

Ad Hoc Alliance for Public Access to 911

Alliance for Technology Access • Arizona Consumers League • National Consumers League • World Institute on Disability • National Emergency Number Association, California Chapter • Crime Victims United • Justice for Murder Victims • California Cellular Phone Owners Association • Florida Consumer Fraud Watch • Center for Public Interest Law • Consumer Action • Consumer Coalition of California • Consumers First • California Alliance for Consumer Protection • Californians Against Regulatory Excess • The Office of Communication of the United Church of Christ • Utility Consumer Action Network • Children's Advocacy Institute

EX PARTE OR LATE FILED

December 8, 1997

The Honorable William Kennard
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

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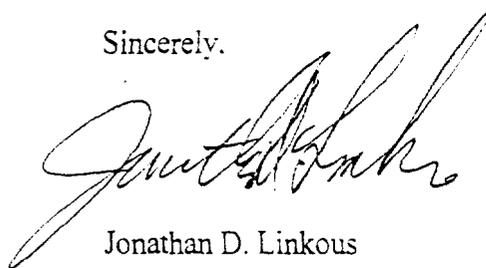
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Exparte Communication
Re: CC Docket No. 94-102

Dear Mr. Chairman:

The Ad Hoc Alliance has been involved in meetings with industry and public safety groups about issues related to the above referenced FCC proceeding on wireless services. The next meeting is scheduled for January 5, 1998 where the group will be discussing proposals made by the Alliance regarding strongest compatible signal. Both sides agreed to provide information related to that meeting by December 15, 1997. We have attached several items of correspondence related to these meetings.

Sincerely,



Jonathan D. Linkous

cc: John Cimko, FCC Wireless Division
Ari Fitzgerald
Magalie R. Salas, Secretary



Ad Hoc Alliance for Public Access to 911

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November 12, 1997

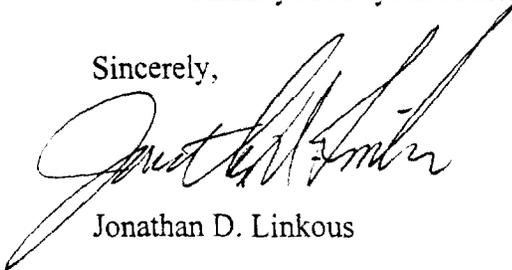
Mr. Jeff Crolick
SCC Communications Corporation
6411 113th Avenue
Temple Terrace, FL 33617

Dear Jeff,

We have prepared and attached a list of material which we expect the wireless industry to produce on or before December 15 as per our agreement to exchange technical information by that date. We will need this material in order to be reasonably prepared for our meetings during the week of January 5, 1998.

Thank you for your courtesy and cooperation.

Sincerely,



Jonathan D. Linkous

enclosed:

cc: Jim Hobson, NENA
Bob Gurs, APCO
Mary Madigan, PCIA
Ed Hall, CTIA

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Questions for Industry:

1. What percentage of the 38,000+ cell sites now deployed in the U.S. have more than 6db difference in measured signal strength between their control and voice channels?
2. What percentage of 9-1-1 call originations using the Alliance proposed Strongest Compatible Signal (SCS) algorithm will result in being assigned a weaker voice channel than that which would be obtained using the existing EIA/TIA-553 algorithm? Why will this occur?
3. What percentage of the 38,000+ cell sites now deployed in the U.S. provide "Portable Grade Coverage" (-95dbm minimum signal level on the street) signal quality throughout their coverage area?
4. What percentage of each Metropolitan Statistical Area (MSA) and Rural Statistical Area (RSA), by carrier, fails to meet the Portable Grade Coverage (-95dbm minimum signal level on the street) signal quality?
5. What is the Busy Hour Call Blockage Ratio (i.e. PO2, PO3, etc.) for the ten busiest cells in each of the top thirty markets, by carrier? (During the business day, i.e. "Peak" and during nights and weekends, i.e. "Non-Peak")
6. What percentage of call connect time (voice channel occupancy) do phones in the top thirty markets experience Carrier to Interference ratios worse than 17db?
7. How many Temporary Directory Numbers (or equivalent) are being maintained in each Mobile Telephone Switching Office (MTSO) in each of the top one hundred markets, by carrier?

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November 26, 1997

Mr. Ed Hall
CTIA
1250 Connecticut Avenue, N.W.
Suite 200
Washington, D.C. 20036

Dear Mr. Hall:

Your e-mail of 11/13/97 rejected a proposed compromise relating to the selection of the "strongest signal" when 9-1-1 is called from a cell phone. The grounds given by you for this rejection is that the consensus position at WEIAD 2 did not include a technical solution. In fact, the proposed compromise is based on technical statements made by representatives of the Wireless Industry, to wit: "the Alliance proposal only works for 553 (IS95 certified) compatible handsets." We accept this contention as true solely for the purpose of our future settlement discussions.

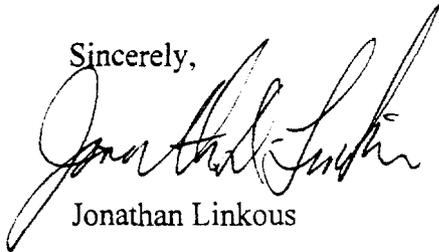
As you know, we were reluctant to engage in further technical discussions relating to our strongest signal and call back proposals because we have clearly made a solid prima facie case before the Commission in support of these proposals. Our case went unchallenged by the Wireless Industry during the comment period. Since that time, however, there have been a number of *ex parte* presentations by members of the Wireless Industry which raise technical issues based on newly deployed PCS systems and remote hypothetical situations. By accepting the industry position that the Alliance strongest signal proposal is limited to IS95 certified handsets, we have taken the PCS system issues off the table for now.

We agreed to go forward with our technical discussions based on the understanding that the Wireless Industry would produce the data which proves or disproves the positions taken by their representatives in regard to the strongest signal and call back issues. To that end, we prepared seven questions which were submitted to Jeff Crollick under cover of my letter of November 12, 1997. There has been no objection to our data request and we believe that it is now fair to assume that this information will be forthcoming on December 15. Please advise me at once if you disagree.

Our effort to focus our discussions is intended to improve our chances to reach an agreement. We recognize that there is no 100% perfect solution to problems caused by anomalies incident to the use of air waves for wireless service. However, the questions sent to Mr. Crollick will help to define and delineate the nature and extent of the "problems" which have been raised by the Wireless Industry with regard to the Alliance's strongest signal proposal. We respectfully submit that this information is the minimum showing required of the Wireless Industry to establish its good faith in these discussions.

Finally, we are not abandoning our position that the PCS carriers have a public service obligation to provide the strongest channel of communication available to 9-1-1 callers and the foregoing should simply be construed as a good faith effort on our part to compromise and reach a solution that is in the public interest and long past due.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Linkous", written in a cursive style.

Jonathan Linkous

CC: John Melcher
Jack Keating
Bill Munn
Jim Hobson
Bob Gurss
Kirk Carlson
Jeff Crollick
Mike Altschul
Wendy Chow
Gary Jones
Art Prest



*Building The
Wireless Future.*

CTIA

Cellular
Telecommunications
Industry Association
1250 Connecticut
Avenue, N.W.
Suite 200
Washington, D.C. 20036
202-785-0081 Telephone
202-785-0721 Fax

December 2, 1997

Mr. Jonathan D. Linkous
Ad Hoc Alliance for Public Access to 911
901 15th St. NW
Suite 230
Washington, DC 20005

Dear Jon:

Thank you for your letters of November 12, and November 26. I was surprised by each of your letters, since your recollection of the WEIAD-2 meeting differed from mine. As the co-chair of the WEIAD, I have carefully reviewed the discussion and agreements obtained during the WEIAD-2, and I am writing to advise you that I have not found any agreement to provide the information requested in your letter.

The exchange of information to be completed by December 15, 1997, was expressly to share the technical data that forms the basis for the current discussion regarding "Strongest Signal". It was not agreed that the December 15th submission of technical documentation would include the research of new data. The Ad Hoc Alliance for Public Access to 911 agreed to provide the existing technical documents supporting their position that "Strongest Signal" will provide the best solution for reliable access to 9-1-1 services. In turn, the wireless industry agreed to provide information regarding EIA/TIA IS-19 and EIA/TIA IS-712, the standards defining Base Station and Mobile Station minimum performance criteria. By meeting in a technical forum, the engineers and subject matter experts can explore the existing data in search of a consensus opinion on how to best achieve the stated goal that "the call must go through."

As you know, the Ad Hoc Alliance's "Strongest Signal" proposal is a handset-based solution. The proposal requires no modifications to wireless carriers' existing networks. Thus, as we agreed in Baltimore, CTIA, at its expense, ordered the required documents from TIA that define the technical specifications for handset operation. I have just received these documents, and they are included with this letter well in advance of the December 15th deliverable date. The information that you requested describes carriers' networks, not the operation and interaction of the handset with the carrier-generated control signal. Not only is this information not relevant to the technical evaluation of your proposal, the information is not readily available. While I don't



even know if carriers would make such information available, I do know that to even ascertain the availability of the information you have requested would take much longer than December 15, and would needlessly delay our efforts -- and our joint commitment -- to meet to resolve the technical issues during the first week of January, 1998.

We look forward to sharing our promised standards information and anticipate receiving your documentation by December 15th, 1997. This will allow the engineers and subject matter experts from both sides to rationally discuss the technical merits of the issue. It is our sincere desire that a resolution acceptable to both sides will be achieved, allowing agreement on implementation immediately.

Thank you for your participation in the effort to provide the best 9-1-1 service possible.

Sincerely,

A handwritten signature in cursive script that reads "Ed Hall". To the right of the signature is a small circular stamp containing the initials "EH".

Ed Hall
Assistant Vice President
Science and Technology

Enclosure

Ad Hoc Alliance for Public Access to 911

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December 5, 1997

Mr. Ed Hall
CTIA
1250 Connecticut Avenue, N.W.
Suite 200
Washington, D.C. 20036

Dear Ed:

Your letter of December 2, 1997 states that “[t]he exchange of information to be completed by December 15, 1997, was expressly to share the technical data that forms the basis for the current discussion regarding the ‘Strongest Signal’”. The ‘discussion’ by the wireless industry of our Strongest Signal proposal, at the time of our Baltimore meeting, included several examples of situations which, it was argued by the industry, mitigated against this proposal. We agreed to further meetings with the clear understanding that the wireless industry would provide us with the technical information which documents and supports *any argument* that our Strongest Signal proposal will not work. This means a written detailed technical description of the reasons for such contentions, together with supporting engineering information.

All subject matter experts on wireless, yours and ours, use the same publicly available EIA/TIA Standard reference materials in the performance of their jobs. To suggest that the wireless industry is now sharing some secret document with this uniformed consumer group is an insult to us all. If you intend to use these specific documents to support *any* argument that the Strongest Signal solution is not feasible or workable, we must insist that you abide with our agreement to exchange technical data and provide us on, or before December 15, 1997, with the exact written, detailed technical reasons for your contention along with the appropriate page and paragraph references to these documents.

Your letter correctly refers to the Alliance Strongest Signal proposal as a "*handset-based solution*" that is concerned with and intimately involves the "*operation and interaction of the handset with the carrier generated control signal*". Your letter then blatantly dismisses as irrelevant, our request for information from the wireless industry to define how well and how often this "*carrier generated control signal*" is being provided to the handset. Our Strongest Signal solution recognizes that the handset does not exist and work in a vacuum. The network service provider is the other key element to the completion of the call for help. How much more germane and relevant can this requested information be?

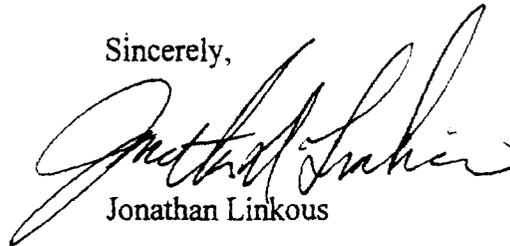
Your letter also correctly states that the Strongest Signal "*proposal requires no modification to the wireless carrier's existing network*." The Alliance has always been in complete recognition that the wireless industry was not going to eliminate the "holes in coverage" we found and documented during our trials by enhancing their network coverage until market pressures forced the wireless industry to do so -- if ever. We also believe that no enhancement in coverage is even possible in some situations, no matter what the carrier attempts. This is exactly the reason the Alliance made the Strongest Signal proposal, which focuses entirely on the handset decision making process at the time an emergency call is being placed, to resolve this issue, in the vast majority of cases, and enable the emergency call to go through.

As stated, the handset does not function in a vacuum, but must remain constantly aware of its environment and cooperate with the land station to perform its functions for the user. The rule the Alliance proposes to change is part of the EIA/TIA-553 standard on how the mobile and land stations interact with each other. This standard (EIA/TIA-553) is where the technical discussion must focus if a meaningful discussion is ever to take place. Instead, you send us copies of EIA/TIA-712 and EIA/IS-19-B, which deal specifically with how Base Stations and Mobile Stations operate *independent of each other*.

Telling us that by "*meeting in a technical forum, the engineers and subject matter experts can explore the existing data in search of a consensus opinion on how to best achieve the stated goal that the call must go through*", is beyond all credible reason. You are again attempting to ignore the forest and focus on the trees. The purpose of the meeting is to discuss, with the industry, the industry provided (on or before December 15, 1997) detailed written technical description, with engineering support, of any alternative solution(s). This is the technical meeting the Alliance agreed to attend, not another industry effort to delay and postpone FCC action on the Alliance proposal.

Our questions to Mr. Crolick were intentionally brief and focus entirely on the network issues that have brought the Alliance proposal to light. We expect to see the answers to these seven questions on or before December 15, 1997. More than twenty days have elapsed since our request. May we respectfully suggest that good faith requires an effort on your part to inquire as to the availability of this information? Each and every carrier is well aware of all of the locations within their systems that fail to provide portable grade coverage. This is especially true of the "engineers and subject matter experts" you suggest will be attending this meeting. If these people insist that they do not have this knowledge, or that they are unwilling to provide the answers to these few questions, then no meaningful discussion is possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Linkous", written in a cursive style.

Jonathan Linkous

cc: The Honorable William Kennard, Chairman, FCC
John Cimko, FCC Wireless Division