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January 22, 2015

VIA ELECTRONIC FILING

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

**Re: Wireless E911 Location Accuracy Requirements, PS Docket No. 07-114;  
Notice of *Ex Parte* Presentation**

Dear Ms. Dortch:

On January 20, 2015, Kristin Dial of Southern Communications Services, Inc. d/b/a SouthernLINC Wireless (“SouthernLINC Wireless”) and David Rines of Lerman Senter PLLC met separately with Daniel Alvarez (Legal Advisor to Chairman Wheeler), Louis Peraertz (Legal Advisor to Commissioner Clyburn), Priscilla Argeris (Legal Advisor to Commissioner Rosenworcel), Brendan Carr (Legal Advisor to Commissioner Pai), and Erin McGrath (Legal Advisor to Commissioner O’Rielly) to discuss the proposals in the draft order currently under consideration in the above-referenced proceeding.

SouthernLINC Wireless understands that the draft order includes new location accuracy requirements for both horizontal (x/y-axis) and vertical (z-axis) location information that would exclude any location information or measurements obtained through the use of satellite-assisted technologies. SouthernLINC Wireless further understands that the rationale for excluding satellite-generated measurements is to create a proxy for “indoor-only” 9-1-1 calls, based on the assumption that satellite-assisted technologies are unable to provide location information for wireless 9-1-1 calls made from indoor locations. During its meetings, SouthernLINC Wireless discussed the significant concerns it has with this element of the draft order.

SouthernLINC Wireless stated that it uses A-GPS for obtaining Phase II location information for wireless calls made on its network to 9-1-1. SouthernLINC Wireless explained that, as an iDEN-based carrier, A-GPS is the sole method available to it for obtaining Phase II location information due to the lack of manufacturer and vendor support for the development of alternative solutions that are compatible with iDEN. Although SouthernLINC Wireless has been able to obtain indoor location fixes with A-GPS, the arbitrary exclusion of satellite-generated location fixes would effectively prohibit SouthernLINC Wireless from satisfying the draft order’s new metrics regardless of the company’s actual location accuracy performance. Not only



is the draft order's new metric not technology neutral, but it is based on an inherently flawed assumption that does not establish a reasonable proxy for measuring indoor-only location performance. Accordingly, SouthernLINC Wireless agrees with other parties to this proceeding that the exclusion of satellite-generated location fixes would be arbitrary and capricious.<sup>1</sup> SouthernLINC Wireless furthermore agrees that the blended "all calls" approach set forth in the "Roadmap" submitted by APCO, NENA, and the nationwide carriers and in the "Parallel Path" submitted by the Competitive Carriers Association ("CCA") provides a much more appropriate metric for capturing indoor location accuracy performance.<sup>2</sup>

With respect to vertical location fixes, SouthernLINC Wireless expressed skepticism as to whether a suitable "z-axis" technology could be sufficiently developed, tested, standardized, implemented, and made reasonably available for widespread deployment within the six-year timeframe envisioned in the draft order. SouthernLINC Wireless also expressed concern over any new location accuracy requirement that would effectively compel adoption of a sole-source technology solution.

As in its previous filings in this proceeding, SouthernLINC Wireless again emphasized that any new metrics, requirements, or milestones must take into account the circumstances and operational realities of non-nationwide regional and rural wireless carriers who lack the extensive resources and influence of the four nationwide carriers. As the Commission has previously recognized, smaller regional and rural carriers are often "pushed to the end of the supply line by vendors" when trying to obtain the necessary technology, equipment, and vendor support. Thus, regional and rural carriers will generally be unable to begin deploying the new technologies and equipment needed to meet the location accuracy goals of this proceeding until well after the nationwide carriers. Accordingly, SouthernLINC Wireless urged that non-nationwide regional and rural carriers be given additional time to meet relevant deployment and compliance benchmarks, as recommended in CCA's "Parallel Path." SouthernLINC Wireless noted that the Commission previously found this approach to be necessary and appropriate during the initial stages of E911 Phase II implementation.<sup>3</sup>

Based on its experiences during the implementation of E911 Phase II, SouthernLINC Wireless also expressed concern over the draft order's reliance on the Commission's general waiver process as a means of relief for regional and rural carriers who may face difficulties in meeting the new location accuracy requirements. Accordingly, SouthernLINC Wireless urged that the Commission adopt a waiver process that includes clear guidelines and factors that will be taken into consideration when evaluating waiver requests, such as:

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<sup>1</sup> / Joint Notice of *Ex Parte* Presentation of APCO, NENA, AT&T Mobility, Sprint, T-Mobile, Verizon, and CTIA filed Jan. 14, 2015, at 2; *See also* Notice of *Ex Parte* Presentation of TeleCommunication Systems, Inc. filed Jan. 16, 2015.

<sup>2</sup> / Joint Notice of *Ex Parte* Presentation of APCO, NENA, AT&T Mobility, Sprint, T-Mobile, Verizon, and CTIA at 2-3; Notice of *Ex Parte* Presentation of TeleCommunication Systems, Inc. at 2 and Attachment at 14; Notice of *Ex Parte* Presentation of the Competitive Carriers Association filed Jan. 16, 2015.

<sup>3</sup> / *See Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, Order to Stay, 17 FCC Rcd 14841 (2002).



- Whether the carrier is transitioning or planning to transition to a new network platform (such as LTE);
- Whether the carrier is facing impediments to obtaining and/or deploying needed technology or equipment, including, but not limited to:
  - Unavailability;
  - High cost;
  - Unforeseeable technical issues;
  - System or network compatibility issues;
  - Problems or delays with third-party vendors or suppliers;
  - Delays in zoning, permitting, or access to buildings or rights-of-way (this factor could be especially significant to the extent new location solutions require the deployment of additional antennas, small cells, in-building beacons or sensors, etc.);
- Whether the carrier is experiencing customer resistance to upgrading or exchanging CPE (such as handsets);
- Whether full compliance by any applicable deadlines would impose a financial burden or hardship on the carrier, considering such factors as:
  - The overall cost or expense of compliance;
  - The extent to which the carrier is able to spread its cost over its customer base in an economically feasible manner;
  - The carrier's access to the necessary capital.

Finally, SouthernLINC Wireless expressed concern over a provision in the draft order that would require carriers to file privacy and security plans with the Public Safety and Homeland Security Bureau and to obtain the Bureau's approval and certification of these plans before they may begin using updated E911 location systems. SouthernLINC Wireless explained that although it does not object to the idea of a privacy and security plan in principle, additional notice and comment is required regarding the specifics of this proposal before a formal filing requirement is adopted.



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In accordance with the Commission's rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of this proceeding.

Very truly yours,

/s/ David D. Rines

David D. Rines  
Lerman Senter PLLC  
Counsel to SouthernLINC Wireless

cc: Daniel Alvarez  
Louis Peraertz  
Priscilla Argeris  
Brendan Carr  
Erin McGrath