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Building The Wireless Future

Cellular Telecommunications Industry Association

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

August 16, 2001

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
12th Street Lobby, TW-A325
Washington, DC 20554

Re: Ex Parte Presentation
CC Docket No. 92-105, NSD-L-99-24; NSD-L-98-80

Dear Ms. Salas:

On August 15, 2001, the Cellular Telecommunications & Internet Association, ("CTIA") represented by Andrea Williams and Kathryn Condello, and Verizon Wireless, represented by Francis Malnati and Stephen Berman, met with Diane Griffin Harmon, Cheryl Callahan and Louise Klees-Wallace of the FCC's Common Carrier Bureau Network Services Division and Patrick Forster of the Wireless Telecommunications Bureau's Policy Division to discuss the implementation of 211 abbreviated dialing code for community information and referral services and the 511 abbreviated dialing code for travel information.

CTIA and Verizon Wireless explained how the Commission's Order mandating nationwide 211 and 511 dialing codes has imposed substantial operational and technical burdens on CMRS providers. Attached are summaries of the discussion with FCC staff.

Pursuant to Section 1.1206 of the Commission's Rules, an original and one copy of this letter and the attachments are being filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Andrea D. Williams

Andrea D. Williams
Assistant General Counsel

Attachments

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List ABCDE

Wireless Industry Proposed Implementation Approach to 511

8/14/2001
CTIA

Availability of Travel Information Services

	Subs (M)	POPs (M)	Travel Info Svc?
Verizon	26.3	240	YES
Cingular	19.0	190	YES
ATT Wireless	15.0	270	YES
Sprint PCS	9.2	270	YES
Nextel	6.2	200	YES
VoiceStream	3.1	220	YES

More than 73% of Wireless Subscribers Have Access to 511-Type Service

Availability of Information

- **Where Does the Carrier's Information Come From?**
  - The same companies, and service providers working now with the DOT 511 Implementation Group
    - ex. Shadow Traffic, SmartRoutes, Traffic.com, IQ Taxi
  - By extension, Carriers already provide DOT Information to the extent available
    - Application developers have been contracted to configure services consistent with Carrier devices, requirements
- **How Long Have the Carriers Been Doing This?**
  - As much as 8 Years

The 511 Dilemma

- **Wireless Carriers already provide travel information services.**
  - **Tailored to the Customer, Network, Device and Geography**. (Mobile and WAP telephones, alphanumeric pagers, Windows CE, Palm OS and other handheld mobile devices).
  - **Engineered** to provide economies of scale, while preserving the local nature of "Traffic". Access to Travel Information Services is generally bundled-in.
  - **Derived** from the same core data and service providers that are developing the DOT 511 Product Description
  - These services are **Competitive Tools** in the battle for wireless market share.
- **So what does DOT have that the Wireless Carrier doesn't have?** ***<u>The 511 "Brand"</u>***

Does the 511 "Brand" have value to the Wireless Carrier?

Wireless Carriers fall into three camps with respect to the support of DOT's 511 initiative:

- Carriers that view the DOT-provided service as competitive to their own and one that the Commission has potentially favored through the grant of a preferred access mode (511) through government monopoly;
- Carriers that are interested in certifying their own traveler information services as being 511-compliant for their customers alone.
- Carriers that are willing to translate and route 511 calls to the appropriate state service as long as it is a single translation per state to a 1-800 number.

What IS the DOT 511 Service?

- **DOT is still making this determination**
  - The Product Description
    - What's basic? Optional? Enhanced?
  - The Business Model
    - Numerous Public / Private Sector Models
    - What does it cost to the Consumer?
- **Impossible to ascertain NOW whether DOT 511 Service is**
  - Competitive, Complementary, or Mutually Exclusive to Carrier's Service Offering

Wireless Approach

- Designed to accommodate competitive and operational concerns of Wireless Industry as DOT continues their planning efforts

- Designed for low-impact to "opt-in" Wireless Carrier thus enhancing faster-implementation for DOT once the 511 Product Description is finalized

- This approach has been communicated to DOT, ITS-A, and 511 Implementation Group

Wireless Implementation Position

- That the routing of wireless calls to State DOT 511 Services should be optional for any wireless carrier that provides its own traveler information services,
- That the routing of wireless calls to any State DOT 511 Service should be to a single toll-free number,
- That US DOT should consider certifying carrier-specific traveler information services as an alternate to the State designated 511 services, if the Carrier wants to pursue this option.

Benefits of Approach

- **Voluntary Position**
  - **Carrier knows mobility best. DOT product offering may not be consistent with network, handset or other customer parameters.**
  - **DOT product offering MAY be competitive to carrier-distinguishing service offering**
- **Routing Position**
  - **Least intrusive operationally and most expedient wireless implementation to DOT Service**
  - **Preserves greatest "privacy of location"**
  - **Provides full DOT "ownership" and branding of product**
- **Carrier Certification Option**
  - **If Carrier Services are consistent with DOT Product Description, Why Not?**
    - Already engineered to the geography, customer base and form factors, providing VERY high caliber of consistent service.
    - Implementation already underway

511 Summary

- Travel Information Important to Mobile Customer
- Wireless Carriers are already providing, or are well into their Travel Information Product Development cycle
- Proposed Implementation Approach reconciles competitive / complementary dichotomy in the absence of fixed DOT product description
- Proposed Implementation Approach provides broadest implementation approach for DOT to proceed in their own interests

211

- 211 Service Description, Management and Implementation Approach not addressed
- FCC should eliminate or waive 211 requirements for wireless carriers until these issues can be addressed

211 Issues:

- Any entity can request access to 211 code
  - No guidance whether entity is appropriate or how to evaluate competing or mutually exclusive requests
- Entities requesting 211 code are typically bound by very narrow geographic / political areas
  - Routing rationale, testing, implementation, and update maintenance places extraordinary burdens on wireless industry
  - What are the mechanisms for the carrier to recover the costs associated with this undertaking?

Implementation Approach in Absence of Waiver

211 Management Entity:

- **Wireless Carriers should not be required to determine what constitutes "211" service in absence of FCC clarification**
- **Wireless Carriers should not be required to resolve mutually exclusive requests from organizations seeking to provide 211 services**
  - **Designate Management Entity responsible for 211 Service**
  - **Optimal Management Entity: National or State-level entity**

Call Routing Issues:

- **Wireless Carriers should not be required to route 211 calls based on narrow geographic / political areas.**
  - **Direct Management Entity (if not the Carrier) to establish 211 service consistent with wireless topology**
  - **Optimal Routing: State or MSC Level**

211 Summary

- Insufficient clarity to implement 211 Services
- Commission should eliminate or waive 211 requirements for wireless carriers until these issues can be addressed
  - Must address
    - The nature of the service
    - The operational and technical implications of this service on CMRS providers
    - The financial implications of providing this service

THE FCC SHOULD REVERSE ITS 211 AND 511 ABBREVIATED DIALING CODES ORDER AND SHOULD INSTEAD RELY ON THE COMPETITIVE CMRS MARKETPLACE.

- **The FCC's Order Contravenes Congress' Directives Against Excessive Regulation of the CMRS Industry.**

- **The Commission's 211/511 Order Imposes Substantial Operational and Technical Burdens on CMRS Providers.**

- **Implementation of the 211 Code Will Likely Lead to Serious Administrative Problems That the FCC Has Failed to Address.**

- **The FCC's 511 Mandate Will Hinder CMRS Competition and Service Innovation.**

THE FCC'S ORDER CONTRAVENES CONGRESS' DIRECTIVES AGAINST EXCESSIVE REGULATION OF THE CMRS INDUSTRY.

- **The CMRS industry is highly competitive – 91 percent of the total U.S. population can receive service from three or more CMRS telephony providers (2001 Annual CMRS Competition Report).**

- **In enacting Section 332(c) in 1993, Congress directed the Commission to forbear from unnecessary federal regulation that is more suited to traditional common carriers**

- **Congress reaffirmed its deregulatory approach to CMRS in passing the 1996 Telecommunications Act, numerous provisions of which reduced existing regulatory burdens imposed on CMRS carriers.**

- **The Commission should minimize regulation of the wireless industry and rely instead on market forces to achieve public interest goals.**

- **The FCC's order failed to analyze the need for imposing N11 requirements on wireless carriers, or determine if the benefits of its 211/511 policy outweigh the costs of that policy in the CMRS context.**

THE COMMISSION'S 211/511 ORDER IMPOSES SUBSTANTIAL OPERATIONAL AND TECHNICAL BURDENS ON CMRS PROVIDERS.

- **211/511 call areas are likely to be based on political boundaries, and will not match wireless license areas or areas served by a carrier's Mobile Switching Center ("MSC").**

- **The 211 dialing code, and perhaps the 511 dialing code, will often require wireless carriers to route calls on a per-cell site basis, instead of a per-MSC basis.**

- **The more "granular" the 211/511 call areas, the greater the operational and technical burden on wireless carriers.**

- **Customers routed to the wrong 211/511 center are likely to blame their wireless carrier, which may drive complaints to the Commission.**

211/511 IMPLEMENTATION: NETWORK PERSONNEL WOULD BE REQUIRED TO DO THE FOLLOWING:

- **Evaluate network facilities and pattern of 211/511 deployment, and determine which cell sites must route 211/511 calls to which 211/511 call centers.**

- **Input specific directions for each cell site (multiple routing tables) necessary for per-cell site routing into network databases.**

- **Test the accuracy and effectiveness of call-routing systems.**

- **Execute the follow-up routing adjustments made inevitable by future network modifications and upgrades (*i.e.*, additional cells, cell sectoring, signal directionalization, etc.).**

IMPLEMENTATION OF THE 211 CODE WILL LEAD TO SERIOUS ADMINISTRATIVE PROBLEMS THAT THE FCC HAS FAILED TO ADDRESS.

- **Any party can request access to the 211 code -- there are no meaningful limits or criteria governing such requests.**

- **Neither the United Way nor any other organization can prevent any other person or entity in a given community from requesting access to the 211 code.**

- **The Commission has provided no guidance on how wireless carriers should evaluate competing requests in a given community for access to the 211 dialing code.**

THE FCC's 511 MANDATE WILL HINDER CMRS COMPETITION AND SERVICE INNOVATION.

- **Vibrant competition between carriers' own 511 traveler information numbers will lead to the best services for wireless consumers.**

- **Requiring all wireless carriers to provide the same government-mandated 511 traveler information service will reduce competitive differentiation.**

- **Verizon Wireless and other competitively-driven wireless carriers already offer traveler information services, demonstrating that the FCC's 511 policy is unnecessary.**

- **A government monopoly over the 511 code will frustrate the efforts of entrepreneurs and stifle service innovation.**

- **Government control over 511 may lead to unwieldy new bureaucracies that micromanage the development and delivery of innovative services.**

- **In rural areas or other areas where public funding is lacking, government control over the 511 code may result in an absence of wireless traveler information.**

THE BOTTOM LINE:

Maintain the 211/511 set-asides for community referral and travel information services, but allow CMRS carriers to decide the best way to implement these codes to serve their customers.