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January 23, 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 22, 2015, 2014, Kristin Dial, Alan McIntyre, and David Woodham of Southern Communications Services, Inc. d/b/a SouthernLINC Wireless (“SouthernLINC Wireless”) and David Rines of Lerman Senter PLLC met via conference call with David Furth, Timothy May, David Siehl, and Michael Connelly of the Public Safety and Homeland Security Bureau to discuss the proposals in the draft order currently under consideration in the above-referenced proceeding.

SouthernLINC Wireless expressed the significant concerns it has with the new location accuracy requirements that it understands to be in the draft order that would exclude any location information or measurements obtained through the use of satellite-assisted technologies. The Bureau clarified that the “satellite exclusion” in the draft order would apply only to location fixes that are generated solely by satellite and not to fixes obtained through hybrid or other technologies in which satellite is a component. SouthernLINC Wireless explained, however, 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.

SouthernLINC Wireless stated that the draft order’s new metric is not technology neutral and is based on an inherently flawed assumption that does not establish a reasonable proxy for measuring indoor-only location performance. Accordingly, SouthernLINC Wireless submits that while the draft order’s “satellite exclusion” may result in a metric that is useful for study, it does not provide a rational basis for an enforceable mandate.



We then discussed the extent to which the proposed commitments set forth by the nationwide carriers in the “Roadmap” (and subsequent “Supplement”¹), as well as those set forth in the Competitive Carrier Association’s “Parallel Path,”² could be met by non-nationwide regional and rural carriers. SouthernLINC Wireless stated that if the nationwide carriers are able to achieve these proposed milestones, regional and rural carriers should be able to achieve them as well, but would need additional time because the necessary technology, equipment, and vendor support will generally not become available to them until after the nationwide carriers have completed (or substantially completed) their own implementation. SouthernLINC Wireless also noted that any delays in implementation or deployment by the nationwide carriers will necessarily create downstream delays for regional and rural carriers that are beyond the smaller carriers’ control.

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” – and noted that the Commission previously found this approach to be necessary and appropriate during the initial stages of E911 Phase II implementation.³

In addition, SouthernLINC Wireless 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. Based on its experiences during the implementation of E911 Phase II, SouthernLINC Wireless submits that the waiver process should include clear guidelines and factors that will be taken into consideration when evaluating waiver requests, such as:

- 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;

¹ / Joint Notice of *Ex Parte* Presentation of AT&T Mobility, Sprint, T-Mobile, and Verizon filed Jan. 21, 2015.

² / Notice of *Ex Parte* Presentation of the Competitive Carriers Association filed Jan. 16, 2015.

³ / 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).



- 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 its concern over the provision in the draft order that would require carriers to file privacy and security plans with the Public Safety and Homeland Security Bureau. The Bureau clarified that such a plan would have to be submitted before a carrier accesses the proposed National Emergency Number Database (“NEAD”). SouthernLINC Wireless responded that although it does not object to the idea of a privacy and security plan in principle, additional notice and comment is needed regarding the specifics of this proposal before a formal filing requirement is adopted.

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: David Furth
Timothy May
David Siehl
Michael Connelly