

FCC Form 442
Exhibit I

Pursuant to Section 5.3(d) and (g) of the Commission's rules, TRN Atlanta, LLC ("Applicant") requests an Experimental license to allow it to engage in technical demonstrations of equipment and to test equipment in connection with regulatory approval of such equipment. 47 C.F.R. §§ 5.3(d) & (g).

As explained more fully below, Applicant will be providing a unique audio and video communications service, much of which will be safety related, to passengers traveling on subway and rail trains throughout the United States. It will be offering its services on unlicensed spectrum in the 88-108 FM Band in which it does not need any Commission authority to operate.¹ The location of the initial testing will be in the Atlanta metropolitan area (Applicant will operate within a 30 mile (48.3 km) radius around the following coordinates: 33-45-9.01; 84-23-19.85). The transmitting device is the equipment for which the Applicant will be seeking to obtain Part 15 certification.² This device will be located inside the Rail Cars. The Applicant will initially test 115 units (one unit for every two (2) Rail Cars) but anticipates testing and installing 169 units by 2007. In addition, it is necessary for the Applicant to test the transmitting device in order to determine the maximum power output necessary to provide quality access to all the audio channels.

Background

The Applicant will provide television, transmit information and radio on moving surface and underground mass transit subway and rail systems throughout the United States. Applicant will wirelessly broadcast digital video and audio programming, including safety and emergency information, over its patented network infrastructure which combines both land and wireless network technologies.

Applicant's network provides digital television news programming, with closed captioning, across multiple flat screen LCD televisions. Applicant also provides several channels of wireless, non-disruptive digital audio music programming, transit authority safety and system messages and video and audio emergency messages to rail passengers. Applicant's system also has several future capabilities, including additional video and audio content, two-way broadband and video surveillance.

Applicant's television newscast will be produced by one of the major local network affiliates in each market ensuring that the content is relevant to the passengers and updated throughout the day. Applicant's video programming will be similar to the

¹ Section 15.239(b) of the Commission's Rules permits unlicensed transmissions in the FM broadcast band, provided the transmissions are below certain specified field strength levels (e.g. does not exceed 250 microvolts/meter at a distance of 3 meters.).

² The Applicant is in the process of preparing an application to obtain Part 15 certification for the transmitting device. It is noted that this device consists of certain components that have already obtained Part 15 certification

newscast that a passenger would see on a major local news network's morning or evening broadcast, including world and local news, business, sports, weather and entertainment features, all updated regularly throughout the day. Applicant's programming will also feature multiple channels of non-disruptive wireless personal audio programming, available on any FM radio or cell phone with a FM headset, including:

- Up to three languages (English, Spanish, TBD) for the newscast and audio messages;
- Up to three channels of music programming; and
- One channel dedicated for operational and emergency information from the transit system.

Passengers will be able to enjoy Applicant's video programming over several high resolution LCDs (liquid crystal displays), positioned and designed to provide visibility to all passengers in each rail vehicle. Applicant's multiple channels of audio are delivered over FM frequencies broadcast from within the rail car. This method of audio allows passengers to adjust the channel and volume on their individual listening devices without disrupting the other passengers.

Proposed Experimentation

The Applicant's testing will consist of transmitting audio programming across seven private, non-disruptive, on-board FM frequencies, which will be provided through its proprietary infrastructure inside of each railcar. The audio transmission will only be available inside the railcar and not on the station platforms or anywhere else on the transit systems property. Each audio channel will correspond to a different FM frequency, which will be chosen based on the available FM frequencies in the Atlanta metropolitan area. For example, passengers tuned to 88.1 will hear the English version of the video, while passengers tuned to 88.6 will hear the Spanish version of the video. The frequencies utilized can be modified if shown to cause interference with existing licensed broadcasters.

In addition, passengers will be able to tune in and receive the audio channels on any FM radio or cell phone with FM radio capability. With the addition of a FM cell phone headset, almost all cell phone models currently have the ability to be used as a FM radio, without any airtime charges. Applicant's onboard FM transmissions will not cause any disruptions to transit authority communications.

The first three channels will broadcast the audio portion of the corresponding video newscast content in up to three different languages. This will allow the Applicant to reach a diverse audience and increase passenger interest. The Applicant plans to set the language choices based upon market demographics.

As for the Applicant's music channels, it will provide passengers with three different genres of music based on market demographics. Applicant will update the

music on a regular basis. The audio content will be consistent with local radio programming standards and practices.

Finally, one audio channel will be reserved for operational and emergency information from the transit authority. Through this channel, the transit authority will have the ability to communicate operational messages, Homeland Security alerts, alerts from the AMBER Alert system and other emergency messages from local, state or federal law enforcement and emergency management agencies as well as travel information, promotional content and other messages to its rail passenger base.

Applicant will install its FM transmission network onboard the railcars and conduct research on the effective transmission strength needed so that all passengers traveling inside the railcar will have quality access to the multiple channels of FM audio. Applicant will also conduct tests throughout the rail system identifying any potential harmful interference issues with licensed broadcasters and adjusting our frequency or signal strength as needed to avoid such harmful interference. For the most part, testing will occur during normal railcar operations where passengers are utilizing the railcars being tested.

Objectives to be Accomplished

An Experimental License will allow the Applicant to accomplish the following objectives:

- Identify the radiated power output needed to allow all passengers inside the railcar to have quality access to all audio choices.
- Applicant will identify which FM frequencies are available throughout the rail system. Applicant will take all actions necessary to avoid harmful interference to licensed broadcasters.³ If for some reason there is any harmful interference to any licensed broadcasters, Applicant will take immediate action to eliminate such harmful interference.

Contribution to the Expansion of the Radio Art

As the Commission has acknowledged, the experimental license program provides a means by which new technologies and concepts can be developed and evaluated. It also provides for limited market studies and technical demonstrations, as well as other research and study activities. In this instance, Applicant will ultimately be offering a novel and unique mobile communications service that will benefit the public by providing vital information, including but not limited to traffic, weather, and emergency situations.

³ The proposed experimental system has been designed to provide interference protection to existing, licensed, and authorized FM radio stations.