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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of	)	
	)	
Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems	)	CC Docket No. 94-102
	)	
Wireless E911 Phase II Automatic Location Identification Requirements	)	DA 99-1049

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COMMENTS OF
THE CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

The Cellular Telecommunications Industry Association ("CTIA")[1] hereby submits its Comments in the above captioned proceeding.[2] More than one year ago, CTIA filed its Petition[3] seeking reconsideration and clarification of the Commission's E911 *Memorandum Opinion and Order*, FCC 97-402, (rel. Dec. 23, 1997). In its Petition, CTIA urged the Commission to enhance the effectiveness of wireless public safety operations by requiring the uniform nationwide use of the "9-1-1" dialing code for emergency assistance, and by encouraging federal agencies and local governments to

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[1] CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers and manufacturers, including 48 of the 50 largest cellular and broadband personal communications service ("PCS") providers. CTIA represents more broadband PCS carriers and more cellular carriers than any other trade association.

[2] Wireless Telecommunications Bureau Requests Targeted Comment on Wireless E911 Phase II Automatic Location Identification Requirements, *Public Notice*, CC Docket No. 94-102, DA 99-1049 (June 1, 1999) ("Notice").

[3] Petition for Reconsideration and Clarification of the Cellular Telecommunications Industry Association, CC Docket No. 94-102 (Feb. 17, 1998) ("Petition").

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facilitate the siting of wireless facilities. CTIA's Petition also urged the Commission to provide CMRS carriers the same limitations on liability traditionally afforded wireline carriers, and asked the Commission, on reconsideration, to remove ambiguities surrounding E911 implementation, including the specific issue the Commission now seeks to address: clarification of how the Commission intends to measure handset-based solutions to Phase II requirements.

CTIA did not seek reconsideration of the Commission's Phase II requirements.[4] To the contrary, CTIA sought to identify the issues the Commission must resolve if the Phase I and Phase II enhancements to wireless E911 service are to be realized. The uncertainty concerning the ultimate resolution of these issues has contributed to the delay in implementing the Phase I and Phase II requirements.[5] CTIA urges the Commission to move without further delay to address each of these critical issues.

In the three years that have passed since CTIA and the three Public Safety associations filed the original Consensus Agreement with the Commission, there have been dramatic developments in both network- and handset-based location technologies. CTIA believes that the public interest is best served by the availability of the broadest possible range of technologies and vendors. Regardless of a carrier's specific technology solution for Phase II location capabilities, everyone benefits when competition forces vendors to offer better products sooner and at a lower cost.

The Commission has said that it wants its policies to be technologically and competitively neutral with respect to possible approaches to wireless E911 location; and

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4 *See* CTIA Petition, at 23.

5 *See generally,* Report of CTIA, PCIA, APCO, NENA, NASNA, ALLIANCE, CC Docket No. 94-102 (Feb. 1, 1999) ("WEIAD Report").

specifically that it did not intend "that the implementation deadline, the accuracy standard, or other rules should hamper the development and deployment of the best and most efficient ALI technologies and systems."[6] CTIA wholeheartedly agrees that the Commission's rules should be technologically and competitively neutral.

Moreover, the Commission must not lose sight of the need for wireless E911 location technologies to be cost-effective. As the parties to the original Consensus Agreement advised the Commission in their March 11, 1996 *Joint Reply Comments*,

> ... if the cost of providing enhanced 911 service in rural areas (or elsewhere) would be prohibitively expensive, there will be no *bona fide* request, and/or there will not be public funding for the service. The absence of funding (with or without a *bona fide* request) will provide the needed exemption from the Phase I and Phase II requirements.[7]

As the parties to the original Consensus Agreement recognized, the implementation of wireless E911 will require an on-going process to accommodate the introduction of new technologies and services.[8] Just as the wireless industry is characterized by constant change and innovation, so is the field of location technology. The Commission must take care to insure that its rules do not discourage this innovation or foreclose any promising technology.

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[6] Memorandum Opinion and Order, at ¶ 124.

[7] Joint Reply Comments of the Cellular Telecommunications Industry Association, the National Emergency Number Association, the Association of Public-Safety Communications Officials, and the National Association of State Nine One One Administrators, CC Docket No. 92-104 (Mar. 11, 1996) at 7-8.

[8] *Id.*, at 8.

To achieve the promise of wireless E911, the Commission must provide specific regulatory guidance not only on the issues raised in the Notice, but also on the important implementation issues identified in CTIA's Petition and the most recent WEIAD Report.

Respectfully submitted,

CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

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