

CTIA

Cellular Telecommunications Industry Association

Thomas E. Wheeler

President, CEO

August 26, 1998

Ms. Leah Senitte
President
National Emergency Number Association
State of California 9-1-1 Program
601 Sequoia Pacific Boulevard
Sacramento, CA 95814-0282

Dear Leah,

CTIA is proud of what our associations have accomplished working together to enhance the safety of our communities and to save people's lives. Today, by this letter and through my videotaped remarks to the participants at our jointly-sponsored *Location Implementation Conference for Phase 2 E9-1-1 Location Technology*, I am inviting you to join with CTIA in developing a plan for implementing wireless E9-1-1 service on a coordinated basis.

Every day, CTIA's members deliver more than 83,000 lifesaving 9-1-1 calls to the public safety professionals that make up your associations. We can all stand tall for what our industry, working collectively, is doing across America, but the challenge facing us now is to raise our accomplishments to the next level. Our goal is very clear: when a caller dials 9-1-1 on a wireless phone, we want the call to go through to the appropriate PSAP, and for that PSAP to know the caller's location and call-back number.

As you know, it was CTIA that negotiated the wireless E9-1-1 "Consensus Agreement" with the public safety industry. Together, we presented our proposal to the FCC, and our agreement provided the basis for the FCC's Phase 1 and Phase 2 wireless E9-1-1 rules. As today's conference clearly demonstrates, the Consensus Agreement unleashed unprecedented research efforts to develop new technologies that will enable wireless carriers to provide lifesaving location information to PSAPs when a person uses a wireless phone to call 9-1-1.



Ms. Leah Senitte
August 26, 1998
Page 2

Wrestling the laws of physics to the ground to develop multiple technologies for E9-1-1 was the easy part of the job – now comes the hard part: working together, we need to wrestle with the issues that stand in the way of implementing the Phase 1 and Phase 2 wireless E9-1-1 capabilities. Unfortunately, there are a myriad of issues that must be addressed before we can deliver the services that technology can now provide. These include establishing cost-recovery mechanisms that are acceptable to PSAPs, carriers, Federal and state policymakers, and most importantly, to the public we all serve; establishing the interoperability and connectivity of the wireless, wireline, and PSAP networks and insuring the availability of the equipment (and associated operating systems) required for wireless E9-1-1 location service; harnessing the competition issues confronting carriers and their vendors who offer wireless E9-1-1 technologies; and addressing the thorny subject of legal liability, and the even thornier complexities of human nature that lead different people, all with access to the same information, to bet on different horses.

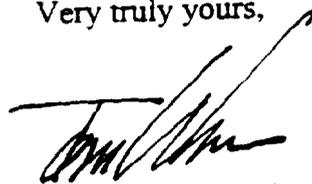
Facing the task ahead, we shouldn't lose sight of what we've already accomplished through our joint efforts. To respond to the priorities established in 1994 by the public safety associations, we jointly developed the original Consensus Agreement and presented it the FCC. Unfortunately, some outside of the public safety and wireless carrier communities have seized on what we sought to develop as an opportunity to bring forward their own ideas as to how the issue of wireless E9-1-1 and public safety should be addressed. While we sought, through the Consensus Agreement, a coordinated approach that would best meet our common needs, the FCC has frustrated the realization of our approach by its tendency to deal with wireless E9-1-1 issues on an *ad hoc* basis. While *ad hoc* decision-making may be appropriate for other policy matters, the FCC's actions in CC Docket 94-102 have exacerbated the resolution of the wireless E9-1-1 implementation issues that can be best addressed through the organized and collective efforts of wireless industry and public safety professionals.

I believe that the time has come to reassemble the group that developed the Consensus Agreement. I invite NENA and APCO to join CTIA in addressing the issues that stand in the way of implementing the Phase 1 and Phase 2 wireless E9-1-1 capabilities. Our goal should be to develop a plan that will resolve all of the wireless E9-1-1 implementation issues on a coordinated basis. We should resolve to develop an implementation plan we can jointly present to the FCC, and we should urge the Commission to address these issues on a collective, coordinated basis, rather than through piecemeal and *ad hoc* decision-making.

Ms. Leah Senitte
August 26, 1998
Page 3

On behalf of CTIA, I am personally committed to the success of this effort. The carriers who deliver emergency calls and the public safety professionals who receive them are in the best position to develop an implementation plan that will complete the work we started with the original Consensus Agreement. I invite you to join CTIA in realizing the promise of wireless E9-1-1 capabilities.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tom Wheeler', with a long, sweeping flourish extending upwards and to the right.

Thomas E. Wheeler

August 26, 1998

Mr. Jack Keating
President
Association of Public-Safety Communications Officials
City of West Covina
PO Box 1440
West Covina, CA 91793-1440

Dear Jack,

CTIA is proud of what our associations have accomplished working together to enhance the safety of our communities and to save people's lives. Today, by this letter and through my videotaped remarks to the participants at our jointly-sponsored *Location Implementation Conference for Phase 2 E9-1-1 Location Technology*, I am inviting you to join with CTIA in developing a plan for implementing wireless E9-1-1 service on a coordinated basis.

Every day, CTIA's members deliver more than 83,000 lifesaving 9-1-1 calls to the public safety professionals that make up your associations. We can all stand tall for what our industry, working collectively, is doing across America, but the challenge facing us now is to raise our accomplishments to the next level. Our goal is very clear: when a caller dials 9-1-1 on a wireless phone, we want the call to go through to the appropriate PSAP, and for that PSAP to know the caller's location and call-back number.

As you know, it was CTIA that negotiated the wireless E9-1-1 "Consensus Agreement" with the public safety industry. Together, we presented our proposal to the FCC, and our agreement provided the basis for the FCC's Phase 1 and Phase 2 wireless E9-1-1 rules. As today's conference clearly demonstrates, the Consensus Agreement unleashed unprecedented research efforts to develop new technologies that will enable wireless carriers to provide lifesaving location information to PSAPs when a person uses a wireless phone to call 9-1-1.



Mr. Jack Keating
August 26, 1998
Page 2

Wrestling the laws of physics to the ground to develop multiple technologies for E9-1-1 was the easy part of the job – now comes the hard part: working together, we need to wrestle with the issues that stand in the way of implementing the Phase 1 and Phase 2 wireless E9-1-1 capabilities. Unfortunately, there are a myriad of issues that must be addressed before we can deliver the services that technology can now provide. These include establishing cost-recovery mechanisms that are acceptable to PSAPs, carriers, Federal and state policymakers, and most importantly, to the public we all serve; establishing the interoperability and connectivity of the wireless, wireline, and PSAP networks and insuring the availability of the equipment (and associated operating systems) required for wireless E9-1-1 location service; harnessing the competition issues confronting carriers and their vendors who offer wireless E9-1-1 technologies; and addressing the thorny subject of legal liability, and the even thornier complexities of human nature that lead different people, all with access to the same information, to bet on different horses.

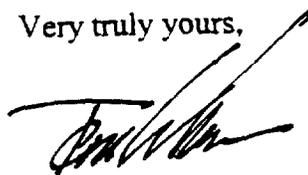
Facing the task ahead, we shouldn't lose sight of what we've already accomplished through our joint efforts. To respond to the priorities established in 1994 by the public safety associations, we jointly developed the original Consensus Agreement and presented it the FCC. Unfortunately, some outside of the public safety and wireless carrier communities have seized on what we sought to develop as an opportunity to bring forward their own ideas as to how the issue of wireless E9-1-1 and public safety should be addressed. While we sought, through the Consensus Agreement, a coordinated approach that would best meet our common needs, the FCC has frustrated the realization of our approach by its tendency to deal with wireless E9-1-1 issues on an *ad hoc* basis. While *ad hoc* decision-making may be appropriate for other policy matters, the FCC's actions in CC Docket 94-102 have exacerbated the resolution of the wireless E9-1-1 implementation issues that can be best addressed through the organized and collective efforts of wireless industry and public safety professionals.

I believe that the time has come to reassemble the group that developed the Consensus Agreement. I invite NENA and APCO to join CTIA in addressing the issues that stand in the way of implementing the Phase 1 and Phase 2 wireless E9-1-1 capabilities. Our goal should be to develop a plan that will resolve all of the wireless E9-1-1 implementation issues on a coordinated basis. We should resolve to develop an implementation plan we can jointly present to the FCC, and we should urge the Commission to address these issues on a collective, coordinated basis, rather than through piecemeal and *ad hoc* decision-making.

Mr. Jack Keating
August 26, 1998
Page 3

On behalf of CTIA, I am personally committed to the success of this effort. The carriers who deliver emergency calls and the public safety professionals who receive them are in the best position to develop an implementation plan that will complete the work we started with the original Consensus Agreement. I invite you to join CTIA in realizing the promise of wireless E9-1-1 capabilities.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom Wheeler", with a long, sweeping flourish extending upwards and to the right.

Thomas E. Wheeler

ATTACHMENT 3



AUDIOVOX
COMMUNICATIONS CORP.

June 2, 1998

Jonathon D. Linkous
C/o Ad Hoc Alliance for Public Access to 911
901 15th Street N.W. Suite 230
Washington, D.C. 20005

Dear Mr. Linkous,

We have been advised your organization has reported to the Federal Communication Commission that Audiovox wrongly claims its cellular telephones, "select the strongest signal when an emergency number is dialed."

Your statement incorrectly describes what we advertise our phones will do when an emergency number is dialed. Enclosed is our informational brochure. You will note item #4 states:

"Flashing no service indicates service is available but the phone's preferences are set in such a way that it is not allowing that service to be used for placing calls. If a 911 call is placed, the phone disregards the set preferences of the phone and rescans for ANY available service to place the call."

In other words, when a service is available but the phone has been programmed to block that carrier, our phone will override this block, in the case of an emergency, and scan the preferred then non-preferred carrier, only when its preferred carrier is not available.

We trust that you will now correct your filed statements with 1) the FCC and 2) make no further incorrect statements about our products or our advertisements.

Paul Wilkinson - Vice President Cellular Engineering & Service

Cc: Philip Christopher, James Barnett, Tim Jeffries, Robert Levy (General Counsel)



AUDIOVOX
COMMUNICATIONS CORP.



AUDIOVOX™ **COMMUNICATIONS CORP.**

An Audiovox MVX505 can have 2 different setup conditions based on the programming of the phone, with 5 distinct cases associated with each. Each of the 2 setups will cause the receive function of the phone to behave differently in what it is capable of receiving. They are listed below along with a background description of how a 911 call would be placed during each condition (and if possible).

SID management turned off

1.) No ROAM indication with signal strength:

The phone is operating in the "HOME" system signal area. If 911 is called, the call will be placed through the "HOME" system cellsite. The "HOME" system is always preferred over other service providers when placing calls.

2.) ROAM indication with signal strength:

The phone is using a preferred "ROAM" service provider. If a call is placed other than 911, the phone will rescan to look for a "HOME" service provider. If it finds the "HOME" service it will place the call on it. If not, it places the call on the "ROAM" service. If a 911 call is placed, the phone does not rescan. It will place the call on the "ROAM" service.

3.) FLASHING ROAM indication with signal strength:

The phone is using a non-preferred "ROAM" service provider. If a call is placed other than 911, the phone will rescan to look for a "HOME" service provider. If it finds the "HOME" service provider, it will place the call on it. If not, it places the call on the non-preferred "ROAM" service. If a 911 call is placed, the phone does not rescan. It will place the call on the non-preferred "ROAM" service.

4.) FLASHING NO SVC with signal strength:

Flashing no service indicates service is available but the phone's preferences are set in such a way that it is not allowing that service to be used for placing calls. If a 911 call is placed, the phone disregards the set preferences of the phone and rescans for ANY available service to place the call.

(continued on next page)

5.) **CONSTANT NO SVC with no signal strength:**

There is no service provider in the area and the cellular phone is not detecting ANY available service. A 911 call cannot be placed since there is no service provider to place the call with.

SID management turned on

1.) **NO ROAM indication with signal strength:**

The phone is operating in the "HOME" or "BROTHER/SISTER" system signal area. If 911 is called, the call will be placed through the "HOME" service provider. The "HOME" system is always preferred over other service providers when placing calls.

2.) **ROAM indication with signal strength:**

The phone is using a "COUSIN" service provider. If a call is placed other than 911, the phone will rescan to look for a "HOME" service provider. If it finds the "HOME" service it will place the call on it. If not it places the call on the "COUSIN" service. If a 911 call is placed, the phone does not rescan. It will place the call on the "COUSIN" service.

3.) **FLASHING ROAM indication with signal strength:**

The phone is using a non-preferred "ROAM" service provider which is not part of the SID family management list. If a call is placed other than 911, the phone will rescan to look for a "HOME" service provider 1st, a "BROTHER/SISTER" service provider 2nd and then a "COUSIN" 3rd. If it finds either of those 3 services available, the call will be placed on that available service. If not, it places the call on the non-preferred "ROAM" service. If a 911 call is placed, the phone does not rescan. It will place the call on the non-preferred "ROAM" service.

4.) **FLASHING NO SVC with signal strength:**

Flashing no service cannot happen with SID family management active. It will show up as a flashing roam if service is available but is not listed within the "HOME", BROTHER/SISTER or "COUSIN" SID lists. It would act as if #3 above.

(continued on next page)

5.) **CONSTANT NO SVC** with no signal strength:

There is no service provider in the area and the cellular phone is not detecting **ANY**. A 911 call cannot be placed because there is no service provider to place the call.

These are all the conditions available at the phone. The phone works as one would reasonably expect under a "flashing no svc" condition. This one condition bypasses the normal operation of the phone and places the 911 call on **ANY** available service provider.