment on topics such as the attributes of the infrastructure that would make a difference and ensure that safety and mobility needs are reflected.

The project will occur on a 40-mile corridor across southeast Michigan from Ann Arbor to Detroit.

Collin described the project phases as:

Discovery Phase (Aug 2020 - Mar 2021) – Will define what the project is, what outcomes they are hoping for, where it will occur, and who it is for?

Design Phase (Mar 2021 - Dec 2021) – Will define what technology is needed, What partnerships are required, what policy and legislation is needed, who will own and operate what.

Implementation Phase (Dec 2021 - Dec 2022) - Will involve the engineering design for prototype and additional studies for future phase, what does implementation agreement mean, and how the product will be financed.

Collin described five working groups that will meet in the initial 24 month collaborative planning and feasibility exercise.

- Technology & Infrastructure
- Policy & Regulation
- Community Engagement & Economic Development
- Financing & Operations
- Planning & Design

Question: What is cost share of Phase 1? Collin noted that Phase 1 is 100% privately funded.

Question: Is it anticipated that this project outcomes will achieve the installation of EV Charging / Electric Grid infrastructure along with Fiber Optic Communications for "All Purposes" Highway / Smart City strategies. Collin noted that they are looking to ultimately install the infrastructure that is determined to be needed. This could include EV charging, upgrades to the grid, etc. As of now, they have an ala cart list of what they think is useful to the corridor, but will learn from the project what is really needed.

Question: How will you manage the equity checks and balances give the seemingly Strong push from Cavnue that will encourage infrastructure investments that generate revenue. Will public funds be left to pick up the less desirable ROI investments? Collin noted that with any private investment comes an expectation of return on investment. They recognize there is a need to ensure there is a wide community voice on the project expressing what they need, including strong input from the public. If the business interests don't align with what is needed to meet public need, they may have to reassess in the future.

Update on Problem Statement Submitted to TRB Legal Research Program

Pat Zelinski updated members that the proposal was submitted to the TRB Legal Research Program. It incorporated the ideas discussed and suggestions from members.

Pat also noted that he contacted TRB for an update on the selection process. The selection has not happened and will most likely happen mid-February 2021. Pat also noted that TRB has an oversight panel that oversees all the Legal Studies projects. These studies are typically \$50-100k per project.

Question: If selected, would this group be involved to narrow the scope to one or more focus areas? Pat noted that he believes the intent would be to narrow the focus in on the topics, as proposal scope indicated language such as "could include some of the following...".

Pat took an action to send Kevin the slide presentation summary from last time.

Partner Reports

John Harding provided an update from USDOT making everyone aware that there will be a forum on December 16th on the 5.9 GHz safety band and will hear from USDOT leadership.

Meeting Close and Next Meeting

The next webinar of the PLR Working Group will be:

- February 24, 2021, (2:00-3:30 PM ET).

Policy, Legislative, and Regulatory WG December 14, 2020 Webinar Participants

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