

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

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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
RM-8143

Reply Comments of Motorola, Inc.

Motorola, Inc., ("Motorola") hereby submits its Reply Comments in response to comments regarding the *ex parte* presentation filed by the Ad Hoc Alliance for Public Access to 9-1-1 ("Alliance") on September 17, 1998. For the reasons set forth herein, Motorola agrees with the concern expressed by commenters about the Alliance's modified proposal and urges the Commission to remand consideration of this proposal to the Wireless E9-1-1 Implementation Ad Hoc ("WEIAD") group, which was formed to address technical wireless E9-1-1 issues. Motorola also asks that the Commission complete the review of this proposal and expeditiously address the other pressing matters concerning wireless E9-1-1 implementation.

BACKGROUND

In its Further Notice of Proposed Rule Making concerning this matter, the Commission began discussion and sought comment on an Alliance proposal to require all wireless E9-1-1 calls be sent to the wireless system with the strongest control channel signal.¹ The Alliance

¹ See Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *Report and Order and Further Notice of Proposed Rulemaking*, 11 FCC Rcd 18676 at ¶¶ 144-148 (1996).

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proposal was strongly opposed by commenters due to concerns about its technical feasibility,² leading the Alliance to modify its proposal to require wireless telephones to select the strongest “compatible” signal.³ Despite this modification and later, a change to limit its strongest signal proposal to cellular phones operating in the analog mode,⁴ the Alliance has failed to engender any support for its proposal. The Alliance’s latest proposal, filed on September 17, 1998, further modifies its proposal to require switching to the alternate system/provider if the signal from the user’s preferred provider is “inadequate” at the time the call is placed.

I. The Commission Should Remand Consideration of the Alliance Proposal to the WEIAD.

As is apparent from the current round of comments from the wireless industry and public safety community, significant concern remains surrounding the latest Alliance proposal.⁵

Motorola also has concerns about this proposal and agrees with commenters that such a proposal is best studied by appropriate technical bodies in order that a consensus can be reached by all parties affected by wireless E9-1-1 service, including public safety organizations, wireless service providers and wireless equipment manufacturers.

Motorola agrees with commenters that the WEIAD is the appropriate forum for consideration of the Alliance proposal and asks that the Commission designate it to resolve this outstanding matter. Because the WEIAD was specifically formed to address technical issues

² See e.g., December 15, 1995 Comments of PCIA at 6-7, Southwestern Bell Mobile Systems, Inc. at 2.

³ See Reply Comments of Ad Hoc Alliance for Public Access to 911 at 5-6 filed on January 16, 1996.

⁴ See Separate Report of the Ad Hoc Alliance for Public Access to 911 at 7-9 and Attachment 5 filed on January 30, 1998.

⁵ See e.g., October 7, 1998 Comments of AirTouch Communications, Inc. at 3-4, BellSouth

concerning wireless E9-1-1 implementation and because it consists of representatives from all parties with an interest in wireless E9-1-1 service, Motorola recommends that the Commission empower the WEIAD to drive expeditiously the standards necessary to accomplish wireless E9-1-1 call completion improvement. Motorola further suggests that the Commission stipulate that the recommended position reached through the WEIAD process be the appropriate method for ensuring improved public access to wireless E9-1-1 service.

II. The Commission Should Strive to Resolve the Other Outstanding Issues Concerning Wireless E9-1-1 Implementation.

While debate has raged for several years concerning this series of Alliance proposals, other issues remain pending before the Commission that have a direct effect on the rapid implementation of wireless E9-1-1 services. Motorola urges the Commission to move expeditiously to resolve the outstanding issues from its Further Notice as well as the requests for reconsideration filed concerning its Memorandum Opinion and Order in this docket. Specifically, Commission guidance is needed concerning the issues of legacy cellular phones - both analog and digital - and how handset-based solutions may fit into the Phase II location requirements and clarification of the Commission's decision regarding location accuracy.

In particular, Motorola concurs with those parties supporting CTIA's request that the Commission address more specifically how mobile-assisted automatic location identification ("ALI") solutions fit within the technology-neutral framework adopted in the recent E9-1-1 Memorandum Opinion and Order.⁶ As CTIA suggests, "[i]n the absence of more specific

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Corporation at 5-7, September 22, 1998 Comments of APCO and NASNA at 1-2, NENA at 1.

⁶ Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Calling

regulatory guidance governing the transition to Phase II, [mobile-assisted] technology could be unnecessarily discouraged.”⁷ Without a clear understanding of how legacy handsets should be treated, the Commission may inadvertently undercut its policy of technologically neutral rules. In the absence of clear guidelines on replacement and modification of existing handsets, the industry may by default have to standardize to use only network-based location technologies for all wireless E9-1-1 systems. These solutions, however, may not be optimal from a location technology perspective, and may not be the most efficient, timely solutions and cost-effective for all wireless technologies.

Additionally, as both Ericsson and Motorola have previously brought to the Commission’s attention in *ex parte* communications,⁸ clarification concerning how a carrier would meet the Phase II ALI Root Mean Square (“RMS”) accuracy requirement is needed. WEIAD-5, which met on September 10, 1998, achieved consensus on how location accuracy should be measured and this consensus position should be approved and utilized by the Commission for wireless E9-1-1 systems. The consensus position adopted was as follows:

“Phase II location will be attempted on all 9-1-1 calls routed toward a PSAP and will be accurate to within 125 meters in 67% of these cases.”

Motorola urges the Commission to adopt the WEIAD-5 consensus position concerning Phase II location accuracy.

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Systems, *Memorandum Opinion and Order*, CC Docket No. 94-102 (Dec. 23, 1997) (“*E911 Recon Order*”).

⁷ CTIA Petition at 23.

⁸ See *Ex Parte Communications* by Ericsson on March 20, 1998 and April 6, 1998, *Ex Parte Notification* by Motorola on July 22, 1998.

Carriers and manufacturers of wireless products must make technology decisions in the next year in order to ensure Phase II location capabilities are in place by 2001. Without Commission direction concerning these issues, implementation of wireless E9-1-1 systems will continue to be hindered by uncertainty.

CONCLUSION

For the reasons set forth above, the Commission should remand consideration of the Alliance proposal to the WEIAD, the technical organization developed to determine the feasibility and practicality of such a proposal or other proposals that could lead to improvements in wireless E9-1-1 call completion. Moreover, Motorola urges the Commission to move forward in addressing all the issues surrounding the implementation of wireless E9-1-1 services, removing existing impediments to the availability of such service.

Respectfully submitted,

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