



Assembly Member Micah Z. Kellner, Chairman
Michael A. Harris, Executive Director

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PROMOTING GREATER ACCESS TO PUBLIC TRANSPORTATION THROUGHOUT THE NEW YORK METROPOLITAN AREA

OCTOBER 11th, 2007
FOR IMMEDIATE RELEASE

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MEDIA STATEMENT

DISABLED RIDERS COALITION EXECUTIVE DIRECTOR SPEAKS OUT ON SUBWAY CELL PHONE SERVICE

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*Advocacy group calls full subway cell phone service "essential to subway safety"*  
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"Cell phone service on platforms is a good start, but the entire system should be wired for service"

(CITY HALL) OCTOBER 11th, 2007 – *Michael A. Harris, Executive Director of the Disabled Riders Coalition today offered testimony before the New York City Council urging system-wide implementation of subway cell phone service, including on-board trains. Excerpts of his testimony as prepared for delivery are below:*

"While I am one of the first people to criticize the MTA for doing things wrong, I am also one of the first to give the agency credit for doing things right. I am here today to do both.

"Making cell phone service available on subway platforms makes sense and is a good idea on so many different levels, But if millions if not billions of dollars are going to be invested in this project, we should see cell phone service on trains, via wiring tunnels. This is not just a convenience issue; it is a matter of safety.

"We always hear 'If you see something, say something,' but far too often we see something, but can't say something. Whether I am stuck on a subway platform due to a broken elevator or AutoGate and need to call for help or I am on an old train with no intercom witnessing someone having a seizure, the ability to call for help is essential. Neither of these is a hypothetical situation, rather they are both real situations that I have found myself in, with the former being a frequent occurrence.

"While I was writing this testimony last night, I saw a TV ad put out by the MTA proudly touting that nearly 1,500 people 'saw something and said something' last year. Just imagine how much higher that number could be if people had cell phone service and could actually call '1.866.NYC.SAFE' from within the subways!

"Particularly with pay phones being removed from stations, subway cell phone service is a good idea, it makes sense and will increase safety for all straphangers, but particularly those with disabilities who are more prone to encountering problems, emergencies or other situations that could be mitigated by the implementation of full subway cell phone service.

"Cell phone service on platforms is a good start, but the entire system should be wired for service."

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MEDIA AVAILABILITY: Following testimony at City Hall or via telephone or E-mail request to Michael A. Harris at 646.246.8795 or mharris@disabledriders.org

THE ONLY DISABILITY RIGHTS ORGANIZATION IN THE TRI-STATE AREA FOCUSED SOLELY ON TRANSPORTATION ISSUES



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Permanent Citizens Advisory Committee to the MTA

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STATEMENT TO THE NEW YORK CITY COUNCIL COMMITTEE ON TRANSPORTATION AND COMMITTEE ON TECHNOLOGY IN GOVERNMENT

My name is William Guild. I am Chair of the Permanent Citizens Advisory Committee to the Metropolitan Transportation Authority. The PCAC is the coordinating body for three riders councils created by the New York State Legislature in 1981: the Long Island Rail Road Commuters Council (LIRRC); the Metro-North Railroad Commuter Council (MNRCC); and the New York City Transit Riders Council (NYCTRC).

The councils were created to give users of MTA subway, bus, and commuter rail services a voice in the formulation and implementation of MTA policy and to hold the MTA Board and management accountable to riders. The PCAC and its councils hold regular public meetings and forums, undertake frequent research projects, and maintain a support staff of transportation planning professionals. Since 1995 the PCAC has held a non-voting seat on the MTA Board.

The 38 authorized members of the PCAC are required to be regular users of the MTA system, and serve without pay. Members are appointed by the Governor's office, upon the recommendation of county executives and, for New York City, the mayor, public advocate, and borough presidents.

The PCAC and its constituent Councils, including the Transit Riders Council of which I am a member, support in principle the current initiative to make cell phone service available to subway customers in underground stations. Such service is generally available through the commercial cell phone system on elevated and other above-ground segments of the rapid transit system, as it is on the commuter railroads. Only stations would be equipped for cell phone service below ground; there is no proposal to wire the tunnels between stations, and service would be available only in stations. We understand that equipment and service will be provided by communications firms without cost to the MTA, and with no increased operating expense. Indeed, the system is expected to generate some operating revenue to New York City Transit.

We believe that the convenience of subway customers, who would be able for the first time to communicate in subway stations as they have for years in other public places, clearly outweighs any possible annoyance to other passengers, the main objection we have heard to this proposal. We do urge New York City Transit to initiate a public advertising campaign to enlighten and inform prospective cell phone users in the subways about the common sense rules of cell phone courtesy, to minimize unnecessary annoyances to fellow subway riders. This advertising campaign should start before cell phone service becomes available in the subway's underground stations.

In addition to routine calls, cell phone infrastructure in the subway's underground stations will enable riders to notify families, employers and others in the event of delays, and also to report emergencies or security issues. Conversely, the MTA and New York City Transit can develop instant messaging and other techniques to supplement existing email service advisories, which currently provide information to subway riders only on routine or planned service changes, and only where email service is available. LIRR's current service alerts and advisories, including notice of major service disruptions, can be sent to any device with an email address – cell phones, pagers, mobile PDAs, etc.

The Transit Riders Council urges New York City Transit to proceed forthwith to initiate a system of text-messaging for transit users who sign up, so that close-to-real time text message alerts can be received. Enhanced versions of these services can and should be made available to subway riders on a real time basis by utilizing the wireless infrastructure which will be required to support cell phone use.

We see this as a win-win opportunity and urge the City Council to support the proposal.

Dated: October 11, 2007

Respectfully submitted,

WILLIAM K. GUILD, *Chair*
Permanent Citizens Advisory
Committee to the MTA

**STATEMENT BY
THE METROPOLITAN TRANSPORTATION AUTHORITY
BEFORE THE COUNCIL OF THE CITY OF NEW YORK'S
COMMITTEE ON TECHNOLOGY IN GOVERNMENT
AND
COMMITTEE ON TRANSPORTATION
OCTOBER 11, 2007**

Good Morning, Chairperson Brewer, Chairperson Liu and members of the City Council's Committee on Technology in Government and the Committee on Transportation. I am Jerome Page, Deputy General Counsel for the Metropolitan Transportation Authority (MTA). I'm accompanied by MTA New York City Transit's (NYCT's) Mark Bienstock, Program Manager for Communications. As requested by the Council, we're here this morning to discuss cell phone service in the subway system.

As you are probably all aware, NYCT entered into a License Agreement last month for the design, build, operation and maintenance of a wireless (WiCom) communications access system in the underground portion of the subway system. It was in late 2004 that the MTA and NYCT began exploring the feasibility of implementing cellular service in NYCT's 277 underground subway stations (the above ground portions are already served by existing carrier facilities) as a means of serving our customers better, generating additional revenue and enhancing public safety with the provision of an E911 capability.

Prior to issuing a Request for Proposals (RFP), the decision was made to make cellular service available in all public areas of our underground stations, including entryways, mezzanines, platforms and pedestrian passageways, but *not* in the tunnels between stations. The basic premise of the cell phone service initiative was to provide a service to customers and to generate revenue, while at the same time, minimizing impact on train operations. MTA and NYCT senior management concluded early on that providing service in the tunnels would not meet these combined objectives, partly out of concern that the customer environment on the trains would be diminished, but primarily because it would require that equipment be installed and maintained along the right of way, necessitating extensive disruptions to customer service. Although the current License Agreement does not provide for cellular service in the tunnels, it does provide for the system to be built in such a way as *not* to preclude expansion into the tunnels if a future decision to that effect is made. It is worth noting that under the stations-only implementation that we are planning, service may be available in some portions of tunnels due to leakage into the tunnel spaces where stations are located in close proximity and there is no curvature to the alignment. However, in the stretches of under-river tunnel where stations are situated some distance apart, there will be no coverage.

To build and maintain this cellular network in our underground stations, a License Agreement for a wireless communications network with a base term of 10 years was awarded to Transit Wireless LLC (TW). TW is a New York limited liability company that was organized in 2005 and whose members include Dianet Underground, LLC, NAB Q Wireless LLC and Transit Technologies, LLC. This firm was selected via RFP process that commenced in August 2005 and ultimately yielded proposals from four respondents. From among these four firms, TW was recommended for license award by a Selection Committee comprised of MTA and NYCT personnel. TW was in many ways an obvious choice, because it offered the highest revenue; agreed to cover all NYCT costs; met all the requirements of NYCT's specifications; had a track record for providing similar services to others and evidenced credible financial backing.

As the Licensee, TW will design, build, operate and maintain the WiCom infrastructure and sublicense the right to use the network to the wireless carriers and to other sublicensees such as Wi-Fi providers. The License Agreement with TW provides for the project to be undertaken in three phases:

- Initial Build (Initial Term): Within two years from notice to proceed, TW must complete installation of the WiCom network in six subway stations: the 23rd Street **C E** and 14th Street **A C E** stations on the Eighth Avenue line; the Eighth Avenue and Sixth Avenue **L** line stations; the 14th Street **F** station on the Sixth Avenue line; and the 14th Street **1**, **2**, and **3** station on the Seventh Avenue line. This phase will serve as a pilot, during which the cellular infrastructure for the project in its entirety will be engineered, installed and tested. In addition, TW must begin the process of identifying and sublicensing carriers during this phase. Before starting the next phase, TW must have a binding commitment with at least one of the major wireless carriers for a sublicense for the full WiCom network.
- Full Build (Construction Term): Within four years from completion of the Initial Build phase, TW must complete installation of the WiCom network in the remaining 271 underground subway stations. NYCT must approve the order in which the underground stations will be outfitted with the WiCom network and NYCT has made it clear to TW that the order will be established in a way that will ensure that installation is fairly spread across all of the boroughs.
- Base Term and Renewal Terms: After completion of the Full Build, TW will have a 10-year Base Term and options for two 5 year Renewal Terms.

Best estimates are that the cost of installing the WiCom network in the 277 underground stations is between \$150 and \$200 million. None of the cost of construction will be paid by NYCT or MTA. TW and MTA's compensation for the WiCom Network will come from the rent paid by the wireless carriers and other sublicensees of the network. However, TW has also agreed to pay MTA a minimum annual compensation. During the ten-year Base Term (and any Renewal Terms), MTA will receive an annual license fee equal to the greater of \$3 million (escalated annually by CPI) or 50 percent of the rent received by TW from the carriers and other users of the WiCom network. Prior to the Base Term, once rent starts to be paid by a sublicensee, the guaranteed minimum annual compensation is prorated by the number of stations that have been put into commercial service. For example, if during year two of the Construction Term, the average number of stations in commercial service is 100, then the guaranteed minimum annual compensation for year two is the \$3 million guaranteed minimum amount, escalated by CPI, times the fraction 100 divided by 277. TW's financial models indicate that the compensation to MTA could be as much as \$10 million in the first year of the Base Term and increase to as much as \$16 million in the tenth year of the Base Term.

Beyond its revenue-generating potential, this project, when completed, will provide our customers with an overall ability to keep in contact with family members, business colleagues and employers while they are in underground stations. The WiCom network will provide for data and internet capability via the carriers, in addition to telephone communications. TW also expects to establish sublicense arrangements with WiFi providers to give customers additional data and internet access. This broad array of communications resources will enable customers that are in underground subway stations to send and receive text messages and email, and to access the internet. This is an important service enhancement, providing the convenience and sense of security underground for which many of our subway customers have long clamored.

Underground cellular phone service and the data and internet access will provide an additional vehicle for communications to customers during service disruptions or delays. For instance, NYCT will have the capability to text or email service alerts to subscribing customers while they are in underground stations whenever there are major service disruptions (an outreach service for which planning is currently underway). Customers with internet access will be able to log into the MTA website to review service alert information. In addition, our license agreement with TW requires that each sublicensed carrier provide E911 service that is fully equivalent to the E911 systems they provide above ground in New York City. As such, the E911 service will meet all FCC requirements, one of which is to give emergency responders the capability to track the location from which a customer is calling 911. In the case of subway stations, the level of locational precision will be dependent upon each carrier's actual implementation but it is anticipated that in all cases the E911 system will be able to identify the specific platform from which the call is being made.

Another key benefit of underground cell phone service is that it will enable customers to provide on-the-spot reports of suspicious activity or circumstances that they observe in subway stations, providing opportunities for even more support of MTA's already successful "If You See Something, Say Something" campaign which encourages customers to actively participate in monitoring the safety and security of the subway system.

Clearly, there's much to be gained with the addition of underground subway wireless network service, in terms of both customer communication benefits, as well as significant revenue generation. We are very excited at the overall potential that this initiative holds and will keep you abreast of our progress in its implementation.

On behalf of MTA and NYCT, thank you for providing a forum for the discussion of this important topic and for your ongoing interest in our public transit system. Mr. Bienstock and I are happy to answer any questions that you have.