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2001 JUL 19 P 1:24

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DA 01-1628

Released: July 11, 2001

WTB SEEKS COMMENT ON WIRELESS E911 PHASE II WAIVER REQUEST FILED BY CINGULAR WIRELESS, LLC

CC DOCKET NO. 94-102

Comments Due: July 31, 2001

Reply Comments Due: August 10, 2001

The Federal Communications Commission's (Commission's) rules require wireless carriers to begin to deploy the capability to identify the precise location of wireless 911 calls beginning on October 1, 2001, provided that certain conditions are met.¹ This capability is called Phase II Automatic Location Identification (ALI). The Phase II rules establish deployment schedules and set accuracy and reliability requirements for both handset-based and network-based ALI technologies.²

On July 6, 2001, Cingular Wireless LLC (Cingular) requested a waiver of the Phase II rules to permit it to deploy a hybrid network and handset-based technology called Enhanced Observed Time Difference of Arrival (E-OTD) throughout its Global System for Mobile Communications (GSM) air interface network and a switch-based technology, similar to Mobile-Assisted Network Location System (MNL), for its Time Division Multiple Access (TDMA) network.³ According to Cingular, a waiver is necessary because these solutions do not currently meet Phase II accuracy requirements and cannot be deployed prior to the Phase II implementation deadlines.⁴

With respect to its GSM networks, Cingular indicates that E-OTD, the same technology to be used by VoiceStream Wireless Corporation (VoiceStream) under a waiver granted by the Commission last year,⁵ ultimately will meet the Commission's accuracy requirements, but initially, the technology will provide location accuracy of approximately

¹ See 47 C.F.R. §§20.18(e)-(j).

² 47 C.F.R. §§20.18(f)-(h).

³ *Cingular Wireless LLC Petition for Limited Waiver of Section 20.18(e)-(h) of the Commission's Rules*, CC Docket 94-102 (filed July 6, 2001) (*Cingular Petition*).

⁴ *Cingular Petition* at 1-2.

⁵ *Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Fourth Memorandum Opinion and Order, 15 FCC Rcd 17,442 (2000), *recon. pending*.

100 meters for 67 percent of calls and 300 meters for 95 percent of calls.⁶ Cingular expects the accuracy of its E-OTD solution to improve to meet the more stringent handset accuracy requirements by October 1, 2003.

For its TDMA network, Cingular asserts that a switch-based solution will cover its entire TDMA customer base immediately upon deployment and can be deployed more quickly and economically than any other solution.⁷ Although a switch-based technology will not satisfy the Commission's location accuracy requirement for network-based solutions (100 meters for 67 percent of calls/ 300 meters for 95 percent of calls), Cingular states that it will provide a level of accuracy comparable to that demonstrated by other full network solutions that Cingular has tested. Cingular asserts that its switch-based technology will provide location accuracy of approximately 250 meters for 67 percent of calls and 750 meters for 95 percent of calls.⁸ Cingular also indicates that it will work to ensure that any TDMA networks converted to a new air interface are fully compliant with the Phase II requirements from the outset.

We seek comment on this waiver request. Parties interested in filing comments may do so on or before July 31, 2001 and reply comments on or before August 10, 2001.

This is a "permit but disclose" proceeding pursuant to § 1.1206 of the Commission's Rules.⁹ Presentations to or from Commission decision-making personnel are permissible provided that *ex parte* presentations are disclosed pursuant to 47 C.F.R. § 1.1206(b).

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the docket number of this proceeding. Parties that choose to file by paper must file an original and four copies of each filing with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554, and a diskette copy with the Commission's copy contractor International Transcription Service, Inc. (ITS), Room CY-B400, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. The filing should include the docket number of this proceeding: CC Docket No. 94-102. Filings and comments are also available for inspection and copying during regular business hours in the Reference Information Center, Federal Communications Commission, Court Yard Level, Room CY-A257, 445 12th Street, S.W., Washington, D.C. or may be purchased from ITS.

For further information concerning this proceeding, contact Jennifer Salhus, Policy Division, Wireless Telecommunications Bureau, at (202) 418-1310.

⁶ *Cingular Petition at 26-27.*

⁷ *Id.* at 30.

⁸ *Id.* at i.

⁹ 47 C.F.R. § 1.1206.