

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

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In the Matter of )  
)  
Revision of the Commission's Rules )  
to Ensure Compatibility with Enhanced )  
911 Emergency Calling Systems )

CC Docket No. 94-102

**RECEIVED**

To: The Commission

**MAR 19 2001**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**REPLY OF RURAL CELLULAR ASSOCIATION**

The Rural Cellular Association ("RCA")<sup>1</sup> hereby joins commenters supporting the Petition for Reconsideration of the *Fourth Report and Order* filed by the Cellular Telecommunications & Internet Association ("CTIA") in this proceeding ("Petition").<sup>2</sup> In its Petition, CTIA requested the Commission to "reconsider its directive concerning digital wireless networks having the capability of supporting proprietary enhanced TTY protocols in emergency communications."<sup>3</sup> Four commenters supported CTIA's Petition and none opposed.<sup>4</sup>

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<sup>1</sup> RCA is an association representing the interests of small and rural wireless licensees providing commercial services to subscribers throughout the nation. Its member companies provide service in more than 135 rural and small metropolitan markets where approximately 14.6 million people reside. Formed in 1993 to address the distinctive issues facing rural cellular service providers, the membership of RCA currently includes rural PCS carriers, as well.

<sup>2</sup> *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems: Fourth Report and Order*, CC Docket No. 94-102, FCC 00-436 (rel. Dec. 14, 2000) ("Fourth Report and Order").

<sup>3</sup> CTIA's Petition for Reconsideration filed January 29, 2001, at 6.

<sup>4</sup> See Comments of NENA and Apco; Motorola; Nextel; and Verizon Wireless filed on March 8, 2001.

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Commenters representing the industry documented the inefficiency of Commission's directive for the wireless industry to accommodate TTY manufacturers that have developed enhanced protocols. *See Verizon Wireless' Comments at 2* (“[i]f the FCC intervenes at all, instead of suggesting that wireless carriers should work to try and accommodate multiple, closed, proprietary protocols, it should be directing TTY manufacturers to create open standards or engineer TTYs to default to Baudot in order to complete emergency calls” (emphasis in the original)); *Nextel' Comments at 2* (“[t]o the extent TTY manufacturers are pursuing upgraded technologies using proprietary proposals, the Commission cannot expect wireless carriers to ensure compatibility with all of these protocols. It was for that very reason that the TTY Forum agreed that wireless telecommunications equipment and services would be developed for compatibility with the Baudot standard”); *Motorola's Comments at 2* (“TTY manufacturers assured the Forum that TTY devices with proprietary enhanced protocols were all capable of defaulting to 45.45 Baudot. This is the reason why manufacturers of wireless devices have developed solutions and expedited the standards process in the wireless telecommunications industry for Baudot 45.45 TTY/digital compatibility”).

Even the associations representing the concerns of the public safety community agree with CTIA's Petition. *See NENA and APCO's Comments at 1* (citing CTIA's Petition as stating that “proprietary communications protocols cannot be used for emergency calls, absent support by the approximately 6,500 PSAP's in the United States” and acknowledging their scepticism of “claims by one or more of the companies that there is a significant base in PSAPs of equipment using these proprietary protocols”).

In another context in this same proceeding, RCA has highlighted the illogical results of holding carriers responsible for matters that are ultimately in the control of equipment manufacturers.<sup>5</sup> In its Public Notice, the Commission had tentatively decided that by December 31, 2001, all covered carriers must be capable of providing TTY access to digital wireless systems for 911 calls. In commenting on the Commission's tentative conclusion, RCA demonstrated that the Commission's decision was based upon a few announcements made by manufacturers and not on proven technology;<sup>6</sup> in that case, as well as the present, carriers should not held responsible to meet a deadline for which their ability to comply was dependent upon equipment manufacturers. In response to these and similar concerns, the Commission decided to delay the digital TTY deadline until June 30, 2002.<sup>7</sup>

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<sup>5</sup> See RCA's Comments filed June 19, 2000 in response to the Commission's Public Notice in CC Docket No. 94-102, DA 00-1091 (rel. May 17, 2000) (Public Notice).

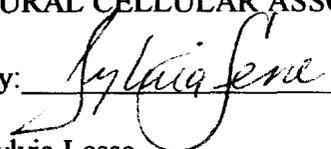
<sup>6</sup> RCA's comments filed June 19, 2000 at 2.

<sup>7</sup> See Fourth Report and Order at para. 6 (noting RCA's and others' comments arguing that the proposed deadline is "infeasible because of [carriers'] dependence upon manufacturers as well as the time needed for testing, problem solving, and deployment").

In this proceeding, however, the Commission seeks to hold carriers responsible for matters that are beyond their control and are, in fact, solely in the control of equipment manufacturers. The equipment manufacturers have had opportunities to work with carriers to formulate a solution, but have refused to do so.<sup>8</sup> To mandate that carriers “work towards necessary solutions” with these manufacturers is irrational and would appear to reward manufacturers for their intransigence. Accordingly, RCA urges the Commission to reconsider its decision.

Respectfully submitted,

RURAL CELLULAR ASSOCIATION

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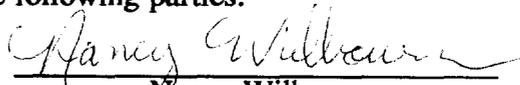
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<sup>8</sup> See CTIA’s Petition at 3 (“Enhanced protocols were specifically excluded, because TTY manufacturers opposed sharing information on their proprietary protocols and assured the Forum that TTY devices with such protocols could default to 45.45 Baudot. The wireless industry developed this standard in reliance of this information”).

## CERTIFICATE OF SERVICE

I, Nancy Wilbourn, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing "Reply Comments of the Rural Cellular Association" was served on this 19th day of March 2001, via hand delivery or by first class, U.S. Mail, postage prepaid to the following parties:

  
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