



CTIA

Building The Wireless Future™
Cellular Telecommunications & Internet Association

November 27, 2002

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
12th Street Lobby, TW-A325
Washington, DC 20554

Re: Ex Parte Presentation
Docket No. 94-102

Dear Ms. Dortch:

On November 26, 2002, the Cellular Telecommunications & Internet Association ("CTIA") represented by Michael Altschul, Senior Vice President for Policy and Administration and General Counsel, Diane Cornell, Vice President for Regulatory Policy, and Christopher Guttman-McCabe, Director for Regulatory Policy met with Bryan Tramont, Senior Legal Advisor to Chairman Powell.

At the meeting, the industry participants discussed the recently released Hatfield Report. In particular, the parties discussed the fact that many LEC providers of automatic location information services are still not providing services necessary for Phase II E-911. The participants also noted that the majority of PSAPs are still unready to provide Phase II services. Accordingly, the participants urged the Commission to clarify that a CMRS carrier should not be held liable if LEC provisioning delays or PSAP upgrade delays result in a failure to meet Phase II deadlines.

The attached PowerPoint presentation, which discusses the above issues, was distributed at the meeting. Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Diane J. Cornell

Diane J. Cornell



CELLULAR TELECOMMUNICATIONS & INTERNET ASSOCIATION

WIRELESS E 911 IMPLEMENTATION

November 26, 2002



NATIONWIDE E-911 DEPLOYMENT

- The Hatfield Report recognizes that the deployment of E-911 is an “extremely complex undertaking” that requires the “coordination and cooperation” of numerous parties:
 - Wireless Carriers
 - Suppliers
 - Local Exchange Carriers
 - PSAPs
- “There is a complexity introduced because of the sheer number of local, state and Federal agencies . . . exacerbated by jurisdictional divisions of authority not only between the federal, state, and local governments, but at the Federal level between the Executive Branch departments and the Commission as an independent agency.” Hatfield Report

NATIONWIDE E-911 DEPLOYMENT

- Wireless carriers can control their own efforts to deploy E-911 services, but can not control other elements of the deployment equation:
 - Wireless carriers are dependent on their suppliers;
 - Wireless carriers must have the cooperation of LECs and PSAPs;
 - PSAPs and LECs must upgrade their own facilities and find the additional resources required to support E-911.

MANY LECs ARE STILL UNREADY TO PROVIDE PHASE II SERVICES

- “LECs play a critical role in the deployment of wireless E-911 services.” Hatfield Report
- The Phase II implementation reports indicate that many LEC providers of ALI services are still unready to provide necessary Phase II services, due to:
 - LEC failure to make interface technology choice;
 - LEC failure to upgrade ALI database;
 - LEC delay due to cost recovery issues (tariff or contractual).
- LEC delays and charges will likely cause many wireless carriers to miss Phase II implementation deadlines.

MANY PSAPs ARE STILL UNREADY TO PROVIDE PHASE II SERVICES

- “PSAP awareness and readiness remains a potential detriment to the rapid and efficient rollout of wireless E-911 services.” Hatfield Report
- The Phase II implementation reports indicate that many PSAPs are still unready to accept necessary Phase II services due to various reasons:
 - Failure to upgrade CPE;
 - Completion of contract or tariff issues;
 - Resource restrictions.
- “PSAP fatigue” resulting in delays will likely cause many wireless carriers to miss Phase II implementation deadlines.

WIRELESS CARRIERS SHOULD NOT BE LIABLE FOR LEC OR PSAP DELAYS

- Clarification of Section 20.18(j) is required to prevent enforcement action against wireless carriers due to missed Phase II implementation deadlines.
 - The Commission should clarify that LEC provisioning delays constitute a defense to any enforcement actions taken against a wireless carrier for failure to meet Phase II deadlines.
 - The Commission should clarify that any PSAP upgrade delays constitute a defense to any enforcement actions taken against a wireless carrier for failure to meet Phase II deadlines.