

CONCURRING STATEMENT OF
COMMISSIONER JAMES H. QUELLO

RE: Application for the review of an action by the Private Radio Bureau granting the New York Transit Authority reconsideration of the cancellation of its license for 20 trunked channels in the Land Transportation Radio Service and the reinstatement of its licenses.

I concur in upholding the Private Radio Bureau's reinstatement of New York Transit Authority's license to operate 20 trunked channels in the Land Transportation Radio Service. I do so on the basis of the overall public interest benefit of the Transit Authority's proposed use of these channels.

For the record, it is important to recognize that under normal circumstances the Transit Authority's license to operate the 20 trunked channels in the Land Transportation Radio Service should be cancelled. They failed to meet our slow growth system reporting requirements. Equally important to recognize is the fact that the Commission is not without fault in this matter. It failed to enforce its slow growth system reporting requirements. In this case and as a result of our failure to enforce slow growth systems requirements, 20 trunked channels in New York City remained fallow for the past few years. I am pleased to note the Bureau has begun to enforce slow growth system reporting requirements.

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