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

In the Matter of	)	
	)	
Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems	)	WT Docket No. 94-102

COMMENTS OF VERIZON WIRELESS

The Onstar Corporation has petitioned the Federal Communications Commission ("FCC") for a ruling that in-vehicle, embedded telematics devices operating on wireless carrier networks utilizing "handset" based 911 Phase II solutions are not "handsets" as that term is employed in the Commission's E911 rules.[1] Verizon Wireless supports OnStar's petition, and urges the FCC to deal separately with other issues related to emergency access via telematics devices in a manner appropriate to that technology. To that end, the FCC has opened another proceeding and is seeking comments regarding what role telematics providers play today and should play in the future for the provision of emergency services to the public.[2]

I. TELEMATICS DEVICES ARE NOT WIRELESS HANDSETS AND MERIT DIFFERENT REGULATORY TREATMENT

Although OnStar and other telematics providers employ analog wireless networks to transmit voice and data, the embedded telematics device is an integrated part of a

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[1] *See* Petition by the OnStar Corporation, WT Docket No. 94-102, December 3, 2002; *See* 47 C.F.R. § 20.18.

motor vehicle's electrical system.[3] Telematics devices are designed very differently than wireless handsets, and in fact employ their own unique autonomous GPS technology for providing GPS location information.[4] Telematics devices provide features and service enhancements specifically focused on the driving experience.[5] For example, OnStar offers call center services that are location-based and/or interactive with the vehicle, including automatic airbag deployment/crash notification (ACN), emergency services, remote diagnostics, stolen vehicle location and remote door unlock, and navigation.[6] These services were provided independently of any government mandate and provide a reliable source of emergency help for the public. Moreover, voice communication is merely a complement to the core suite of services provided by telematics providers.

The telematics device is not a 3-watt car phone, bag phone, or other type of wireless handset. The fact that a telematics provider uses wireless networks to facilitate communication with its customers should not require it to conform to the unique requirements imposed on wireless handsets. Moreover, the premise on which the Commission adopted its handset phase-in schedule does not apply to OnStar's devices. Part of the Commission's logic in setting aggressive E911 handset sales and activations deadlines is that the relatively short product cycle of wireless handsets combined with reasonable marketing efforts by carriers would spur customers to migrate to E911 capable

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2 *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* Further Notice of Proposed Rulemaking, CC Docket No. 94-102 and IB Docket No. 99-67, rel. December 20,2002 ("*E911 NPRM*").

3 OnStar Petition at 2.

4 OnStar Petition at 6. Verizon Wireless sells E911 capable handsets designed to be compatible with the AGPS/AFLT technology for E911 location services.

5 OnStar Petition at 3.

6 *Id.*

handsets.[7] By contrast, as an embedded motor vehicle device, telematics devices are not swapped out every 1-2 years like wireless handsets. The lengthy product cycle of telematics devices and the cars in which they are a part is one noteworthy practical difference. Customers who have spent thousands on a vehicle with an in-vehicle telematics device are unlikely to spend additional sums to swap out the device for something different when the device already provides access to emergency help and location services.

II. TELEMATICS DEVICES CAN AND DO MEET THE EMERGENCY NEEDS OF THE PUBLIC WITHOUT IMPOSITION OF WIRELESS HANDSET REQUIREMENTS OF 47 C.F.R. § 20.18

OnStar's petition demonstrates how telematics providers can and do provide emergency access to callers and location information to PSAPs. Due to the in-vehicle, integrated nature of telematics devices, these devices have the potential to provide additional information about the vehicle and the caller's situation that is comparable to (and in some cases may be better than) the E911 Phase I and II location data currently required by the Commission's rules.[8] It is not necessary to impose rules intended for traditional wireless handsets on telematics devices and their providers in order to attain an acceptable level of emergency services that are in the public interest. Implicit in the questions posed and information requested by the pending *FNPRM* is a recognition that different devices and services can offer similar levels of service to the public in different ways – ways that recognize the challenges of the particular technology and that build upon any methods and procedures already being used in service of the public interest.

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[7] *See In the Matter of revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* Third Report and Order, 14 FCC Rcd. 17388 at ¶¶ 53-54 (1999).

[8] *See FNPRM* at ¶¶58, 66-67.

Grant of the OnStar petition is also warranted given that OnStar's service already avoids some of the problems that continue to plague deployment of E911 Phase I and II ubiquitously in the United States. In many ways, OnStar's products and services are filling the "emergency gap" that will persist until the nation's estimated 5,000 PSAPs, their serving LECs, and all wireless carriers have completed deployment of E911. Until E911 is truly ubiquitous, many PSAPs will not receive location information except from telematics providers like OnStar which today can provide:

- PSAPs with detailed location information in analog areas;
- PSAPs with detailed location information in markets where PSAPs are not ready to receive Phase I or Phase II location capability;
- PSAPs with detailed location information in those markets where the carrier has deployed a Phase II network solution;
- PSAPs with detailed location information in those markets where the carrier has deployed a Phase II handset solution (even though the device does not have AGPS/AFLT capability).

The methods currently used by OnStar do not rely on the funding, staffing, or technological upgrades that PSAPs and their serving LECs must make in order to receive and utilize E911 information. The dispatch calling model allows the professionally trained call center staff to contact PSAPs and alert them to emergencies, including relaying pertinent location information and information about the vehicle that may be critical for quickly locating a distressed caller. Further, call center staff can stay on the line with a distressed caller as long as may be necessary for resolution of the emergency. Telematics services should be viewed as a complement to the E911 Phase I and II services currently being deployed by PSAPs, LECs and wireless carriers. Given that the services provided by telematics providers such as OnStar are an extra safety net for the

public, the Commission need not have a "one size-fits-all" approach to providing emergency services effectively to the public.

III. CONCLUSION

The FCC should grant OnStar's petition and declare that in-vehicle, embedded telematics devices operating on wireless networks are not handsets and are not subject to the Commission's E911 rules.

Respectfully submitted,

VERIZON WIRELESS

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January 24, 2003

Certificate of Service

I hereby certify that on this 24th day of January a copy of the foregoing "Comments of Verizon Wireless" in WT Docket 94-102 was sent by e-mail to the following party:

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