



January 23, 2018

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Ex Parte Presentation, *Improving Wireless Emergency Alerts and Community-Initiated Alerting*, PS Docket No. 15-91.**

Dear Ms. Dortch,

On January 22, 2018, Matthew Gerst of CTIA, along with Tom Dombrowsky of DLA Piper for CTIA, Mike Tan of AT&T, Ray Rothermel of Sprint, Shellie Blakeney of T-Mobile and Robert Morse of Verizon met with Will Adams, Legal Advisor to Commissioner Brendan Carr concerning the Commission's *Draft Order* in the above referenced proceeding.<sup>1</sup>

During the meetings, CTIA expressed general support for the *Draft Order's* goal of enhancing the geo-targeting capabilities of the Wireless Emergency Alert (WEA) system. More specifically, CTIA highlighted that the *Draft Order* appropriately frames a new enhanced WEA geo-targeting capability to require that participating providers match the target area defined by alert originators. To meet this requirement, participating providers would be required to deliver a WEA message to 100% of the target area with no more than .10 mile overshoot.

However, CTIA also expressed significant concern about the Commission's aggressive timeline for implementing the enhanced WEA geo-targeting requirement. CTIA stated that, if adopted, the wireless industry will work intently to meet the November 30, 2019 deadline. CTIA noted that the *Draft Order* recognizes the

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<sup>1</sup> *Wireless Emergency Alerts, Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System*, PS Docket Nos. 15-91, 15-94, Draft Second Report and Order and Second Order on Reconsideration, FCC-CIRC1801-01 (rel. Jan. 9, 2017) (*Draft Order*).



significant standards, technology and testing work that will be required to support this new capability from alert originators to the Federal Emergency Management Agency's gateway to participating provider networks to capable mobile devices (end-to-end support).<sup>2</sup> CTIA also noted that an Alliance for Telecommunications Industry Solutions (ATIS) Wireless Technologies and Systems Committee (WTSC) feasibility study should be able to confirm whether some legacy handsets could be updated via software to support the enhanced geo-targeting requirement and provide a detailed schedule for completion of standards that would be required. CTIA suggested that participating providers will inform the Commission if more time will be necessary to achieve end-to-end support.

In particular, CTIA expressed its appreciation and support for a number of proposals in the *Draft Order*. Specifically, the *Draft Order*:

- Modifies the framing of geo-targeting compliance from a technically infeasible 100% of "devices" to an achievable 100% of the "target area;"<sup>3</sup>
- Acknowledges the limitations of mobile networks and legacy devices;<sup>4</sup>
- Establishes a default requirement to display WEA messages where enhanced WEA geo-targeting capabilities are unavailable;<sup>5</sup>
- Recognizes that significant standards, implementation, and testing remains to enable end-to-end support of enhanced geo-targeting;<sup>6</sup> and

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<sup>2</sup> *Id.* ¶ 14 (recognizing that the new requirement will necessitate completion of ongoing standards development, device updates, software integration, and testing); see also, ¶ 32 and FN 138 (noting that 12 standards will require updating along with 3 new standards to facilitate compliance with new geo-targeting and Alert Message preservation requirements).

<sup>3</sup> *Id.* ¶ 9, FN 47 ("given the topology of networks, location of cell sites, and the physics of radio frequency propagation, Participating CMS Providers cannot guarantee that 100 percent of devices in a target area will receive a WEA Alert Message in all instances.").

<sup>4</sup> *Id.* ¶ 9 (acknowledging that, in certain circumstances, a Participating CMS Provider may be technically incapable of matching the target area, including when the target area is outside of the Participating CMS Provider's network coverage area, when mobile devices have location services disabled, and when legacy networks cannot be updated to support this functionality).

<sup>5</sup> *Id.* ¶ 10.

<sup>6</sup> *Id.* ¶¶ 14, 33.



- Extends the compliance date for Spanish-language alerting to May 1, 2019 to align with other WEA enhancements.<sup>7</sup>

In addition, CTIA suggested several clarifications that will help to make the deployment of enhanced WEA geo-targeting more achievable. First, transmission of polygon coordinates to mobile devices will necessarily have an effect on the 360-character allotment for displayable Alert Message text, a fact that has been well-established and understood by the public safety and alert originator community.<sup>8</sup> CTIA discussed how the *Draft Order* would inadvertently eliminate the ability of WEA messages to contain the polygon coordinates necessary to support the enhanced WEA geo-targeting requirement. Instead, CTIA requested that the Commission clarify that alert originator best practices developed through standards (including compression techniques) will determine whether transmitting the target polygons will impact the full use of the 360 character alphanumeric text.<sup>9</sup> To address this issue, CTIA recommended that the Commission remove the final sentence of paragraph 8 of the *Draft Order* which would impose an obligation on Participating CMS Providers that could restrict the use of compression techniques to transmit polygon coordinates consistent with expected best practices and standards.

Second, CTIA noted that the *Draft Order* would unintentionally create multiple categories of mobile devices that can receive WEA messages, but will be differently categorized as WEA-capable, including:

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<sup>7</sup> *Id.* ¶ 45 (“aligning the Spanish-language alert implementation compliance timeframe with the 360-character length requirement timeframe will both ensure that Spanish-language alerts are as effective as possible and will reduce costs for Participating CMS Providers.”).

<sup>8</sup> CTIA Ex Parte Letter, PS Docket No. 15-91, at 3 (Dec. 21, 2017); see also, AC&C, LLC Ex Parte, Nov. 9, 2017, quoting a Sept. 16, 2016 Joint Filing of CSRIC V Geographic Targeting Working Group Public Safety Participants that “While inclusion of the polygon coordinates will reduce available characters for the alert message, **this is an acceptable tradeoff for Public Safety**. The mix of polygon coordinates vs text message could be divided based on the desires of the alert originator. For example, the first 270 characters could be allocated for the WEA text message and the remaining 90 characters for polygon coordinates.” (emphasis added).

<sup>9</sup> See AT&T Ex Parte Letter, PS Docket No. 15-91 (Jan. 16, 2018), and AT&T Ex Parte Letter, PS Docket No. 15-91 (Jan. 19, 2018).



- Legacy devices that are not WEA-capable because they don't support embedded references;<sup>10</sup>
- Legacy devices that are WEA-capable because the device supports embedded references, but are incapable of supporting enhanced WEA geo-targeting after November 30, 2019;<sup>11</sup>
- New devices that are not WEA-capable, even though the device supports embedded references, because the device is incapable of supporting enhanced WEA geo-targeting after November 30, 2019;<sup>12</sup> and
- Legacy/New devices that are WEA-capable because they support all features, including enhanced WEA geo-targeting after November 30, 2019.<sup>13</sup>

CTIA suggested that different classifications of WEA-capable that are based on the features a device supports will inevitably create confusion among consumers and public safety, as well as complicating participation by CMS Providers and equipment vendors. For this reason, CTIA encouraged the Commission to simplify the definition of "WEA-capable" devices to any mobile wireless device that can receive a WEA message and noted that the Commission could suggest that CMS providers and equipment vendors disclose that a device may not support all WEA features. This would allow a consistent, understandable definition of "WEA-capable" as the basic ability to receive WEA messages, while permitting disclosure to ensure consumers and public safety understand the WEA features of new and legacy devices.

Finally, CTIA requested a few ministerial corrections to the *Draft Order* and rules that would clarify requirements for CMS Providers. These include:

- Correcting the fourth sentence of paragraph 9 of the *Draft Order* to apply the new rules to new devices offered for sale after November 30, 2019, not the "rule's effective date";

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<sup>10</sup> CTIA Ex Parte Letter, PS Docket No. 15-91, at 2-3 (Nov. 13, 2017).

<sup>11</sup> *Draft Order* ¶ 11.

<sup>12</sup> *Id.* ¶ 12.

<sup>13</sup> *Id.*



- Removing “geocode” from the draft rule Section 10.450 as enhanced geo-targeting requires alert originators to transmit the alert area as circles or polygons;<sup>14</sup> and
- Amending draft rule Section 10.500 (and paragraphs 16, 18, and 19 of the *Draft Order*) so that devices should be “capable” of preserving WEA messages for 24 hours. The current draft rule requires that devices “must” preserve WEA messages for 24 hours which would impose a mandate that would conflict with consumer choice. For example, a consumer that may desire to delete a WEA message would not be permitted to do so until 24 hours passed, per the proposed rule. For this reason, the Commission should require that devices have the *capability* to preserve a WEA message for 24 hours, rather than mandating a 24 hour retention period.

Overall, CTIA and its member companies expressed a commitment to the proven life-saving capabilities of Wireless Emergency Alerts, maintaining public confidence in the WEA-system, and the need for effective and technically feasible timelines to allow a reasonable path to enhance the geo-targeting capabilities of the WEA-system that are available to alert originators.

Pursuant to Section 1.1206 of the Commission’s rules, a copy of this letter is being filed in ECFS. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Matthew Gerst

Assistant Vice President – Regulatory Affairs  
CTIA®

cc: Will Adams

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<sup>14</sup> CTIA Ex Parte Letter, PS Docket No. 15-91, at 3 (Dec. 21, 2017).