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

In the Matter of	)	
	)	
Revision of the Commission's	)	CC Docket No. 94-102
Rules to Ensure Compatibility	)	RM-8143
with Enhanced 911 Emergency	)	
Calling Systems	)	

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REPLY COMMENTS OF AT&T WIRELESS SERVICES, INC.

AT&T Wireless Services, Inc. ("AT&T"), by its attorneys, hereby replies to the comments and oppositions filed in the above-captioned proceeding.[1/] In particular, AT&T objects to APCO's assertions that wireless carriers are "willing and able to comply" with the Commission's Phase II requirements. As AT&T and other carriers have indicated, given the current state of Phase II technology, wireless carriers will not be able to meet either the accuracy or the timing requirements adopted by the Commission without some relief from the Commission.

DISCUSSION

APCO claims incorrectly that carriers other than Sprint PCS are "willing and able to comply" with the Commission's handset-based solution implementation dates.[2/] Although AT&T is committed to providing its customers with Phase II ALI services as swiftly and efficiently as possible, the dates established by the Commission are, frankly, unrealistic. In the

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[1/] Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, RM-8143, Third Report and Order, FCC 997-245 (rel. Oct. 6, 1999) ("Phase II E-911 Implementation Order").

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absence of any nationally deployable, fully tested Phase II solution, carriers will not be able to comply with the current schedule for deploying Phase II.[3] As AT&T explained in its comments, given the state of Phase II E-911 technology today, even with best efforts it is unlikely that carriers will be able to satisfy the Commission's current timing and accuracy requirements.[4]

AT&T agrees with Nextel that the public interest will not be served by arbitrarily imposing overly-aggressive ALI-capable handset obligations on carriers and manufacturers when PSAP Phase II readiness is not a certainty. Forcing carriers and manufacturers to satisfy the Commission's current implementation dates when the vast majority of PSAPs will not be ready to provide Phase II service will impose great costs on carriers with no corresponding benefit to the public. Given the likelihood that most PSAPs will not be ready to request Phase II E-911 services by October 1, 2001,[5] the Commission should adopt a more gradual phase-in schedule.

(continued from previous page)

[2] APCO Comments at 6.

[3] See AT&T Comments at 2-3.

[4] AT&T, Sprint PCS, and other carriers have discussed with the Commission their concerns about the current lack of fully tested Phase II solutions. See Letter from Luisa L. Lancetti, Counsel for U S West Wireless, L.L.C., to Magalie Roman Salas, Secretary, Federal Communications Commission 3 (September 9, 1999); Letter from Anthony C. Traini, Legal Analyst, to Magalie Roman Salas, Secretary, Federal Communications Commission 8 (July 29, 1999); Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Guidelines for Waivers of Section 20.18(e) of the Commission's Rules, CC Docket 94-102, RM-8143, DA 98-2631, Comments of AT&T Wireless Services, Inc., at 2 (Feb. 4, 1999). While APCO criticizes Sprint's proposed hybrid solution as "vague, untested and uncertain" and argues that Sprint should not be permitted to use such a solution because it has "yet even to leave the laboratory," in AT&T's experience that is the state of most Phase II location technologies today. APCO's criticism obliquely acknowledges that Phase II technology is in its infancy, which renders the Commission's current deadlines unrealistic.

[5] As Nextel explains, only a relatively limited number of PSAPs have upgraded their systems for Phase I E-911 and there are still areas of the country that do not even have wireline
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Nextel is also correct that the Commission's requirement that 100 percent of all new handsets activated in specific PSAPs be ALI-capable is nearly impossible to implement, short of requiring that only ALI-capable phones be sold nationwide.[6/] This requirement will limit consumer choice in handsets and increase consumer costs.

Finally, AT&T disagrees with APCO's assertion that the increased accuracy levels adopted by the Commission for handset-based solutions were based on a "thorough record that included a public hearing, test data, and voluminous written submissions."[7/] As the Commission admits, its requirements were not established based upon tests of commercially available handsets operating in real world environments.[8/] There was no hearing to address the feasibility of compliance with the increased accuracy requirements, and there were few written submissions that supported these increased requirements. The adoption of more stringent handset-based accuracy requirements is appropriate only after the Commission has proposed measurement methodologies for handset-based solutions based on more mature technology and all concerned parties have been able to comment on the heightened accuracy requirements.

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E-911 capabilities. See Nextel Comments at n. 12.

6/ Nextel Comments at 7.

7/ APCO Comments at 4.

8/ Phase II E-911 Implementation Order at ¶ 73.

CONCLUSION

As set forth above and in its previous comments, the Commission's current requirements regarding the timing and accuracy of Phase II implementation are not feasible. Most PSAPs will not be equipped for Phase II by the time carriers and manufacturers must comply with the current deadlines, and the public interest will not be served by arbitrarily imposing these requirements on carriers before PSAPs are ready to receive Phase II information.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Andrea D. Willis, hereby certify that a copy of the foregoing "Comments of AT&T Wireless Services, Inc. in CC Docket No. 94-102 has been sent 1st Class Mail, U.S. postage prepaid, to the parties on the attached service list on March 3, 2000.

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