

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

In the Matter of)	
)	
Report on Technical and Operational)	WT Docket No. 02-46
Wireless E911 Issues)	(DA 02-2666)

**REPLY COMMENTS
OF NENA AND NASNA**

The National Emergency Number Association (“NENA”) and the National Association of State Nine One One Administrators (“NASNA”) hereby reply briefly to the comments of others in the captioned proceeding. There are several major refrains in the comments that we cannot let pass:

- ❑ Give up on standardized accuracy testing.
- ❑ Concentrate on the current Phase I and Phase II requirements; don’t invent new ones.
- ❑ Roll back even the present rules.

Standardized accuracy testing

CTIA suggests that “wireless carriers’ deployment efforts cannot wait for a standardized testing and certification program,” therefore

wireless carriers and their vendors should not be penalized for their good faith efforts to comply by any reasonable means with the Commission’s location accuracy requirements as measured by the guidelines set forth in OET Bulletin 71.

Comments, 15. We agree with the Hatfield Report that disputes over Phase I and Phase II compliance must not be permitted to delay unduly the wide implementation of wireless E9-1-1.

But the Report's answer is not to suspend the accuracy requirements in favor of "good faith efforts." Instead, we must work harder toward consensus on standards for measuring substantial compliance. We have come too far in the identification and verification of successful location determination technologies to fall back now to "any reasonable means."

We have known since its release nearly three years ago that OET Bulletin 71 is a set of guidelines only. To the extent that the rules themselves are ambiguous as to the area to be tested for compliance,¹ or as to the tradeoff between timing and accuracy in the delivery of location information, amended rules or improved standards may be needed. What we cannot afford is a retreat to a subjective best-efforts test that breeds new disputes.

No new requirements

There is a difference, we believe, between a wholly new regulation -- for example, location along the "Z" (height above ground) axis -- and amended rules or refined standards that spell out prior obligations. The understandable desire not to make the wireless E9-1-1 rules a "moving target" should not prevent our adoption of useful clarifications.

As an example of the latter, NENA work groups are engaged in the following, among other activities:

1. Wireless Operations Committee workgroup for Phase I/II Features and Functions -- a definition of what Phase I and II should be, and should include, to be appropriate for full call-taker support.
2. The Wireless ALI Content Team is taking the content of the Features and Functions document, along with information from states that have done serious work on standardizing ALI field content for wireless data, and working up a national recommendation on ALI content and field usage. The timeframe for this is within the next three months.

¹ For example, Section 20.18(f) refers to carrier coverage areas and populations, while subsection (g) contains the phrase "in the area served by the PSAP."

The recently-issued decision on reconsideration in *City of Richardson*² is another example of amending and clarifying a rule in a way that we hope will expedite rather than obstruct Phase II implementation.

Roll back present rules

We were disappointed that large and small wireless carriers alike want to eliminate the Phase II handset penetration requirement or the six-month PSAP request rule or the accuracy standards as applied to rural environments. The need for these rollbacks is not documented, but offered without support as if self-evident. There are general references to the downturn in the economy and to regions of low population where it is only sensible to line up antennas along highways rather than place them in triangles. Again, “good faith” is proposed as a substitute for the six-month rule. We are all for parties working collaboratively, with good intentions, but we find the process goes more smoothly when there is a requirement to back it up.

CONCLUSION

We do not read the Hatfield Report as a blueprint for massive additions to or subtractions from wireless 9-1-1 rules. We take it as a set of suggestions for doing better with what we have. We trust the Commission will make good use of the Report in that same spirit.

Respectfully submitted,

NENA AND NASNA

By _____

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² FCC 02-318, released November 26, 2002.