

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Revision of the Commission's)
Rules To Ensure Compatibility)
with Enhanced 911 Emergency)
Calling Systems)

CC Docket No. 94-102

COMMENTS OF TRUEPOSITION, INC.

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TruePosition, Inc. ("TruePosition")¹ hereby submits its
Comments in the above-captioned proceeding.²

The accessibility of 911 services in a wireline environment
has assumed a critical role in the timely and effective provision
of assistance in emergency situations throughout the country.
The importance of E911 accessibility in a wireless environment is
no less important. Indeed, a recent nationwide poll³ reflects

¹ TruePosition provides E911 Emergency Location services for wireless subscribers which allow the location coordinates of a wireless 911 caller to be pinpointed and immediately and automatically forwarded to the appropriate Public Safety Answering Point. TruePosition's service operates as a passive overlay system that complements existing wireless network architectures. No changes are required to subscriber telephones and only minimal changes are needed at cell sites.

² *Additional Comment Sought in Wireless Enhanced 911 Reconsideration Proceeding Regarding Rules and Schedules*, CC Docket No. 94-102, *Public Notice*, DA 97-2751 (rel. Oct. 3, 1997) ("Public Notice").

³ *Wireless Enhanced 911 Survey Findings*, conducted by Public Opinion Strategies, Ex Parte Letter filed in CC Docket No.

the high priority wireless customers place on the availability of the E911 services that the Commission, through CC Docket No. 94-107, seeks to implement. Notably, 79 percent of those polled chose the safety and security offered by wireless telephones as more important than business convenience.⁴

In fact, respondents to the Public Opinion Poll value the provision of E911 location technology more than other popular wireless applications. The public values E911 location capability much more than the traditional caller ID functions or voice mail options commonly offered in wireless packages. Given a list of five possible wireless services, 61 percent of those polled chose emergency 911 location service as the most important to them personally.⁵ A third of respondents in the Public Opinion Poll who considered buying a wireless telephone in the past year said they would be more likely to buy a wireless phone in the next six months if the location service was offered by a carrier in their area⁶ -- and the average amount respondents were willing to pay for E911 location technology is \$3.30 a month.⁷

94-102 from Philip L. Verveer, Willkie Farr & Gallagher, counsel for TruePosition, Inc. to William F. Caton, Acting Secretary, Federal Communications Commission (September 10, 1997) ("Public Opinion Poll").

⁴ Id. at 2.

⁵ Eleven percent chose caller ID, ten percent voice mail, seven percent digital transmission and six percent pager service. Id. at 3.

⁶ Id. at 5.

⁷ Id.

The benefits of wireless E911 truly serve the greater public interest because E911 produces positive externalities: its benefits extend to the universe of non-wireless customers as well as wireless customers. Victims of automobile accidents or car trouble on freeways often receive needed emergency or roadside assistance due to the 911 call of a passerby with a wireless telephone. A Washington Post columnist recently suggested that drivers with mobile phones willing to summon help in an emergency should place an easily recognizable decal -- a "white flag of mercy" -- in their car window to identify themselves to stranded motorists.⁸

The availability of wireless E911 capabilities for all wireless customers, including those using TDD/TTY devices in a digital environment, is critical. Still, every delay in the E911 implementation schedule inevitably risks the loss of life and property due to the inability to summon timely emergency assistance to the proper location through wireless telephones. The Commission must encourage industry solutions for TDD/TTY in a digital environment. Yet, given the critical importance of E911 availability, it disserves the public interest to concomitantly delay implementation for consumers not using TDD/TTY wireless devices or for consumers using TDD/TTY devices in an analog environment.

⁸ See Bob Levey, "A Way to Recognize Who Has a Cell Phone," The Washington Post at C11 (Oct. 13, 1997).

Further delay not only disserves the public interest, but also could be interpreted by State and local governments and others as a lack of commitment on the Commission's part to the goals of E911 implementation. A widespread misperception of this sort may result in the unintended consequence of encouraging further attempts to delay implementation when subsequent deadlines approach.

The primary barrier to full deployment of wireless location technology is uncertainty. Carriers will be hesitant to make the significant investments required to install location technology if they believe the fundamental goals may be changed. There are two critical areas where this can occur: accuracy and date of compliance. The ironic danger of progress such as TruePosition has just demonstrated is that some may argue that the accuracy requirement should now be increased, or the compliance date accelerated. Either would be destructive of the Commission's goal, just as going to the other extreme of delaying the compliance date would be.

The most important action the Commission can take to encourage the rapid implementation of wireless E911 is to make it clear it will not change the fundamentals of the Report and Order.⁹ While the Commission's Stay Order¹⁰ is limited to

⁹ Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, RM-8143, Report and Order and Further Notice of Proposed Rulemaking, FCC 96-264 (rel. July 26, 1996) ("Report and Order").

¹⁰ Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No.

certain Phase I obligations, TruePosition assures the Commission that no such delay need occur with respect to Phase II and its attending location capability requirements. TruePosition's Wireless Location System is ready for implementation today¹¹ and is capable of pinpointing the location of a wireless caller within a smaller radius than required by the Commission's Report and Order for Phase II.¹² TruePosition's system was praised by Chairman Hundt and the public safety community for commencing its successful New Jersey trial earlier this year-- the nation's first live trial utilizing wireless location technology. As Peter Verniero, the New Jersey Attorney General, and New Jersey's Office of Emergency Telecommunications Services' ("OETS") report on the TruePosition system field trial, "*The First 100 Days*," states:

Based on testing conducted from January 22 to April 30, 1997, OETS has concluded that the system trial was extremely successful in demonstrating that commercial technology exists to meet the needs of the FCC's Phase I and Phase II in New Jersey and elsewhere. This conclusion is based upon over 3,500 live wireless 9-1-1 calls received, and over 81,000 test¹³ calls placed by participants in the trial.

94-102, RM-8143, Order, DA 97-2119 (rel. Sep. 30, 1997) ("Stay Order").

¹¹ TruePosition's Wireless Location System is presently available for analog environments, and will soon be capable of operation on digital networks, as well.

¹² See Report and Order at ¶ 71 (requiring covered carriers to achieve the capability to identify the latitude and longitude of a mobile unit making a 911 call within a radius of no more than 125 meters in 67 percent of all cases).

¹³ State of New Jersey Department of Law and Public Safety, Division of State Police, Office of Emergency

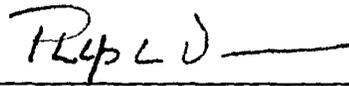
To clarify, TruePosition does not seek to diminish the valid concerns expressed in the Joint Letter attached to the Public Notice. The issues raised therein are critical and justify the additional time needed to study and resolve the problem. TruePosition agrees that where technology does not exist, it makes no sense to impose requirements. However, whatever problems some digital TDD/TTY devices may have with Phase I requirements, there is no reason to delay the Phase II deadlines. TruePosition utilizes the reverse control signal emanating from a wireless phone to determine its location. The reverse control channel signal is separate from the voice channel signal and is not affected by the concerns related to TDD/TTY transmissions. TDD/TTY transmissions occur over the voice channel only. In fact, in order to have a wireless phone located, a wireless customer simply needs to dial 9-1-1 on the keypad and press the send button. That simple operation provides sufficient information for the TruePosition system to locate the caller. Hence, the TDD/TTY issues raised in the ex parte communications would not impair the effectiveness of TruePosition's existing location technologies.

Telecommunications Services, Report On The New Jersey
Wireless Enhanced 9-1-1 System Trial January 22 to April 30,
1997: The First 100 Days at 5 (rel. June 16, 1997).

As the Commission, the public safety community and the wireless industry agree, the availability of wireless E911 capabilities is critical to the public interest. TruePosition encourages the Commission to continue the course of timely implementation of the presently available wireless E911 capabilities so that Americans will benefit from the same access to emergency services in a mobile environment as they do in their homes and offices.

Respectfully submitted,

TruePosition, Inc.



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