

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
<b>City of Richardson, Texas</b>	)	CC Docket No. 94-102
	)	
Request for Declaratory Ruling	)	
Concerning Public Safety Answering Point	)	
Requests for Phase II Enhanced 911	)	
_____	)	

To: Chief, Wireless Telecommunications Bureau

**REPLY COMMENTS**

Blooston, Mordkofsky, Dickens, Duffy & Prendergast (Blooston) on behalf of its clients providing cellular, Personal Communications Service (PCS) and Specialized Mobile Radio Service (SMR), hereby submits reply comments in the above-captioned matter. The City of Richardson had asked the Wireless Telecommunications Bureau (Bureau) to clarify that a Public Safety Answering Point (PSAP) has made a “valid request” for Phase II Enhanced 911 (E911) services if it makes such request prior to that PSAP’s readiness to utilize the information.

The majority of the filed comments oppose the City of Richardson’s request, observing that the Commission clearly intended for carriers’ obligations to attach only after the PSAP had implemented the capability to utilize Phase II information.<sup>1</sup> Some suggested that that the request

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<sup>1</sup> See, Comments of US Cellular Corporation (USCC), p.2; Western Wireless Corporation (Western Wireless), p.2; Cellular Telecommunications & Internet Association (CTIA), p. 3; Sprint Spectrum L.P., d/b/a Sprint PCS (Sprint PCS), p. 3; Verizon Wireless, p. 3; Cingular Wireless LLC (Cingular), p.2.

could not be granted without a substantive rule change, which would require notice and comment under the Administrative Procedures Act.<sup>2</sup>

Several noted that, rather than speed the roll-out of E911 service, a grant of Richardson's request would *delay* it.<sup>3</sup> These carriers indicated that they would not be able to respond equally to all requests, and would have to prioritize. This prioritization would inevitably result in the carrier deploying E911 where the PSAP was unable to take advantage of it, while an E911-ready PSAP would be forced to wait for service.

Blooston agrees with these points. Under the Commission's rules, a carrier deploying a network-based E911 system is obligated to provide Automatic Location Identification (ALI) service to at least 50% of callers within six months of the PSAP request for service.<sup>4</sup> Under Richardson's interpretation, it would be quite possible for the carrier to be required, legally, to proceed with ALI in half of its service area, even if the PSAP then took no steps to be actually capable of utilizing the carrier's expensive implementation of a Phase II solution.

Other comments agreed with Blooston's support for cooperation between the carriers and the PSAPs. VoiceStream Wireless Corporation (VoiceStream) makes the useful suggestion that a PSAP contact the relevant carriers when it has executed an equipment contract to implement Phase II capability. VoiceStream comments, pp. 17-18. Qwest Wireless, LLC (Qwest Wireless), pointed out that, "most wireless carriers, including Qwest Wireless, *already* consider an initial letter request for Phase I or Phase II as a request to begin negotiations and the exchange of information with PSAPs." Qwest Wireless comments, page 5. Verizon Wireless says substantially the same thing, "Verizon Wireless, like all carriers, treats an initial Phase I or Phase

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<sup>2</sup> See, Comments of USSC, p. 4; Cingular, p.4.

<sup>3</sup> See, Comments of Verizon, p. 8; Sprint PCS, p. 5.



**CERTIFICATE OF SERVICE**

I, Kathleen A. Kaercher, do hereby certify that on this 3<sup>rd</sup> day of May, 2001, I had copies of the foregoing Reply Comments sent via hand delivery or First Class Mail, postage prepaid, to the following:

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