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July 1, 2002

By Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: Errata to Supplement to MetroPCS, Inc. Petition for Partial Waiver of E911 Phase II Implementation Milestones, CC Docket No. 94-102

Dear Ms. Dortch:

MetroPCS, Inc., through its undersigned counsel, respectfully submits this errata filing to correct an error contained in its "Supplement to MetroPCS, Inc. Petition for Partial Waiver of E911 Phase II Implementation Milestones," filed on July 1, 2002. Specifically, this version replaces page eight of the original filing, which contained an incorrect date. Accordingly, MetroPCS requests that the Commission replace the original filing with the attached corrected version.

Should there be any questions concerning this matter, please contact the undersigned.

Sincerely,

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Counsel for MetroPCS, Inc.

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

In the Matter of	)	
	)	
Revision of the Commission's	)	**CC Docket No. 94-102**
Rules To Ensure Compatibility	)	
With Enhanced 911 Emergency	)	
Calling Systems	)	

SUPPLEMENT TO METROPCS, INC. PETITION FOR PARTIAL WAIVER OF E911 PHASE II IMPLEMENTATION MILESTONES

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SUPPLEMENT TO METROPCS, INC. PETITION FOR PARTIAL WAIVER OF E911 PHASE II IMPLEMENTATION MILESTONES

MetroPCS, Inc., on behalf of itself and its fourteen indirect, wholly-owned license holding subsidiaries[1/] (collectively, "MetroPCS"), files this pleading in order to update the Commission on the status of its E911 deployment and supplement its November 30, 2001 petition for partial waiver of the Commission's E911 Phase II rules[2/] with the revised implementation milestones set forth herein.

As MetroPCS discussed in its November 30th Petition, despite its diligent efforts to ensure full compliance with the Commission's E911 Phase II requirements when it launched commercial operations in early 2002, MetroPCS will be unable to meet all E911

1/ MetroPCS's indirect, wholly-owned, license holding subsidiaries are as follows: GWI PCS 1, Inc., GWI PCS 2, Inc., GWI PCS 3, Inc., GWI PCS 4, Inc., GWI PCS 5, Inc., GWI PCS 6, Inc., GWI PCS 7, Inc., GWI PCS 8, Inc., GWI PCS 9, Inc., GWI PCS 10, Inc., GWI PCS 11, Inc., GWI PCS 12, Inc., GWI PCS 13, Inc., GWI PCS 14, Inc. When it filed its November 30th Petition, MetroPCS had not commenced commercial operation and thus had not filed an FCC Form 499 (Telecommunications Reporting Worksheet). As a result, MetroPCS had not yet been assigned a Form 499 ID number. MetroPCS has commenced commercial operation and been assigned two Form 499 ID Numbers: 821526 pertains to the MetroPCS operations in Georgia, ID Number 821528 pertains to operations in California and Florida.

2/ *See* Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, MetroPCS, Inc. Petition for Partial Waiver of E911 Phase II Implementation Milestones (filed November 30, 2001) ("November 30th Petition").

Phase II requirements by the interim deadlines imposed by the Commission's rules.[3] As directed by the Commission, on November 30, 2001 MetroPCS proposed an alternate implementation plan that was "specific, focused, and limited in scope, with a clear path to full compliance" with the Commission's E911 rules.[4] However, as a result of certain developments since the Petition was filed, explained below, MetroPCS must revise certain of the implementation milestones it originally proposed. MetroPCS respectfully requests that the Commission accept this revised implementation schedule in place of the schedule set forth in its November 30th Petition.

UPDATE ON METROPCS'S PHASE I AND PHASE II DEPLOYMENT

MetroPCS is a new carrier that began commercial operations in early 2002 in the Atlanta, South Florida, and Sacramento markets. MetroPCS's business model calls for low cost, primarily local wireless service targeted to consumer and business customers that traditionally have been reluctant or unable to subscribe to wireless services. As indicated in the November 30th Petition, MetroPCS's system uses CDMA 1XRTT capabilities; MetroPCS is one of the first all-1XRTT network carriers.[5] Although the 1XRTT technology is superior at providing the capacity needed to meet the anticipated

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[3] *See* November 30th Petition at 1. Under the Commission's rules, CMRS carriers utilizing handset or hybrid technologies must begin implementing E911 Phase II capabilities as of October 1, 2001. *See* 47 C.F.R. § 20.18(g). Specifically, carriers must (1) begin selling and activating location-capable handsets no later than October 1, 2001; (2) ensure that at least 25 percent of all new handsets activated are location-capable no later than December 31, 2001; (3) ensure that at least 50 percent of all new handsets activated are location-capable no later than June 30, 2002; and (4) ensure that 100 percent of all new digital handsets activated are location-capable no later than December 31, 2002. *Id.*

[4] *See* Public Notice, "Wireless Telecommunications Bureau Provides Guidance on Filings by Small and Mid-Sized Carriers Seeking Relief from Wireless E911 Phase II Automatic Location Identification Rules," DA 01-2459 (rel. October 19, 2001) (citing Revisions 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 17442, 17457 (2000).

[5] *See* November 30th Petition at 3.

demand for MetroPCS's wireless offerings, a very small universe of handset vendors currently offers 1XRTT handsets. Accordingly, MetroPCS's selection of 1XRTT technology vendors has been and continues to be extremely limited.

MetroPCS has chosen a network-handset hybrid approach to meet the Commission E911 Phase II requirements.[6] The hybrid approach relies on a handset with A-GPS capability, which receives location information from GPS satellites and then forwards that information to the network. When a caller makes a 911 call from an A-GPS handset, the handset forwards location information to the network, which interprets the data and calculates specific location coordinates. The emergency caller's number and approximate location coordinates then are forwarded to the appropriate PSAP. Once fully deployed, this system, in combination with the specific technology MetroPCS has chosen, should exceed the location accuracy requirements set forth in the Commission's E911 Phase II rules.[7]

Prior to launch of commercial operations, MetroPCS conducted significant research concerning the availability of A-GPS handsets that support 1XRTT technology.[8] As part of this research, MetroPCS held discussions with a number of different vendors and found few that were willing to commit with any certainty to a firm delivery date for E911 Phase II compatible handsets. In part, this reflects the fact that MetroPCS is a small, regional carrier without the same market share as nationwide providers, as well as the fact that MetroPCS requires that compatible handsets be CDMA 1XRTT capable. Because of volume considerations, MetroPCS initially chose to place orders for handsets

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[6] *Id.* at 5.

[7] *Id.* at 5-6.

[8] *Id.* at 6-7.

with a single vendor, Kyocera, and has been working closely with Kyocera on the deployment of Phase II service since the initial launch of commercial operations. The initial Kyocera handset, which is not A-GPS capable, has worked well for MetroPCS. MetroPCS is currently testing a version of the Kyocera handset with A-GPS capability, and if the handset passes MetroPCS qualifications, a market trial is planned for the end of July 2002. Commercial launch would be based on Kyocera providing the new handsets at prices and quantities that make commercial sense. MetroPCS has also begun testing an A-GPS capable handset from Sony/Ericsson. Again, based on successful qualification, a market trial is planned for mid-July 2002. If the market trial is successful, and Sony/Ericsson can supply the phones at a commercially acceptable price and quantity, MetroPCS will launch the phone in time to meet the requested initial milestone of October 1, 2002 from the November 30th Petition. MetroPCS has also received and is testing an A-GPS handset from Audiovox.

MetroPCS has chosen Lucent as its sole switching vendor. The Lucent switches were installed with E911 ECP software, which supports E911 Phase I and Phase II capability.[9/] These switches also contain the CDMA enhancement for GeoLocation and network support for Phase I location of legacy mobiles using EFLT.[10/] MetroPCS also spent considerable time prior to launching commercial operations analyzing the capabilities of various vendors for Mobile Position Center ("MPC") and Position Determining Equipment ("PDE") equipment and services, and selected TeleCommunications Systems ("TCS") as its vendor for the provision of E911 Phase I

9/ *Id.*

10/ *Id.*

services.[11] MetroPCS is working with TCS to ensure that its network is capable of providing Phase I services, and is working with both Lucent and TCS to move as quickly as possible toward full compliance with the Commission's E911 Phase II rules. Based on the limited number of solutions capable of meeting MetroPCS's specific needs, the MetroPCS preferred solution for E911 Phase II is to utilize TCS for the MPC function and Lucent for the PDE. The Lucent PDE is still in the "First Office" application, and MetroPCS does not know when the Lucent solution will be generally available. MetroPCS is not aware of any instance of the Lucent solution being deployed in a 1XRTT only environment with the A-GPS handsets currently being analyzed by MetroPCS.

To date, MetroPCS has received five PSAP requests for E911 Phase II services.[12]

REVISED E911 PHASE II IMPLEMENTATION SCHEDULE

As reported in its November 30th Petition, MetroPCS initially believed that the MetroPCS network would be capable of providing E911 Phase I services at launch. MetroPCS also believed that its Lucent switching equipment would be installed with all necessary software for E911 Phase II, and that the MPC and PDE vendor selection and installation for E911 Phase II capabilities would occur during the second and third quarter of 2002. Finally, MetroPCS anticipated that the integration of the various components of the network would be completed so that the system would be completely operational by the time A-GPS handsets are available for purchase by subscribers.

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[11] *Id.*

[12] The five PSAP requests are from: City and County of San Francisco, CA, Metro-Dade County, FL, City of Morrow, GA, Clayton County, GA and City of Alpharetta, GA. In addition, City of Conyers, GA has requested Phase II services; however, while City of Conyers, GA is within a MetroPCS licensed BTA, it does not have network coverage at this time.

However, since filing the Petition, it now appears that, for reasons beyond MetroPCS's control, the testing and integration of the network MPC and PDE components will not occur in a timely fashion. Accordingly, it no longer appears feasible for MetroPCS to meet every milestone in the schedule it initially proposed. MetroPCS respectfully requests that the Commission accept the modified schedule set forth below in place of the schedule in the November 30th Petition.[13/]

A. Handsets

As discussed above, MetroPCS remains on target to begin selling A-GPS handsets by the date proposed in the November 30th Petition. However, MetroPCS is proposing the following modifications to the incremental handset milestones set forth in the November 30th Petition:[14/]

- Deadline to begin selling A-GPS handsets: Unchanged (October 1, 2002). As noted above, MetroPCS is currently testing the A-GPS handsets from three vendors. MetroPCS will continue its evaluation of such handsets and plans limited market trials before entering them into the company's distribution channels. MetroPCS's commitment to meet the October 1, 2002 deadline thus is contingent on successful testing of the handsets, as well as the results of the market trials and the availability of A-GPS handsets from suppliers in quantities that support commercial distribution.

- Revised deadline to ensure 25 percent of new activations with A-GPS handsets: by March 31, 2003. Once available and tested on the network, MetroPCS will move to make A-GPS handsets a significant portion of its product offering once network capability is in place. The commitment to meet the March 31, 2003 deadline depends on the continued availability of these handsets from suppliers.

- Revised deadline to ensure 50 percent of new activations with A-GPS handsets: by June 30, 2003. This commitment depends on the continued availability from suppliers of A-GPS handsets.

13/ A summary of the revised schedule is set out in Attachment A.

14/ *See* November 30th Petition at 9-10.

- Revised deadline to ensure 100 percent of new activations with A-GPS handsets: by December 31, 2003. If MetroPCS is still selling non compliant handsets at the start of 2003, MetroPCS intends to phase out sales of all non-location specific capable handsets throughout that year so that by year end all handsets sold will be A-GPS capable. This commitment depends on the continued availability from suppliers of A-GPS handsets.

B. Network

The MetroPCS network was capable of providing E911 Phase I services at launch,[15] and currently is technically able to fulfill valid Phase I requests from PSAP coordinators. However, MetroPCS will require a limited additional period to ensure that its network is compliant with the E911 Phase II requirements. First, although MetroPCS's Lucent switching equipment has been installed and fully functional since MetroPCS launched commercial operations, Lucent has not completed final testing in the proposed architecture of the software necessary for Phase II deployment. As a result, MetroPCS has not obtained from Lucent a firm deadline by which such software might be tested in the proposed 1XRTT environment. Second, MetroPCS has significant doubts about the ability of its MPC and PDE vendors to completely integrate the switching platform with the MPC and PDE functions by the end of the third quarter of 2002 in order to complete full deployment of Phase II capabilities. Finally, changes being made to the interface for E911 Phase II service by BellSouth (the local exchange carrier (LEC) with which MetroPCS interconnects) are further delaying the necessary network upgrades.

Accordingly, MetroPCS respectfully requests that the Commission permit it to amend the schedule set forth in its November 30th Petition as follows: MetroPCS believes the network will be capable of fulfilling E911 Phase II requests by March 31,

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[15] *Id.* at 10.

2003. MetroPCS is fully committed to the deployment of E911 Phase II services and as such plans to deploy a test system in the Atlanta market by November 30, 2002. This deployment will be used to test and verify the full capabilities of the system, including the integration of switching equipment with MPC and PDE capabilities and A-GPS handsets. Based on the success of this deployment, the system should be rolled out to the South Florida and California markets in the first quarter of 2003.

C. PSAP Interface

As noted above, MetroPCS has been working with its vendor, TCS, since before commercial launch to identify all incumbent LEC selective routers in its three market areas.[16/] This information was used to order the connecting facilities necessary to process valid PSAP requests for E911 Phase I services. These facilities are now installed and are being used to provide E911 Phase I services. Difficulties in integrating and coordinating the switching network, the MPC and PDE vendors, and A-GPS handsets has delayed the installation of the MPC and PDE infrastructure components necessary to test and fully implement E911 Phase II capabilities. As a result, MetroPCS must adjust the date by which it can have in place a fully functioning PSAP interface to process E911 Phase II PSAP requests. Therefore, MetroPCS proposes amendment of the schedule set forth in its November 30th Petition as follows: MetroPCS should be able to process E911 Phase II PSAP requests by March 31, 2003 (for requests received before September 30, 2002). Valid PSAP requests received after September 30, 2002 will be fulfilled within six months, as required by FCC rules.

16/ *Id.* at 11.

D. Testing and Verification

Because the MPC and PDE capability are not installed, MetroPCS has not yet tested or verified its E911 Phase II hybrid approach.[17] MetroPCS is working with its vendors to develop a testing and verification plan that is consistent with FCC requirements, and will implement the plan once the MPC and PDE capability is installed and tested. Accordingly, MetroPCS's proposed new schedule for testing is based on the installation of the MPC and PDE capability in the Atlanta market during the fourth quarter of 2002, at which point MetroPCS will proceed to test the A-GPS handsets and verify their compatibility with MetroPCS's network.

CONCLUSION

As discussed above and in its November 30th Petition, MetroPCS has worked hard to ensure that it is fully compliant with all FCC requirements, including the FCC's E911 Phase II capability requirements. Like many other small and mid-sized carriers using hybrid solutions, MetroPCS continues to experience difficulties in securing vendor commitments for tested and compatible equipment and software. Accordingly, MetroPCS will be unable to comply with the Commission's current E911 Phase II milestones. Although MetroPCS has made every effort to comply with the revised implementation plan set forth in its November 30th Petition, ongoing delays in the availability of necessary software necessitate the minor revisions to that plan set forth above.

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[17] *Id.*

For all of the foregoing reasons, MetroPCS respectfully requests that the Commission grant this Supplement to its request for partial waiver of Section 20.18 of the Commission's rules, 47 C.F.R. § 20.18, in order to allow MetroPCS to follow the revised implementation schedule outlined herein.

Respectfully submitted,

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July 1, 2002

ATTACHMENT A

MetroPCS Revised E911 Phase II Implementation Schedule

A. Handsets*

- Deadline to begin selling A-GPS handsets: October 1, 2002.
- Deadline to ensure 25 percent of new activations with A-GPS handsets: by March 31, 2003.
- Deadline to ensure 50 percent of new activations with A-GPS handsets: by June 30, 2003.
- Deadline to ensure 100 percent of new activations with A-GPS handsets: by December 31, 2003.
- Deadline to ensure 95 percent of all handsets in service ALI capable: December 31, 2005.

B. Network

- MetroPCS believes the network will be capable of fulfilling E911 Phase II requests by March 31, 2003.

C. PSAP Interface

- MetroPCS should be able to process E911 Phase II PSAP requests by March 31, 2003 (for requests received before September 30, 2002). Valid PSAP requests received after September 30, 2002 will be fulfilled within six months, as required by FCC rules.

D. Testing and Verification

- MetroPCS plans to install the MPC and PDE capability in the Atlanta market during the fourth quarter of 2002, at which point MetroPCS will proceed to test the A-GPS handsets and verify their compatibility with MetroPCS's network.

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* Milestones are contingent on successful testing and continued availability of A-GPS handsets from suppliers.