



UNITED STATES  
TELEPHONE  
ASSOCIATION

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

May 20, 1999

DOCKET FILE COPY ORIGINAL

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 - 12<sup>th</sup> Street, SW - TW-A325  
Washington, D.C. 20554

Re: USTA Comments in CC Docket No. 97-213

Dear Ms. Roman Salas:

The United States Telephone Association inadvertently omitted the service list from its filing on May 17, 1999. Enclosed is a copy of our comments with the service list attached.

Sincerely,

A handwritten signature in cursive script that reads "Linda L. Kent".

Linda L. Kent  
Associate General Counsel

cc: Service List

No. of Copies rec'd \_\_\_\_\_  
List ABCDE

*249*

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

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MAY 20 1999  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Communications Assistance for Law ) CC Docket No. 97-213  
Enforcement Act: Revenue Estimates of )  
Five Manufacturers )

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**COMMENTS  
OF THE  
UNITED STATES TELEPHONE ASSOCIATION**

The United States Telephone Association (USTA) respectfully submits its comments in the above-referenced proceeding. USTA is the principal trade association of the local exchange carrier (LEC) industry. Its members provide over 95 percent of the incumbent LEC-provided access lines in the U.S. USTA's member companies are subject to the requirements of the Communications Assistance for Law Enforcement Act (CALEA).

In a Public Notice released May 7, 1999, the Office of Engineering and Technology (OET) has requested comment on revenue data estimates supplied by five manufacturers. In its Reply Comments filed January 27, 1999, USTA explained the importance of the type of cost information contained in the Public Notice. Cost considerations, such as the revenue estimates filed by the five manufacturers, are an essential component in determining how the assistance capability requirements of Section 103 are to be met. Section 107 of CALEA requires that, in the event that an industry standard or technical requirements are found to be deficient, new technical standards may be established which 1) meet the assistance capability requirements of Section 103 *by cost efficient means*; 2) protect the privacy and security of communications not authorized to be intercepted; 3) *minimize the cost* of such compliance on residential ratepayers;

4) serve the policy of the United States to encourage the provision of new technologies and services to the public; and, 5) provide a reasonable time and conditions for compliance with and the transition to any new standard, including defining the obligations of telecommunications carriers under Section 103 during any transition period. The Commission does not have the authority to ignore these criteria in its deliberations as the Department of Justice (DOJ) has suggested.

USTA has expressed its concern regarding the absence of information on the record as to the manufacturers' costs and joined with the other industry trade associations in requesting that Attorney General Reno provide cost information to the Commission which it has obtained from some manufacturers. Unfortunately, the DOJ has refused to make that information part of the record in this proceeding, attempting to argue instead that cost is not relevant. While USTA understands the proprietary nature of some of this data, the Act requires that cost information be considered. Therefore, the Commission must use whatever means it can to collect and utilize cost data such as that provided in the Public Notice.

USTA appreciates OET's observation that the revenue estimates supplied by the manufacturers do not represent all CALEA-related software and equipment revenues anticipated by them, do not include all manufacturers and are not readily comparable because they are based on differing assumptions and differing methodologies. The fact is, these estimates are very conservative, but provide a basis for understanding how expensive implementation of CALEA will be. Carriers have placed on the record estimates of the additional capability and capacity costs which carriers will incur to implement CALEA. Such costs include the additional software and hardware costs to support the software functions and delivery of surveillance as well as training and installation. If the capability is provided over several software loads or carriers must

purchase additional software loads due to the vintage of the switch, costs will be higher.

Hardware costs to achieve CALEA solutions will vary widely depending upon the architecture of the switch. Capacity costs may include hardware costs, although the degree will be dependent upon the type of switch. The hardware costs of implementing the different punch list items also will vary. For example, dialed digit extraction is extremely hardware intensive and therefore the hardware costs of this items will be much higher than for other punchlist items. Overall, the total costs to implement CALEA will far exceed the estimates contained in the Public Notice, which already exceed the amount appropriated by Congress.

The revenue estimates contained in the Public Notice are necessary to Commission consideration of the standards issues before it in this proceeding. The Commission must recognize that these estimates represent only a portion of the costs which carriers will be forced to incur if the punchlist items are adopted by the Commission and included in the J-STD-025.

Respectfully submitted,

**UNITED STATES TELEPHONE ASSOCIATION**

By: 

Its Attorneys:

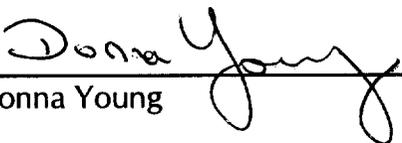
Lawrence E. Sarjeant  
Linda L. Kent  
Keith Townsend  
John W. Hunter  
Julie E. Rones

1401 H Street, NW, Suite 600  
Washington, D.C. 20005  
(202) 326-7248

May 17, 1999

**CERTIFICATE OF SERVICE**

I, Donna Young, do certify that on May 20, 1999, copies of the accompanying Comments of the United States Telephone Association were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.

  
\_\_\_\_\_  
Donna Young

Rozanne R. Worrell  
U.S. Department of Justice  
Federal Bureau of Investigation  
Telecommunications Industry Liaison Unit  
P.O. Box 220450  
Chantilly, VA 20153

Michael Altschul  
Randall S. Coleman  
Cellular Telecommunications Industry Assn.  
1250 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20036

Roseanna DeMaria  
AT&T Wireless Services  
32 Avenue of the Americas - Room 1731  
New York, NY 10013

Stanton McCandlis  
Electronic Frontier Foundation  
1550 Bryant Street - Suite 725  
San Francisco, CA 94103

Stewart A. Baker  
Thomas M. Barba  
Brent H. Weingardt  
L. Benjamin Ederington  
Stephoe & Johnson LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036

Richard McKenna, **HQE03J36**  
GTE  
P.O. Box 152092  
Irving, TX 75015

Andre J. Lachance  
GTE  
1850 M Street, NW  
Suite 1200  
Washington, DC 20036

John T. Scott, III  
Crowell & Moring LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004

Mark C. Rosenblum  
Ava B. Kleinman  
Seth S. Gross  
AT&T  
295 North Maple Avenue - Room 3252J1  
Basking Ridge, NJ 07920

Jerry Berman  
Daniel J. Weitzner  
James X. Dempsey  
Center for Democracy and Technology  
1634 Eye Street, NW  
Washington, DC 20006

Andy Oram  
Computer Professionals for Social Responsibility  
P.O. Box 717  
Palo Alto, CA 94302

Matthew J. Flanigan  
Grant Seiffert  
Telecommunications Industry Assn.  
1201 Pennsylvania Avenue, NW  
Suite 315  
Washington, DC 20004

Gail L. Polivy  
GTE  
1850 M Street, NW  
Suite 1200  
Washington, DC 20036

James D. Ellis  
Robert M. Lynch  
Durward D. Dupre  
SBC  
175 E. Houston - Room 1258  
San Antonio, TX 78205

Lucille M. Mates  
Frank C. Magill  
SBC  
175 E. Houston  
Room 1258  
San Antonio, TX 78205

Kathryn Marie Krause  
Edward M. Chavez  
U S WEST, Inc.  
1020-19th Street, NW  
Suite 700  
Washington, DC 20036

Dan L. Poole  
U S WEST  
1020-19th Street, NW  
Suite 700  
Washington, DC 20036

John H. Harwood II  
Samir Jain  
Wilmer, Cutler & Pickering  
2445 M Street, NW  
Washington, DC 20037

Kevin C. Gallagher  
360° Communications Co.  
8725 W. Higgins Road  
Chicago, IL 60631

Joseph R. Assenzo  
Sprint Spectrum LP  
4900 Main Street  
12th Floor  
Kansas City, MO 64112

Emilio W. Cividanes  
Piper & Marbury, LLP  
1200-19th Street, NW  
Washington, DC 20036

David Cosson  
L. Marie Guillory  
NTCA  
2626 Pennsylvania Avenue, NW  
Washington, DC 20037

James T. Roche  
GlobeCast  
400 North Capitol Street, NW  
Suite 177  
Washington, DC 20001

Barbara J. Kern  
Ameritech Corp.  
2000 West Ameritech Center Drive  
Room 4H74  
Hoffman Estates, IL 60196

Kathleen Q. Abernathy  
David A. Gross  
Donna L. Bethea  
AirTouch Communications, Inc.  
1818 N Street, NW  
Washington, DC 20036

Judith St. Ledger-Roty  
Paul G. Madison  
Kelley Drye & Warren, LLP  
1200-19th Street, NW  
Fifth Floor  
Washington, DC 20036

Barry Steinhardt  
A. Cassidy Sehgal  
American Civil Liberties Union  
125 Broad Street  
18th Floor  
New York, NY 10004

Electronic Privacy Information Center  
666 Pennsylvania Avenue, SE  
Suite 301  
Washington, DC 20003

Electronic Frontier Foundation  
1550 Bryant Street  
Suite 725  
San Francisco, CA 94103

Elizabeth R. Sachs  
Lukas, McGowan, Nace & Gutierrez  
1111-19th Street, NW  
Suite 1200  
Washington, DC 20036

Carole C. Harris  
Christine M. Gill  
Anne L. Fruehauf  
McDermott, Will & Emery  
600-13th Street, NW  
Washington, DC 20005

Peter M. Connolly  
Koteen & Naftalin  
1150 Connecticut Avenue, NW  
Washington, DC 20036

Stuart Polikoff  
Lisa M. Zaina  
OPASTCO  
21 Dupont Circle, NW  
Suite 700  
Washington, DC 20036

J. Lloyd Nault, II  
BellSouth  
4300 BellSouth Center  
675 West Peachtree Street, NE  
Atlanta, GA 30375

Eric W. DeSilva  
Stephen J. Rosen  
Wiley, Rein & Fielding  
1776 K Street, NW  
Washington, DC 20006

Alan R. Shark  
American Mobile Telecommunications Assn., Inc.  
1150-18th Street, NW  
Suite 250  
Washington, DC 20036

William L. Roughton, Jr.  
PrimeCo Personal Communications, LP  
601-13th Street, NW  
Suite 320 South  
Washington, DC 20005

Michael K. Kurtis  
Jeanne W. Stockman  
Kurtis & Associates, PC  
2000 M Street, NW  
Suite 600  
Washington, DC 20036

Robert S. Foosaner  
Lawrence R. Krevor  
Laura L. Holloway  
Nextel Communications, Inc.  
1450 G Street, NW  
Suite 425  
Washington, DC 20005

M. Robert Sutherland  
Theodore R. Kingsley  
BellSouth  
1155 Peachtree Street, NW  
Atlanta, GA 30309

Michael P. Goggin  
BellSouth  
1100 Peachtree Street, NE  
Suite 910  
Atlanta, GA 30309

Mark J. Golden  
Mary E. Madigan  
Personal Communications Industry Assn.  
500 Montgomery Street  
Suite 700  
Alexandria, VA 22314

Henry M. Rivera  
Larry S. Solomon  
J. Thomas Nolan  
M. Tamber Christian  
Ginsburg, Feldman & Bress, Chtd.  
1250 Connecticut Avenue, NW  
Washington, DC 20036

Caressa D. Bennet  
Dorothy E. Cukier  
Bennet & Bennet, PLLC  
1019-19th Street, NW  
Suite 500  
Washington, DC 20036

David L. Nace  
B. Lynn F. Ratnavale  
Lukas, Nace, Gutierrez & Sachs Chtd.  
1111-19th Street, NW  
Suite 1200  
Washington, DC 20036

Kevin C. Gallagher  
360° Communications Co.  
8725 W. Higgins Road  
Chicago, IL 60631

Glenn S. Rabin  
ALLTEL  
655-15th Street, NW  
Suite 220  
Washington, DC 20005

Pamela J. Riley  
David A. Gross  
AirTouch Communications, Inc.  
1818 N Street, NW  
Suite 320 South  
Washington, DC 20036

James F. Ireland  
Cole, Raywid & Braverman, LLP  
1919 Pennsylvania Avenue, NW  
Suite 200  
Washington, DC 20006

Rich Barth  
Mary Brooner  
Motorola, Inc.  
1350 Eye Street, NW  
Suite 400  
Washington, DC 20005

Teresa Marrero  
Teleport Communications Group, Inc.  
Two Teleport Drive  
Staten Island, NY 10311

John T. Scott, III  
Crowell & Moring, LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004

Elaine Carpenter  
Aliant Communicaitons  
1440 M Street  
Lincoln, NE 68508

William L. Roughton, Jr.  
PrimeCo Personal Communications, LP  
601-13th Street, NW  
Suite 320 South  
Washington, DC 20005

Michael W. Mowery  
AirTouch Communications, Inc.  
2999 Oak Road, MS1025  
Walnut Creek, CA 95596

Lisa M. Zaina  
Stuart Polikoff  
OPASTCO  
21 Dupont Circle, NW  
Suite 700  
Washington, DC 20036

Peter M. Connolly  
Koteen & Naftalin  
1150 Connecticut Avenue, NW  
Washington, DC 20036

James X. Dempsey  
Daniel H. Weitzner  
Center for Democracy and Technology  
1634 Eye Street, NW - Suite 1100  
Washington, DC 20006

David L. Sobel  
Electronic Privacy Information Center  
666 Pennsylvania Avenue, SE  
Suite 300  
Washington, DC 20003

Barry Steinhardt  
Electronic Frontier Foundation  
1550 Bryant Street  
Suite 725  
San Francisco, CA 94103

Judith St. Ledger-Roty  
Paul G. Madison  
Kelley Drye & Warren, LLP  
1200-19th Street, NW  
Suite 500  
Washington, DC 20036

Jill F. Dorsey  
Powertel, Inc.  
1233 O.G. Skinner Drive  
West Point, GA 31833

Stephen L. Goodman  
William F. Maher, Jr.  
Halprin, Temple, Goodman & Sugrue  
1100 New York Avenue, NW  
Suite 650 - East Tower  
Washington, DC 20005

Susan W. Smith  
CenturyTel Wireless, Inc.  
3505 Summerhill Road  
No. 4 Summer Place  
Texarkana, TX 75501

Martin L. Stern  
Lisa A. Leventhal  
Preston Gates Ellis & Rouvelas Meeds LLP  
1735 New York Avenue, NW  
Suite 500  
Washington, DC 20006

Steven Shapiro  
American Civil Liberties Union  
125 Broad Street  
New York, NY 10004

Kurt A. Wimmer  
Gerard J. Waldron  
Alane C. Weixel  
Covington & Burling  
1201 Pennsylvania Avenue, NW  
P.O. Box 7566  
Washington, DC 20044

Joseph R. Assenzo  
Sprint Spectrum LP d/b/a/ Sprint PCS  
4900 Main Street  
12th Floor  
Kansas City, MO 64112

Frank S. Froncek  
Northern Telecom Inc.  
4001 East Chapel Hill-Nelson Highway  
Research Triangle Park, NC 27709

L. Marie Guillory  
Jill Canfield  
National Telephone Cooperative Assn.  
2626 Pennsylvania Avenue, NW  
Washington, DC 20037

Richard J. Metzger  
Emily M. Williams  
Association for Local Telecommunications Services  
888-17th Street, NW  
Suite 900  
Washington, DC 20006