

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

In the Matter of	)	
	)	
Revision of the Commission's	)	
Rules to Ensure Compatibility	)	CC Docket No. 94-102
with Enhanced 911 Emergency	)	
Calling Systems	)	
	)	
Request for Waiver of Sprint PCS	)	DA 01-1857

**FURTHER COMMENTS OF NENA, APCO AND NASNA**

The National Emergency Number Association (“NENA”), the Association of Public-Safety Communications Officials-International, Inc. (“APCO”) and the National Association of State Nine One One Administrators (“NASNA”) (collectively, “Public Safety Organizations”) hereby comment on the “Further Supplemental Phase II Implementation Report” (“Sprint amendment”) filed by Sprint PCS in the captioned proceeding on September 20, 2001.

Sprint asks for relief not expressed in its original waiver request of July 30, 2001. It asks that the six-month deadline in the wireless E9-1-1 rules, within which a carrier must fulfill the request of a Public Safety Answering Point (“PSAP”) for Phase II location service, not be triggered until the following conditions have been met:

- The requesting PSAP has completed installation of Phase I services using a delivery system compatible with Phase II. To date, the only systems that appear to be compatible with Phase II are NCAS systems.<sup>1</sup>
- The ALI [Automatic Location Information] database provider has installed an interface compatible with Phase II services.

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<sup>1</sup> “NCAS” stands for Non-Call-Associated Signaling, which separates transmission of location data from the voice communication in a 9-1-1 call.

Sprint asserts that the ALI database “must be able to perform a pull function over the NCAS system to retrieve latitude and longitude.” (Sprint amendment, 8)

Neither of the requested conditions is accurately stated or warranted. Moreover, the positions differ from the waiver request as initially filed. First, there is nothing in the rules at Section 20.18 which requires a PSAP requesting Phase II service to have “completed installation of Phase I services.” Instead, Sprint PCS is expressing its own preference rather than an FCC requirement. At Exhibit E of its original waiver request, Sprint PCS documented the advice it then was providing to requesting PSAPs:

Sprint PCS does not require you to issue two separate requests for E9-1-1 service (e.g. one request for Phase I and another request for Phase II). However, please be aware that if you have not previously requested or implemented E9-1-1 Phase I, Sprint PCS will be performing all of the steps necessary to implement Phase I service before converting you to Phase II.<sup>2</sup>

Sprint PCS is seeking to convert its own voluntary proffer about the order of installation of the two phases of location service into a prerequisite for the PSAP.

Second, it is simply not true that only NCAS systems are compatible with Phase II. Sprint PCS, as a participant in the TIA standards body TR 45.2, knows full well that a standard exists for using Signaling System 7 (“SS7”) – a Call-Associated Signaling (“CAS”) methodology – to deliver latitude and longitude.

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<sup>2</sup> Letter of Susan Sherwood to Carole L. Martin, Emergency Communications Director, Williamsburg, Virginia, April 4, 2001.

With respect to a Phase II-compatible interface “pulling” ALI data from the Mobile Position Center (“MPC”) in an NCAS system, again Sprint PCS is expressing a preference, not a technical mandate or a requirement of the FCC’s rules.<sup>3</sup> If the recommendations of standards bodies have become so important to the wireless carriers that they need to be written into the FCC rules, there is a well-known notice-and-comment procedure for accomplishing this. Such recommendations should not be applied prematurely as waiver conditions.<sup>4</sup>

While we have no objection to extending the schedules for introduction of location-capable handsets where the need for this is beyond the carrier’s control, we cannot agree that waivers must be made uniform on some principle of “competitive neutrality.” (Sprint amendment, 7) By definition, waivers are individualized to the particular circumstances faced by the applicant. If competitive neutrality were the guide, there would be no waivers, only rule amendments common to every carrier. And we think it premature for the FCC to accept Sprint’s speculation that “the recent economic downturn” will weigh more heavily on handset purchasing

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<sup>3</sup> “Pulling” refers to delivery of ALI information triggered by PSAP request rather than “pushed” to the PSAP independently of request. The important distinction between what is recommended in voluntary standards and what is mandated by regulation has been discussed by NENA, APCO, NASNA and Tarrant County 9-1-1 District, in relation to the standardized “E2 interface,” in our Reply Comments on the City of Richardson petition (August 1, 2001, at 3) and our Comments on the original Sprint PCS waiver request (August 22, at 3).

<sup>4</sup> Especially not when, according to our understanding, the E2 interface remains a work in progress.

decisions than, say, the heightened perception of the need for security attributable, at least in part, to the terrorist attacks of September 11th in New York and Washington.

Respectfully submitted,

NENA, APCO and NASNA

By \_\_\_\_\_

James R. Hobson  
Miller & Van Eaton, P.L.L.C.  
1155 Connecticut Ave. N.W., Suite 1000  
Washington, D.C. 20036 (202) 785-0600  
Counsel for NENA

Robert M. Gurs  
Shook Hardy & Bacon, L.L.P.  
600 14<sup>th</sup> Street N.W., Suite 800  
Washington, D.C. 20005 (202) 662-4856  
Counsel for APCO

September 28, 2001

THEIR ATTORNEYS

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**CERTIFICATE OF SERVICE**

The foregoing "Further Comments of NENA, APCO and NASNA" were mailed September 28, 2001 to:

Luisa J. Lancetti  
401 9th Street, N.W., Suite 400  
Washington, D.C. 20004

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Willette Hill