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1050 CONNECTICUT AVENUE, N.W.
TENTH FLOOR
WASHINGTON, D.C. 20036

(202) 772-1981 FACSIMILE (202) 318-4257
johnelogan@msn.com

JOHN E. LOGAN PLLC
ATTORNEY AT LAW

October 18, 2001

*By Hand Delivery*

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Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Submission, *In the Matter of Numbering Resource Optimization,* Second Further Notice Of Proposed Rulemaking, CC Docket No. 99-200 (December 29, 2000)

Dear Ms. Salas:

Pursuant to the Commission's rules, attached is a letter submitted to the Chief of the Common Carrier Bureau conveying the strong objection of ATX Technologies, Inc. to proposals, discussed in the above Notice of Proposed Rulemaking that would isolate and relegate telematics services to a service/technology specific area code. A copy of the letter was provided to Jeffrey Carlisle, Deputy Chief, Common Carrier Bureau, Diane Griffin Harmon, Acting Chief, Network Services Division, Gregory Cooke, Deputy Chief, Network Service Division and Cheryl Callahan, Attorney, Network Services Division.

The necessary copies are enclosed.

Respectfully,

John E. Logan

Attachment
Copy provided to: Ms. Atwood, Mr. Carlisle, Ms. Harmon, Mr. Cooke, and Ms. Callahan

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ATX TECHNOLOGIES

October 18, 2001

Ms. Dorothy Atwood
Chief
Common Carrier Bureau
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Submission, *In the Matter of Numbering Resource Optimization,* Second Further Notice Of Proposed Rulemaking,
CC Docket No. 99-200 (December 29, 2000)

Dear Ms.Atwood:

On behalf of ATX Technologies, Inc, a provider of vehicle telematics services, I write to convey our strong objection to proposals that would isolate and relegate telematics services to a service/technology specific area code. Such treatment would not only cause significant competitive disadvantage to telematics providers, but most importantly, cause serious disruption and harm to the ability to provide location-based emergency response, which represents the core of all telematics services.

ATX is a provider of telematics services to automobile manufacturers. Telematics services provided by ATX integrate wireless communications (voice and data), location technology, computer technology and the availability of live operators to provide emergency response and other needs to customers who have telematics-enabled vehicles. At the heart of ATX's technology is the ability to locate precisely the individual confronted with an emergency, to communicate with the vehicle and its occupants, to provide assistance to that individual, and to notify public safety agencies where that individual is located so that help can be dispatched.

The cornerstone of ATX's telematics-based emergency response are automatic crash notification ("ACN") and MayDay emergency response services, which rely upon analog cellular networks to transmit critical data and open a voice channel between the vehicle and an ATX call center. Similar to the safety benefits provided by standard factory installation of seat belts and air bags, telematics-based ACN/Mayday systems represent the latest generation of in-vehicle safety technology. The ACN service automatically

**Dallas**
Corporate Headquarters
8550 Freeport Parkway
Irving, TX 75063-2547
Tel 972.753.6486
Fax 972.753.6400

www.atxtechnologies.com

month from motorists with telematics-equipped vehicles. There are approximately 1.5 million vehicles on the road today with telematics systems. In addition, ATX and other telematics service providers offer other, location-based safety-related services such as navigation, roadside assistance, real-time traffic reports and remote vehicle diagnostics which require broad coverage.

In the Commission's *Second Further Notice Of Proposed Rulemaking*, CC Docket No. 99-200, it seeks comment on whether to authorize state commissions, in their delegated authority to administer phone number resources, to establish area code overlays that isolate particular services, such as telematics providers. Grouping ACN and telematics with a range of other products such as concierge services, the NPRM's premise is that the assigned telephone number is only intended to establish communication with a specific service provider, and not with other parties. This premise, as it applies to telematics, is incorrect.

The services provided by ATX and its competitors encompass a range of personal and vehicle safety elements that respond to the increasing demand to enhance vehicle safety, emergency response and driver assistance. These services include the ability of the driver to use the vehicle's system to communicate hands-free in a range of circumstances in a safe and secure manner. These communications, present and envisioned, are not relegated to communicating with one party. For example, ATX can also bring information, voice and data, that can be extrapolated from a vehicle accident, directly to emergency medical personnel so that a more informed medical response can be dispatched. The vision of telematics is not limited to the ability to communicate with one phone number or to emergency circumstances.

Moreover, the experience of the telematics industry with one designated area code, such as the 500 "follow me" personal communication services, has been negative and detrimental. The reality is that 500 numbers frequently either are not pervasively placed into the public switch network or if placed, are not maintained in the system. This destroys the reliability that is essential in an emergency circumstance. The result is that the integrated data and voice transmission, which is the heart of telematics services, defaults so that a connection cannot be made and an emergency response dispatched. In addition, the ultimate aim of telematics technology is to integrate consumers' in-vehicle telematics safety systems with their personal, wireless devices and allowing them to activate both through one personal, wireless number.

ATX and its competitors have committed substantial investment to designing and implementing a wireless communications capability that responds to the demand for secure and reliable voice and data communication in the time of a vehicle emergency. The proposal before the Commission will not only defeat this investment, but also disrupt the reasonable expectation of a vehicle owner that an emergency response will be forthcoming.

As the Commission itself noted, an enormous and unfair burden will be imposed on ATX and its competitors, automobile manufacturers and vehicle owners. The cost and

inconvenience of retrofitting each vehicle by having to surrender existing numbers, reprogramming each vehicle's electrical system to accommodate the change to a new number, and advising each vehicle owner, and those who use of the vehicle, is huge. Thrusting this cost on the emerging telematics industry, automobile manufacturers and vehicle owners has no sound premise. The result will not only strand investment that has been made to present equipment, but also interfere and disrupt the rollout of critical features of automobile safety.

In summary, we urge the Commission to reject proposals that would authorize state regulatory commissions to isolate ATX and other telematics providers from mainstream phone number resources. These proposals are based on an incorrect premise. The substantial detriment to vehicle safety and the unfair and enormous costs to automobile manufacturers, vehicle owners, and telematics providers provide substantial evidence and reason to reject such proposals.

On behalf of ATX Technologies, Inc., thank you for considering these comments. Please call upon me if I can provide any additional information.

Respectfully submitted,

Gary Wallace
Vice President, External Affairs
ATX Technologies, Inc.
8550 Freeport Parkway
Irving, Texas 75063-2547
972.753.6230

A copy of the attached letter was provided to Jeffrey Carlisle, Deputy Chief, Common Carrier Bureau, Diane Griffin Harmon, Acting Chief, Network Services Division, Gregory Cooke, Deputy Chief, Network Service Division and Cheryl Callahan, Attorney, Network Services Division.

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