

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
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<b>Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems</b>	)	<b>CC Docket No. 94-102</b>

**To: The Federal Communications Commission**

**COMMENTS OF THE TEXAS ADVISORY COMMISSION ON STATE EMERGENCY  
COMMUNICATIONS, TEXAS EMERGENCY COMMUNICATION DISTRICTS, AND  
THE NATIONAL ASSOCIATION OF STATE NINE-ONE-ONE ADMINISTRATORS**

The Texas Advisory Commission on State Emergency Communications (“TX-ACSEC”), certain Texas Emergency Communication Districts,<sup>1</sup> and the National Association of State Nine-One-One Administrators (“NASNA”), hereinafter referred to collectively as the “Joint Commentors,” file these comments in response to the Federal Communications Commission’s (“Commission’s or FCC’s) public notice (DA 99-1049) requesting targeted comments on wireless E9-1-1 Phase Phase II Automatic Location Identification (“ALI”) requirements.

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<sup>1</sup> TX-ACSEC is a state agency created pursuant to Texas Health and Safety Code Chapter 771. The certain Texas Emergency Communication Districts are Bexar Metro 9-1-1 Network, Brazos County Emergency Communication District, Calhoun County 9-1-1 Emergency Communication District, 9-1-1 Network of East Texas, Galveston County Emergency Communication District, Greater Harris County 9-1-1 Emergency Network, Henderson County 9-1-1 Communication District, Howard County 9-1-1 Communication District, Kerr County Emergency 9-1-1 Network, Lubbock County Emergency Communication District, McLennan County Emergency Communication District, Montgomery County Emergency Communication District, Nortex 9-1-1 Communication District, Potter-Randall County Emergency Communications District, Tarrant County 9-1-1 District, and Texas Eastern 9-1-1 Network. These districts were created pursuant to Texas Health and Safety Code Chapter 772

I.

Preliminary Statement

Today, in excess of 90,000 calls per day are made to the 9-1-1 emergency number from wireless telephones, and the number of wireless 9-1-1 calls continue to increase. This presents more and more challenges and problems to maintain the minimum enhanced 9-1-1 features that citizens have come to expect and rely on with their emergency service.<sup>2</sup> These facts demonstrate that the Commission should hold firm on the current deadlines for wireless Phase I and Phase II implementation unless any change is well supported by compelling public safety benefits. Otherwise, the Commission will send the wrong message to citizens that these important public safety issues are now less critical.

II.

General Comments

The Joint Commentors agree with the June 10, 1999 comments of the National Emergency Number Association (“NENA”) that the needs and best interests of public safety must be the primary consideration in whether to depart from the current October 1, 2001 deadline, grant waivers, or adopt the two specific proposals for Handset-based solutions with differing deadlines than in the current FCC rules. (See, NENA Comments at p. 4.)<sup>3</sup> The current FCC

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<sup>2</sup> These challenges and problems are further compounded by a wireless telephone replacing a wireline telephone as the customer’s only telephone. Rather than delaying wireless E9-1-1 Phase I or II implementation, this increasing situation should focus the interested parties’ attention on additional enhancements. One such enhancement may be to include a wireless customer’s home address in the ALI database to facilitate an emergency response (e.g., searching a nearby customers home residence and not only searching for cars near the location coordinates).

<sup>3</sup> The Joint Commentors also support the FCC’s adoption of NENA’s suggestion to hold a forum on to discuss these issues, which is scheduled for June 28<sup>th</sup>.

wireless rules and the October 1, 2001 deadline further public safety and are based on the wireless carrier first having a bona fide 9-1-1 Agency request.<sup>4</sup>

A public policy preference of similar and nondiscriminatory 9-1-1 emergency service level in a given area is well supported by public safety and competitive telecommunications rationales.<sup>5</sup> The same important public policy considerations should apply to wireless E9-1-1 requirements absent compelling public safety justifications.<sup>6</sup> The Joint Commentors are concerned that granting waivers or establishing new, different deadlines for Handset-based solutions may result in differing 9-1-1 emergency service levels for wireless Phase II ALI in the same particular given area.

The Joint Commentors recognize that some of the issues that are being evaluated may be open to differing opinions and the record on Phase II issues might be better developed by further additional Phase II trials (such as those scheduled in Texas for Harris and Tarrant Counties). The Joint Commentors also recognize that modifications to the Sprint dual approach proposal to be consistent with current accuracy requirements in the existing wireless E9-1-1 rules might be an option to consider further. The Joint Commentors also recognize that there may be benefits

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<sup>4</sup> This approach is consistent with the local, state, and federal public policy of ensuring that all telecommunications providers maintain similar and nondiscriminatory levels of 9-1-1 emergency service in a given area (e.g., a customer's access to 9-1-1 emergency service in a particular given area should not vary depending on which carrier the customer chooses in that given particular area).

<sup>5</sup> For example, no one would argue that it would be acceptable from both a public safety and competitive telecommunications perspective for a citizen in Houston within the jurisdiction of the Greater Harris County 9-1-1 Emergency Network to receive a lower level of 9-1-1 emergency service if the citizen chooses MCI as its wireline provider as opposed to SWBT as its wireline provider.

<sup>6</sup> For example, a 9-1-1 agency should not request Phase I wireless E9-1-1 service of only some wireless carriers within its jurisdiction; rather, the FCC Order, like state and federal statutes, necessitates consistent and nondiscriminatory 9-1-1 emergency service levels in the same particular given area.

to clarifying Phase II ALI accuracy measurements. However, the Joint Commentors respectfully submit that the Commission should not delay the current October 1, 2001 deadline in the absence of (1) compelling (as well as fully supported by evidence) public safety benefits and (2) the Commission first requesting the trial by the Greater Harris County 9-1-1 Emergency Network to proceed and provide additional documented evidence on these issues.

III.

CONCLUSION

The Joint Commentors appreciate the opportunity to submit these further comments on these important matters and urge the Commission to consider carefully the public safety and other issues associated with delaying the October 2001 deadline for Phase II ALI compliance. The Joint Commentors hope to have a representative at the June 28<sup>th</sup> meeting to discuss and work on these issues further and cooperatively with all interested parties.

Respectfully submitted,

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Certificate of Service

I certify that a copy of these comments is being served on or before June 17, 1999 by regular or overnight mail, fax or via e-mail on the Commission Secretary.

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