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

In the Matter of	)	
	)	
Revision of the Commission's Rules to	)	CC Docket No. 94-102
Ensure Compatibility with Enhanced	)	
911 Emergency Calling Systems	)	
	)	
Wireless E911 Phase II Implementation	)	
Plan of Nextel Communications, Inc.	)	

NEXTEL COMMUNICATIONS, INC.
PHASE I AND PHASE II E911 QUARTERLY REPORT
May 3, 2004

To: Chief, Wireless Telecommunications Bureau
Chief, Enforcement Bureau

INTRODUCTION

Pursuant to the October 12, 2001, Order of the Federal Communications Commission ("Commission" or "FCC") in CC Docket No. 94-102,[1] Nextel Communications, Inc. ("Nextel") respectfully submits this Enhanced 911 ("E911") Quarterly Report on its implementation of Phase I and Phase II E911.

Nextel continues to devote substantial resources to E911 and has deployed 500 public safety answering points ("PSAPs") with Phase II E911 service since it achieved its first Phase II benchmark per Nextel's Waiver Order.[2] During this same period, Nextel brought its total Phase I deployments to 1017 PSAPs. Since its February 2, 2004, Report Nextel has deployed an impressive 98 PSAPs with E911 Phase II service. Significantly,

[1] *In the Matter of Revision of the Commission's Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems, Wireless E911 Phase II Implementation Plan of Nextel Communications, Inc.,* Order, CC Docket No. 94-102, FCC 01-295, released October 12, 2001 ("Nextel Waiver Order").

[2] Per Nextel's Waiver Order, Nextel was required to begin selling and activating an A-GPS capable handset on October 1, 2002.

Nextel deployed E911 Phase II service throughout the District of Columbia on February 13 and in New Orleans on April 20.

As demonstrated by these activities, Nextel is committed to providing its customers and public safety officials with Phase II E911 as soon as possible. Nonetheless, the complexities of deploying Phase II technology, as well as in some cases PSAP readiness and PSAP "one-off" operational or technical requests, create challenges requiring resources and cooperation among all parties to facilitate deployments. Additionally, there continue to be literally thousands of PSAPs from whom Nextel has received neither a Phase I nor a Phase II valid request. As a result, Nextel's ability to provide E911 service to its customers is sharply curtailed by the readiness of many PSAPs throughout the country.

Herein, Nextel provides an update on all relevant events impacting handset upgrades and network infrastructure necessary to enable Phase II E911 location capabilities as well as a listing of all deployed and pending requests for Phase I and Phase II E911 service and the status of each request.

BACKGROUND

In its Waiver Request seeking an October 2002 Phase II E911 implementation date, Nextel affirmed that it could not launch on October 1, 2001, because its integrated digital enhanced network ("iDEN") air interface, which is used by few other carriers and only on a regional basis, is supported by a single manufacturer—Motorola. Nextel, along with Motorola and the other vendors required to support E911, devoted substantial resources to develop, test, and install network hardware and software, and to develop, test and launch Assisted Global Position Satellite ("A-GPS") capable iDEN handsets.

Because of these complexities and the fact that no GPS capability existed for the iDEN platform, it was not technologically possible to develop an iDEN A-GPS handset capable of delivering FCC-compliant automatic location information ("ALI") prior to October 1, 2002.

Pursuant to Nextel's Waiver Order, in which the Commission noted that Nextel faced "special circumstances that affect its deployment of Phase II,"[3] the Commission imposed the following Phase II E911 implementation benchmarks:

October 1, 2002:	Begin selling and activating A-GPS-capable handset;
December 31, 2002:	Ensure that at least 10% of all new handsets activated are A-GPS-capable;
December 1, 2003:	Ensure that at least 50% of all new handsets activated are A-GPS-capable;
December 1, 2004:	Ensure that 100% of all new digital handsets activated are A-GPS-capable;
December 31, 2005:	95% of all subscriber handsets in service are A-GPS-capable.[4]

To date Nextel has achieved its first two benchmarks, continues to work toward its next benchmark (ensuring that 50% of all new handsets activated from December 1, 2003, to November 30, 2004, are A-GPS capable), and continues to deploy its valid requests for E911 service at a rapid pace. However, myriad issues including inadequate funding at local, state and federal levels, prevent the vast majority of PSAPs throughout

[3] Nextel Waiver Order at ¶19. The Commission also stated "it is reasonable to expect that Nextel might find it more difficult to meet the same schedule as carriers employing the more common air interfaces, because location technology vendors and equipment manufacturers will have substantial incentives to introduce ALI products first for those segments of the market with larger market share. In addition, iDEN is a proprietary Motorola technology and, to the extent that a location technology requires new or modified handsets and network equipment, Nextel must rely on Motorola as a sole source provider." *Id.*

[4] Nextel Waiver Order at ¶37.

the country from receiving and using a caller's latitude and longitude information and, given the status quo, most PSAPs likely will not be ready in the near future.

DISCUSSION

A. A-GPS Capable Handsets

Following the launch of its first A-GPS capable handset, the i88s, on October 1, 2002, in compliance with its first Phase II handset deployment benchmark, Nextel has continued to introduce new A-GPS handsets, while phasing out non-A-GPS handsets, to drive penetration of location functionalities into its subscriber base. As of today, all handsets Nextel offers for sale are A-GPS capable with only one exception, the BlackBerry 7510.[5] Nextel's complete A-GPS capable handset portfolio includes the following models: i58sr, i88s, i205, i305, i530, i730, and the eleven i736 NASCAR Nextel Cup series handsets.[6] Nextel is actively marketing these handsets' location capabilities and taking steps above and beyond relying on customer churn to put these A-GPS compatible phones into the hands of its users.

The FCC requires that handset based Phase II solutions provide the location of wireless calls within 50 meters for 67 percent of calls and within 150 meters for 95 percent of calls.[7] Based on the guidelines provided by the FCC's Office of Engineering

[5] Pursuant to the Nextel Waiver Order, Nextel is not required to meet the 100% A-GPS new handset activation benchmark until December 1, 2004. Nextel plans to launch an A-GPS BlackBerry in compliance with that requirement.

[6] Nextel markets ten NASCAR Nextel Cup Series Driver Phones, each featuring the number and unique design, colors, and signature of a particular driver. The lone NASCAR Nextel Cup Series Phone displays a checkered flag and an enlarged NASCAR Nextel Cup Series logo. Collectively, these handsets share the Motorola i736 model name.

[7] 47 C.F.R. § 20.18(h)(2). *See also*, "Guidelines for Testing and Verifying the Accuracy of Wireless E911 Location Systems," OET BULLETIN No. 71 (April 12, 2000).

and Technology, Nextel—via an independent third-party consultant—completed its accuracy testing prior to launching and met the Commission's standards.

B. Handset Deployment Benchmarks

Per Nextel's Waiver Order, to date Nextel has been subject to the following handset benchmarks:

1. *October 1, 2002: Begin selling and activating an A-GPS capable handset.*

   Nextel achieved this benchmark when it launched the A-GPS capable i88s and deployed Phase II service in York County, Virginia on this date.

2. *December 31, 2002 – November 30, 2003: At least 10% of new handsets activated during this period must be A-GPS capable.*[8]

   As of November 30, 2003, Nextel had *exceeded* this benchmark. During this period just over 12% of all new Nextel handsets activated were A-GPS capable. Furthermore, Nextel continues to aggressively work toward meeting its third benchmark.[9] As of today, all of Nextel's handsets offered for sale are A-GPS capable, with one exception, the BlackBerry 7510.[10]

[8] When describing wireless carriers' reporting methodologies, the Commission stated that "one reasonable methodology to show compliance with the approved plan would be for Nextel to demonstrate that it has complied with the required fractional percentage figures during the period beginning at the date on which that percentage takes effect and ending at the date of the next benchmark. Thus, for the 10 percent benchmark, Nextel would demonstrate that at least 10 percent of the new handsets it activated during the period between December 31, 2002, and November 30, 2003, were A-GPS-capable." Nextel Waiver Order at ¶ 37.

[9] Per Nextel's Waiver Order, the next deployment benchmark period on which Nextel must report ends on November 30, 2004.

[10] *See supra* note 5.

C. Phase I Requests

With respect to the Commission's requirement that Nextel provide "information on all pending Phase I and Phase II requests,"[11] Nextel has attached an Appendix listing all of its 250 pending Phase I requests and their current status.[12] For each of the on-going Phase I deployment efforts, the Appendix provides, as required by the Commission, the master PSAP registry identification number ("PSAP ID"), PSAP name, PSAP state, PSAP county, request date, whether the request is valid,[13] a projected deployment date, reasons hindering deployment within the first six months of a PSAP's request and comments.[14] The proposed deployment dates in the Appendix are *target launch dates, which Nextel and the relevant PSAP are striving to meet*. Nextel is in contact with each of these PSAPs and is working to deploy Phase I E911 as soon as possible. Nextel has fully deployed Phase I E911 service with 1017 PSAPs, which are listed in the Appendix. With regard to its Phase I deployment efforts, Nextel reiterates herein that in some cases

[11] *See* Nextel Waiver Order at ¶32.

[12] On June 6, 2003, the Commission released a Public Notice setting forth uniform requirements governing the Appendix format in which carriers submit Phase I and Phase II deployment information with each Quarterly Report. Per these requirements, Nextel has attached an Appendix listing all of its E911 deployments. *See* Public Notice, *Wireless Telecommunications Bureau Standardizes Carrier Reporting on Wireless E911 Implementation*, CC Docket No. 94-102, rel. June 6, 2003.

[13] Per Nextel's Waiver Order, Nextel is required to report whether it believes each deployment request is (or is not) valid. *See* Nextel Waiver Order at ¶32. On March 24, 2003, Nextel filed a letter in WT Docket No. 03-76 stating that Nextel has been and continues to be in contact with PSAPs that have requested Phase I or Phase II service and will deploy these PSAPs as soon as possible pursuant to a mutually agreeable implementation schedule. Thus, Nextel is complying herein with the Commission's requirement that it mark as "valid" or "invalid" each PSAP request, although as a practical matter, Nextel's deployment team is working with each PSAP's Phase I and Phase II pending request listed in the Appendix to deploy them as soon as possible pursuant to a mutually agreed-upon time frame.

[14] In some cases there are delays caused by technology issues. Such delays do not necessarily mean that the PSAP or Nextel is not "ready" for Phase I service. Rather, it often means there are issues involving incompatible technologies between Nextel, the LEC and/or the PSAP.

Phase I E911 deployments, similar to Phase II deployments, continue to be complicated by a number of factors – many of which are outside of Nextel's control.

D. Phase II Requests

At the same time Nextel is deploying Phase I, it continues to deploy Phase II at those PSAPs capable of receiving and using the specific location information transmitted via Nextel's Phase II solution.[15] The Appendix lists every pending Phase II request and the Commission's required information including the PSAP ID, PSAP name, PSAP state, PSAP county, request date, whether the request is valid,[16] a projected deployment date, reasons hindering deployment within the first six months of a PSAP's request and comments. Nextel has 308 pending Phase II requests and has asked that each of these PSAPs provide the documentation required in the *Richardson Order* for determining the request's validity.[17]

Similar to Phase I deployments, the proposed Phase II deployment dates in the Appendix are *target launch dates, which Nextel and the relevant PSAP are striving to meet*. Nextel reiterates that accomplishing such deployments is subject to numerous factors and parties outside of Nextel's control; thus, Nextel's deployment schedule establishes a goal toward which Nextel will work. It is possible, however, that complexities may be encountered that could delay some PSAP deployments. Nextel is in

[15] Nextel has available to PSAPs two different methodologies for transmitting Phase II information—Emergency Service Routing Keys ("ESRK") and Emergency Services Routing Digits ("ESRD").

[16] *See supra* note 13.

[17] *See generally, In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Petition of City of Richardson,* Order On Reconsideration, CC Docket No. 94-102, FCC 01-293, released November 26, 2002. *See also*, Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Order on Reconsideration*, released Nov. 26, 2002.

contact with each of these PSAPs and is working to deploy Phase II E911 as soon as possible within mutually agreed upon time frames. Nextel will continue to dedicate significant resources to maintain its aggressive roll out schedule to PSAPs that are capable of receiving and using location technology.[18]

Since October 1, 2002, its first implementation benchmark, Nextel has deployed Phase II service with 500 PSAPs, which are included in the Appendix. Nextel remains actively engaged with PSAPs at multiple locations and anticipates deploying Phase II service in additional areas in the near future, including the Commonwealth of Massachusetts, consistent with mutually agreeable timeframes.

Despite successful Phase II deployments in numerous areas such as the District of Columbia; New Orleans; New York City; Miami-Dade, Florida; Houston, Texas; King County, Washington; and Denver, Colorado, the vast majority of PSAPs throughout the country are not ready to receive and use ALI because of factors some of which are outside a PSAP's direct control, *e.g.* lack of local, state and federal funding as well as a lack of E911 coordination bodies. Given the status quo, the majority of PSAPs in the country likely will not be prepared to receive or use ALI in the foreseeable future.

[18] Separate and distinct from deployment of its Phase II technology, but incorporated by reference in its Waiver Order, as a goodwill gesture Nextel has donated $25 million to the public safety community to facilitate rapid deployment of E911 throughout the country. In 2002 Nextel created a non-profit organization with an independent board of directors, Wireless E-911: The PSAP Readiness Fund (the "PSAP Readiness Fund"), to receive these funds from Nextel and to distribute them to the public safety community. The Association of Public-Safety Communications Officials ("APCO") and the National Emergency Number Association ("NENA"), two prominent, established public safety organizations that are significantly engaged in promoting PSAP readiness for wireless E911 service, have been the primary recipients of grants, in structured grant agreements committing the funds to further E911 deployment. *See, e.g.*, APCO's Public Safety Foundation of America—a primary recipient of PSAP Readiness Fund grants—at http://www.psfa.us/.

CONCLUSION

As required in the Nextel Waiver Order,[19] Nextel is providing this Quarterly Report to the Executive Directors and counsel of the Association of Public Safety Communications Officials-International, Inc. ("APCO"), the National Emergency Number Association ("NENA") and the National Association of State Nine One One Administrators ("NASNA"). Should any of these organizations or their individual PSAP members have questions or concerns about Nextel's submission, Nextel encourages them to contact Laura Holloway, at the number listed below, as soon as possible to facilitate rapid and efficient deployment of Nextel's Phase I and Phase II E911 services.

Respectfully submitted,
Nextel Communications, Inc.

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May 3, 2004

[19] Nextel Waiver Order at ¶32.