

July 11, 2005

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Notice of Ex Parte Presentation, CC Docket No. 94-102

Dear Ms. Dortch:

On Friday, July 8, 2005, Laura Holloway and Robert Foosaner of Nextel Communications, Inc. (“Nextel”), met with Paul Margie, legal advisor to Commissioner Michael J. Copps, to discuss E911 Phase II issues, specifically the December 31, 2005, deadline by which carriers are to certify that 95% of their embedded base of users possess Assisted Global Positioning System (“A-GPS”) enabled handsets. Nextel has placed the Federal Communications Commission (“Commission”) on notice that it likely will not be able to comply with the 95% benchmark, primarily due to the GPS software glitch that affected millions of A-GPS-capable Nextel handsets last summer. *See* Nextel Communications, Inc. Phase I and Phase II E911 Quarterly Report, CC Docket No. 94-102, at 5-7, 10-11 (May 2, 2005). *See also* Nextel Communications, Inc. Phase I and Phase II E911 Quarterly Report, CC Docket No. 94-102, at 5-7, 12 (February 1, 2005).

On July 17, 2004, several million of Nextel’s A-GPS capable handsets, already in customers’ hands, suddenly ceased transmitting E911 Phase II location information. A latent problem in the software of these handsets as they were provided to Nextel from its sole handset manufacturer, Motorola, rendered *all* A-GPS services—including transmission of location information to Phase II-capable Public Safety Answering Points (“PSAPs”)—unusable as of midnight, Greenwich Mean Time, July 18, 2004.

Within hours of uncovering the software issue, Nextel and Motorola implemented a temporary network-wide fix to ensure that the GPS problem did not adversely impact customers’ ability to make 911 calls. Working quite literally around the clock and coordinating efforts among multiple vendors and network operators, Nextel and Motorola personnel determined the root cause of the software issue, developed and tested a “fix,” and installed new software throughout Nextel’s network to ensure a fully functioning Phase II E911 capability in Nextel’s network wherever Public Safety Answering Points (“PSAPs”) are deployed with Phase II. This network update re-enabled the transmission of latitude and longitude information to Phase II-capable PSAPs within just six days after discovery of the software glitch.

The second part of the solution required updating, or “reflashing,” Motorola software in the affected handsets, including those already in customers’ hands as well as those in Nextel’s and Motorola’s inventories. This phase of the fix requires “touching” each affected handset. On July 26, 2005, beginning with software for Nextel’s most popular

handset at the time, the i730, Nextel and Motorola began reflashing handsets in warehouses. Approximately one million handsets in inventory were reflashed prior to being sold to consumers.

As to handsets in customers' hands, Nextel embarked on an unprecedented campaign to encourage customers to upgrade their handsets' software. All Nextel stores are capable of reflashing customer handsets, and, as a matter of course, whenever a customer brings a handset in for any reason, Nextel updates its software. Independent dealerships that carry Nextel handsets are also capable of reflashing customer handsets, and Motorola has put in place an incentive program for dealers to reflash a handset brought in for any reason. In addition, Nextel's large corporate customers received software upgrades for the affected handsets on site.

Most significantly, Nextel and Motorola have completed mailing self-reflash kits consisting of a CD-ROM and data cable to the approximately 2.14 million customers with affected handsets. The kits enable customers to reflash their handsets at their home or office at no charge, with no need to visit a Nextel store or service center. To our company's knowledge, providing these self-reflash kits directly to all affected customers is unprecedented in this—or any—industry. Indeed, even in the automotive industry, the typical practice is to send a letter to customers requesting that they bring their car to a dealership to fix. Nextel and Motorola have gone far beyond this effort, touching every customer with an affected handset and providing him or her with the tools necessary to fix their handsets themselves.

Providing all of our customers with self-reflash kits is one part of Nextel's ongoing communications and information campaign for its customers concerning the handset glitch. Since the day the issue surfaced, Nextel has continually updated its customers through a special website created solely for this issue: www.nextel.com/gpsupdates. Nextel has reached out repeatedly to the Commission and to PSAPs, directly contacting all Phase II-capable PSAPs on multiple occasions to inform them that our customers' GPS capabilities were impacted and to detail the steps we are taking to address the issue. We have also included messages on all of our customers' bills notifying them of the A-GPS problem and how to have it corrected at no charge. A chronology of communications aimed directly at Nextel's customers, PSAPs, and to Nextel's sales agents, is attached to this filing.

Nextel also aggressively encourages customers to upgrade older handsets to newer models. Because all new Nextel handsets are A-GPS capable, these upgrades often lead to the replacement of a non-A-GPS capable handset with a GPS-capable handset. Nextel's Nextel for Life program allows current customers to upgrade their current handset to any of Nextel's current suite of 100% A-GPS capable handsets at Nextel's lowest promotional price for that handset. For example, a customer using a Motorola i90 handset could trade in that handset for a new, A-GPS capable, i205 model for free, with a 2-year service agreement. Nextel's budget for handset upgrades increases substantially every year. The volume of handset upgrades in 2004 was nearly double that in 2003.

Without the A-GPS software glitch, Nextel would likely have achieved an 85% A-GPS capable handset penetration rate by December 31, 2005. This projection is for Nextel's iDEN network alone. Nextel continues to believe that a combined Sprint Nextel would be able to achieve the 95% penetration rater faster than Nextel would be able to do on its own, as discussed in Nextel's response to the Commission's Request for Information No. 27. The merger is expected to result in quicker development of new technologies and services, thus making new handsets more attractive and increasing churn of older handsets. The marketing of services between the two companies may generate greater crossover of existing customers, resulting in higher sales of GPS-enabled handsets on both networks. Finally, the sales momentum of both entities is expected to increase with increased scale, resulting in more new customers purchasing GPS-enabled devices.

Pursuant to 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically in the records of the above-referenced proceeding. Please let me know if you have any questions

Sincerely,

/s/ Laura L. Holloway
Laura L. Holloway

Attachments

July 17, 2004, Motorola GPS Software Glitch Support Documentation

1. Intranet Home Page Notification (7/19/04)
 - a. Immediate notification done on employee, direct sales and indirect sales intranets home pages with talking points and handling direction
2. nextel.com First Customer Notification Content (7/20/04)
3. Care / Sales / Sales Support / Service & Repair: GPS on Falcon Phones Quick Reference Guide (QRG) (7/20/04)
4. Phase II PSAP Notification Letter #1 (7/20/04)
5. Phase II PSAP Update Letter #2 (7/27/04)
6. Phase II PSAP Letter #3 (8/19/04)
7. Care GPS Software Issue QRG
8. Care GPS Reflash Program QRG
9. Care GPS Software Issue Frequently Asked Questions QRG
10. Invoice / Bill Message (Sep 04)
 - a. To all customers with affected phones
11. Sales Weekly: Update on A-GPS Software Fix (9/7/04)
12. Sales Weekly: i58sr & i88s Software Upgrades Available (9/20/04)
13. Sales Weekly: i730-Series Customers Must Visit Service & Repair for Software Update (9/27/04)
14. Sales Weekly: Customers Who Update A-GPS Software Can Win New Escalade (10/25/04)
15. GPS Application Customer Letter – Nextel Billed (Sep 04)
16. GPS Application Customer Letter – Vendor Billed (Sep 04)
17. Reflash Kit Letter (Dec 04)
 - a. Sweepstakes Flyer
 - b. Sweepstakes Rules
18. Reflash Reminder #1 (Jan/Feb 05)
19. Reflash Reminder #2 (Feb/Mar 05)

Nextel Communications *** ALERT ***

Currently there is a software problem affecting assisted global positioning satellite location (A-GPS) services specifically on the following phones:

Falcon phones: i205, i305, i530, i710, i730, i733, i736 and i830.

GPS services are still working on the Condor line: i58sr and i88s, so please recommend these devices for all GPS solutions until the issue is resolved.

Nextel, Motorola Joint Statement Regarding A-GPS Services

Motorola and Nextel are aware of a software issue affecting assisted global positioning satellite location (A-GPS) services for the i205, i305, i530, i710, i730, i733, i736 and i830 Motorola iDEN phones. Engineers from Nextel, Motorola and SiRF (Motorola's A-GPS software developer) are working to determine the root cause and design a permanent fix to remedy the situation.

For customers using the i58 and i88 Motorola iDEN phones, the A-GPS commercial location services capabilities are fully functional. A-GPS utilizes a combination of satellite, network and software technology to identify the approximate latitude and longitude of the wireless phone. Nextel's customers use A-GPS for such purposes as locating fleets of vehicles as they travel or download real-time weather updates. Additionally, all of Nextel's Motorola iDEN phones continue to be fully operational with regard to all other services — cellular phone calls, Push To Talk™ calls, wireless data such as text messaging and SMS, voice mail, Caller ID, etc.

Nextel's 911 service continues to be available throughout the country, transmitting the caller's callback number and nearest cell site to those Public Safety Answering Points — or 911 call centers. Nextel has temporarily disabled the transmission of the A-GPS enabled location information for E911 Phase II location services until a permanent solution to the software issue is available.

Motorola is working to deliver a permanent solution as quickly as possible. Nextel will continue selling its current line of Motorola iDEN phones and will update any functionality as required for optimum use.

Please check back to this site for future updates.



GPS on Falcon Phone (Activate)

Updated: 12/30/04

What is it: Instructions on activating [GPS](#) applications on Falcon (3-digit series) phones affected by Motorola software issue.

Availability: All customers activating GPS applications on Falcon phones (i205, i305, i530, i710, i730, i733, i736, and i830) purchased before September 1, 2004

Effective Date: Immediately

Details:

Motorola software glitch uncovered in late July 2004 affected assisted global positioning satellite location (A-GPS) services on Falcon phones.

To correct this issue, all Falcon phones purchased before September 1, 2004, must receive a software update.

Before activating GPS applications on a Falcon phone, you must confirm if the phone in question has the required software update.

Tool for determining this is available on Motorola website at <https://idenonline.motorola.com/iupgrade/>.

Qualifications: Customer must be an [Authorized Contact](#) to activate GPS applications.

CCR Actions: If customer requests activation of GPS application on Falcon phone purchased prior to September 1, 2004, do the following:

As necessary, see [GPS Services Grid](#) for a complete listing of GPS applications.

Advise customer to check software version on phone to verify phone software has been updated.

To assist customer, see [Verify GPS / E911 Software Update](#).

Customer can also refer to [Motorola GPS Site](#) at <https://idenonline.motorola.com/iupgrade/>.

Customer enters [IMEI](#) and serial number and site tells customer if software on phone needs to be upgraded.

On phone, the serial number appears on label, usually under battery, as 'SN: XXXXXXXXXX', that is, the letters 'SN' (for 'serial number') and a 10-digit alphanumeric code.

If customer needs software update, see [Nextel.com Self-Service Page](#).

If customer has software update, go the QRG for the application in question for specific activation requirements and steps.

For a complete listing of GPS applications, including related links to each GPS application QRG, see [GPS Services Grid](#).

Related Links

- [→ GPS](#)
- [→ Motorola GPS Site](#)
- [→ Authorized Contact Policy \(Care\)](#)
- [→ Authorized Contact Policy \(Corp & Govt\)](#)
- [→ GPS Services Grid](#)
- [→ Verify GPS / E911 Software Update](#)
- [→ Identify Internal SIM / IMEI](#)
- [→ Nextel.com Self-Service Page](#)
- [→ GPS Software Issue](#)

July 20, 2004

«Requestor_Name»
Attn: «Contact_First_Name» «Contact_Last_Name»
«Requestor_Street»
«Requestor_City», «Requestor_State» «Requestor_Zip»

Dear PSAP:

Nextel takes seriously its commitment to provide 911 service to its customers, and has been working in partnership with the Public Safety community to provide a reliable and accurate Phase II service. Since your PSAP is one of the hundreds across the country where Nextel provides Phase II caller information, you need to be aware of a software issue affecting assisted global positioning location services (A-GPS) for Nextel customers using the following Motorola iDEN phones: i205, i305, i530, i710, i730, i733, i736, and i830.

This software issue caused 911 calls from the above handsets to terminate 10-15 seconds into the call. Once we became aware of the issue, we disabled Phase II capability throughout our network and reverted to E911 Phase I capability for all handsets in all locations. This has insured the successful completion of all 911 calls made by Nextel customers, which is of overarching importance to Nextel.

Nextel is working around the clock with our vendors to identify the root cause and implement a permanent solution as quickly as possible.

We will provide more information as it is available. If you have questions, please call 1-800-784-6754 .

Sincerely,

Steven Sachs
Sr. Director, Telco Management
Nextel Communications, Inc.

7/27/04 – Update Letter #2 to PSAPs

Last week, Nextel notified you of a software issue affecting assisted global positioning location services (A-GPS) for Nextel customers using the certain Motorola iDEN phones. At that time, we also notified you that this software issue required that Nextel shut down the Phase II capability in our network.

Nextel has worked continuously on this issue since that time and has identified its root cause and begun implementation of a permanent solution. The first step in the permanent solution is to turn on Phase II in our network once again, which we completed today. With that network upgrade in place, Nextel now must upgrade the impacted handsets with new software. Nextel is beginning the handset software upgrade process to ensure that our customers' handsets will generate and transmit the Phase II location data to your PSAP.

Public Safety Answering Points, such as yours, will continue to receive Phase I information - the caller's phone number and nearest cell site location -- until the handset software upgrade process is complete.

Nextel is working around the clock with our vendors to complete this permanent solution as quickly as possible, and we appreciate your continued patience and understanding.

If you have any questions, please call 1-800-784-6754.

August 19, 2004

Dear Public Safety Answer Point:

Code: PSAP

As you were previously informed, we recently discovered a software issue that impacted the Assisted Global Positioning System (A-GPS) feature in certain Nextel phones, including their ability to transmit E911 Phase II information to Phase II-enabled PSAPs. The solution to this A-GPS software problem is two-part: (1) a software upgrade to Nextel's network, which was completed on July 25, 2004; and (2) a software upgrade to the affected phones: i205, i305, i530, i710, i730, i733, i736, i830, i58sr, and i88s.

Although the software issue did not affect the commercial A-GPS features of the i58sr and i88s phones, they must be upgraded with new software so they can "communicate" with the updated software in Nextel's network and properly transmit E911 Phase II information to your PSAP.

New software for the i58sr and i88s phones will not be available from Motorola until late September. We recognize that your PSAP may be relying on E911 Phase II functionality in i58sr and i88s phones for your Phase II testing or other tasks, and you may not be in a position to wait until September for the software update. If you cannot wait for the new i58sr and i88s software, Nextel and Motorola will speed Phase II-capable phones to you and your employees by offering an exchange to the i730, another A-GPS-capable phone, in exchange for your i58sr and i88s models.

For i58sr and i88s Phones Only, Order a Replacement Phone:

- Please call Motorola at 800-590-9845 from 9 a.m. – 8 p.m. EST (Monday-Friday), and Motorola will ship (one business day) a new or "like new" i730 phone with the updated software installed.
- Using the instructions provided with the phone, swap to your new phone and re-download Java and A-GPS applications.

For i205, i305, i530, i710, i730, i733, i736, and i830 Phones, Update the Software:

- Software updates are now available for i530, i730, i733, i736, and i830 phones and will be available for i205, i305, and i710 phones on 8/23.
- **Order a free data cable, or use an existing cable (#NKN6559), and download the updated software:**
 - Go to www.nextel.com/gpsupdates and select the link for ordering a cable from Motorola or call Motorola directly at 800-590-9845 (9 a.m. – 8 p.m. EST M-F).
 - Motorola will ship a free data cable and complete update instructions in 5-7 business days.
 - When you have the cable, follow the instructions and download the updated software.
 - Once the update is complete, your phone will maintain personalized digital content and settings, including ring tones, wallpaper, styles, voice notes, voice tags, recent calls list and existing IMEI. However, you will need to re-download Java applications following the instructions included with the cable.
- **Or visit a Nextel-owned Retail Store or Service Center, or one of our Authorized Service Centers, and have the software installed on your phone.**
 - To find a service center near you, go to www.nextel.com/gpsupdates. To locate your nearest Nextel Retail Store, call 1-800-TALKCEL (825-5235).

For continued updates on the A-GPS software issue, please visit www.nextel.com/gpsupdates. For any billing questions or questions about non-A-GPS concerns, please visit www.nextel.com or contact your Nextel Customer Care representative.

Thank you.

Nancy Carlsen



GPS Software Issue

Updated: 03/02/05

Related Links

What is it: Because of a manufacturer's defect, Assisted Global Positioning Satellite (A-GPS) functionality was lost on 7/17/04 on all i205, i305, i530, i710, i730, i733, i736, and i830 phones.

The two-part fix to this issue includes a network solution at Nextel, which was completed on July 25, and a software update on Nextel customer phones.

The software on affected phones must be updated to take advantage of [E911 Phase II](#) functionality in those areas where it is available.

Availability: All Falcon phone users

Effective Date: Immediately

Details:

Nextel customers using affected phones are not able to access their wireless A-GPS data and location service applications, as well as Enhanced 911 (E911) features, until they update their phone's software.

Nextel's 911 service continues to be available throughout the country, transmitting the caller's callback number and nearest cell site to Public Safety Answering Points, or 911 call centers.

All of Nextel's Motorola phones continue to be fully operational for all other services, including cellular and Direct Connect calls; wireless data, such as text messaging and SMS; voice mail; and Caller ID.

Note: If customer has not reflashed phone and manually checks their GPS position on their phone, the phone will reset itself.

For customers using i58sr and i88s Motorola phones, A-GPS capabilities are fully functional; however, phones require a software update to take advantage of E911 Phase II functionality where it is available.

For information about i58sr/i88s software update utility, see [i58sr / i88s Software Update](#).

Beginning September 3, 2004, Nextel sent letters to customers who subscribe to Nextel-billed and Vendor-billed GPS applications explaining the issue and credits on customer invoices.

September invoices for customers subscribing to GPS applications also contain a bill message.

All communications regarding this issue are available in [Customer GPS Issue Communications](#).

Starting on 9/29, Nextel is sending a letter explaining how they can update their software as well as an upgrade kit to remaining customers with affected phones to provide upgrade options.

These customers will not receive credits on their invoice.

As of 10/18/04, [MSN Lookup Tool](#) displays original software version loaded on phone and current software version running on phone to determine if phone software needs to be upgraded to fix GPS software issue.

CCR Actions:

If customer calls with general questions about how to upgrade their phone, see [GPS Reflash Program](#).

If customer calls to determine if they have to upgrade phone, use [MSN Lookup Tool](#) to determine software version on customer phone:



Enter customer's IMEI in MSN Lookup Tool.

MSN Lookup Tool will return the following information:

.IMEI entered

.MSN

.Initial Handset Software

.Current Handset Software

If Current Handset Software displays 'UNKNOWN', look at Initial Handset Software displayed.

Go to Nextel.com/GPS Updates Self-Service page and look at 'Software Versions Requiring Update' table to determine if customer's phone has a software version requiring an update.

If customer's phone requires an update advise them of their options for receiving a free update:

.Customer may visit <https://idenonline.motorola.com/iupgrade/> to order free data cable and receive free self-service upgrade kit in the mail.

.If customer already has a data cable for their phone, they may download the software updated utility and step-by-step instructions from <https://idenonline.motorola.com/iupgrade/>.

.Visit a local Nextel-owned Retail Store or Authorized Service Center to receive a free update.

.If customer calls because they received a letter or upgrade kit, see [GPS Reflash Program](#).

.If customer calls because they performed GPS phone reflash and has an error code on phone, see [GPS Troubleshooting](#).

.If customer wants to purchase GPS applications, before activating a GPS application on a Falcon (3-digit series) phone, see [GPS on Falcon Phone \(Activate\)](#).



GPS Reflash Program

Updated: 05/05/05

Related Links

What is it: Because of a manufacturer's defect, Assisted Global Positioning Satellite (A-GPS) functionality was lost on 7/17/04 on all i205, i305, i530, i710, i730, i733, i736, and i830 phones. Starting 9/29, Nextel is contacting customers who have not been contacted previously to explain the issue and how to upgrade their phone's software to fix the problem.

To fix software problem and to allow phones to take advantage of E911 Phase II in areas where it is available, customers with i205, i305, i530, i710, i730, i733, i736, and i830 phones must update software on their phone (a process called 'reflashing'). Customers with i58sr and i88s phones also have to upgrade software to take advantage of E911 Phase II.

Availability: Customers contacted by Nextel via letter

Effective Date: Immediately

Details:

When Nextel first determined A-GPS issue, Nextel contacted customers actively using A-GPS applications and those with A-GPS application SOCs on account.

These customers received letters detailing the issue and their options. The letters have one of the following codes: PSAP or AGPS Services.

Customers with letters with these codes are not eligible for the Motorola sweepstakes and free 30-day TeleNav promotion.

Starting on 9/29, Nextel is sending a letter and upgrade kit to remaining customers with affected phones to provide upgrade options. The letter has code AGPSP3 or AGPSP3A2. See [Customer GPS Issue Communications](#) for a copy of the letter.

First customers to be contacted will be a test group to ensure Nextel can best assist all customers.

Test group consists of three markets: San Francisco, Dallas-Houston, and Eastern Michigan.

Customers are offered two choices for reflashing phone:

Reflash phone on their own using free data cable, CD-ROM with software upgrade, and complete instructions included with letter.

Visit Nextel service and repair center for a free software upgrade.

Customers are offered two incentives for reflashing phone:

Free driving directions for one month using TeleNav.

Entry into Motorola sweepstakes with prizes exceeding \$1.2M.

If customer updates software on their own, when update is complete:

Phone maintains personalized digital content and settings, including ring tones, wallpaper, styles, voice notes, voice tags, recent calls list, and existing IMEI.

Customer may need to re-download Java applications following the instructions included in self-service kit.

Customer may need to reset [Auto Redial](#) feature.

CCR Actions:

- .If customer calls with general questions about GPS issue, see [GPS Software Issue](#).
- .If customer wants to add TeleNav Driving Directions to phone, see [Business and Industry Solutions Grid](#).
- .If customer with i730, i733, or i736 inquires about reflashing phone, see [i730 Series Performance Enhancements](#).
- .If customer calls to determine if they have to upgrade phone, use [MSN Lookup Tool](#) to determine software version on customer phone.

Enter customer's [IMEI](#) in MSN Lookup Tool.

MSN Lookup Tool will return the following information:

IMEI entered

MSN

Initial Handset Software

Current Handset Software

If Current Handset Software displays 'UNKNOWN', look at Initial Handset Software displayed.

Go to [Nextel.com/GPS Updates Self-Service](#) page and reference 'Software Versions Requiring Update' table to determine if customer's phone has a software version requiring an update.

If customer's phone requires an update advise them of options for receiving free update:

.Customer may visit <https://idenonline.motorola.com/iupgrade/> to order free data cable and receive free self-service upgrade kit in the mail.

.If customer already has a data cable for their phone, they may download the software updated utility and step-by-step instructions from <https://idenonline.motorola.com/iupgrade/>.

.Visit a local Nextel-owned Retail Store or Authorized Service Center to receive a free update.

.If customer calls with questions related to letter about GPS from Nextel, ask customer for code printed in top-right corner of letter.

If customer received letter with code AGPSP3:

Inform customer they may update software on their own using the data cable and self-service kit provided or by visiting a Nextel Retail Store or Authorized Service Center.

.To perform update on their own, advise customer to follow the instructions provided.

.To update software through Nextel Retail Store or Authorized Service Center, see [Service and Repair Locator](#) to refer customer to local Service & Repair Center.

Inform customer that once they reflash phone's software, they are entered in the GPS sweepstakes and will also receive TeleNav free for one month.

For details on sweepstakes, see [Motorola GPS Sweepstakes](#).

.Tell customer they will receive TeleNav Limited (PDSDRIV1P) free for 30 days. Customer must call within 30 days to cancel the service or they will be charged for the service after 30 days.

If customer received letter with code PSAP or AGPS Services:

If customer requests replacement for their GPS phone:

.Advise customer that replacement phones are processed by Motorola Monday through Friday from 9AM to 8PM ET.

.If during hours of operation listed above, ask customer if they would like to be transferred to Motorola GPS Support to process their replacement phone.

.If not, provide number (1-800-590-9845) and hours of operation to customer.

.Advise customer they should have the letter available as well as IMEI and Serial Number of phone, because Motorola GPS Support may request this information.

.Transfer customer to 1-800-590-9845.

If customer wants to update software on their phone, inform customer they may update software on their own or visit a Nextel Retail Store or Authorized Service Center:

.To perform update on their own:

.If customer needs to order a free data cable, they may:

.Go to <https://idenonline.motorola.com/iupgrade>

.Or, call 800-590-9845 (9 a.m. - 8 p.m. EST M-F), and Motorola will ship a free data cable and complete update instructions in 5-7 business days.

.If customer already has a data cable, they may download the software update utility and step-by-step instructions from <https://idenonline.motorola.com/iupgrade/>

.To update software through a Nextel Retail Store or Authorized Service Center, see Service & Repair Locator to refer customer to nearest location.

If a customer states they were contacted directly by Motorola to make arrangements to have multiple phones reflashed, inform customer that Motorola is handling these arrangements. Offer to transfer to Motorola.

Warm transfer call to Motorola at 800-590-9845 (9 am - 8 pm EST, M-F).

If customer calls because they performed GPS phone reflash and have an error code on phone, see [GPS Troubleshooting](#).

If customer has questions about instructions, go to <http://idenphones.motorola.com/iden/support/FAQ>.

If customer calls with an issue with replacement phone they received through special GPS program, follow existing troubleshooting procedures; see [Tech Triage Tool](#).

If customer calls to check order status of cable or advance exchange/replacement phone, inform customer that only Motorola can provide that information. Offer to transfer customer to Motorola.

Warm transfer call to Motorola at 800-590-9845 (9 am - 8 pm EST, M-F).

If customer threatens to cancel because of GPS issue, attempt to address their concerns. As necessary, see [Permanent Deactivation](#) for additional information and to refer customer to Account Services.

Do not transfer deactivation requests to Motorola.



GPS Software Issue FAQ

Updated: 1/3/05 :: Created: 12/02/04

Related Links

General Audience Information

[GPS](#)
[GPS Software Issue](#)
nextel.com/self-service

What happened? Why is my phone not working?

Your phone is working. However, there was a software issue affecting Assisted Global Positioning System (A-GPS) location services for the Motorola 3-Digit Series iDEN• phones (i205, i305, i530, i710, i730, i733, i736, and i830). Nextel's 911 service is functional and continues to be available throughout the country, transmitting the caller's callback number and nearest cell site to Public Safety Answering Points (911 call centers) in large portions of Nextel's network.

Nextel has re-enabled transmission of A-GPS enabled location information for E911 Phase II location services across its nationwide network and is committed to fulfilling its 911 obligations. Phase II E911 uses the A-GPS capability in certain Nextel handsets to provide, where possible, the approximate location of a 911 caller. Only Nextel A-GPS phones that have been 're-flashed' with the updated software (described below) are able to take advantage of E911 Phase II technology.

Nextel began providing the updated software for A-GPS-capable phones to our customers on August 12. All other features of Nextel's Motorola iDEN phones are fully operational: cellular calls, Push To Talk™ calls, wireless data (text messaging and email), voice mail and Caller ID.

Why did this happen?

A latent problem within the software of the affected phone models caused them to continually search for A-GPS services and then reset. This rendered all A-GPS services unusable for the Motorola i205, i305, i530, i710, i730, i733, i736, and i830 iDEN• phones.

Is the problem fixed?

Yes. Nextel has tested and approved the software fix from Motorola that solves the GPS issue on the Motorola i205, i305, i530, i710, i730, i733, i736, and i830 iDEN• phones. In August, we introduced our plans to upgrade existing phones with a new software version began to roll out the fix to our customers' and partners' phones on August 12.

Could this happen again?

Nextel will continue working with Motorola to make sure that our customers receive seamless wireless services and the best possible quality assurance.

Are all phones affected?

No, only the A-GPS services for the i205, i305, i530, i710, i730, i733, i736, and i830 iDEN• phones are affected. For customers using the Motorola i58 and i88 iDEN phones, the A-GPS commercial location services capabilities are fully functional. Although the commercial A-GPS location functionalities of the i58sr and i88s iDEN phones are not impacted by the software issue, they require a software update to transmit A-GPS location information to 911 call centers.

What do I have to do to get this fixed?

Nextel recommends that all customers with i58sr, i88s, 205, i305, i530, i710, i730, i733, i736 and i830 phones go to www.nextel.com/gps_updates_selfservice.shtml to obtain information on the free A-GPS software upgrade for their phone. The process of installing this software is called 're-flashing' the phone. Remember, all of Nextel's Motorola phones continue to be fully operational with regard to all other services -- cellular phone calls, Nextel Direct Connect calls, wireless data such as text messaging and SMS, voice mail, and Caller ID.

Will I be charged for GPS services?

Customers with phones affected by this issue will not be charged for A-GPS services during this outage. Nextel will also credit customers with up to 60 days of A-GPS services. The credit will be displayed as an adjustment on their invoice, and will apply to the A-GPS related rate plan they normally use. Customers with unaffected phones will be billed as usual.

Is Nextel contacting customers?

Nextel's Strategic Field Care unit contacted targeted customers who have a 3-Digit Series phone and actively use A-GPS services for their business. Targeted customers are offered a 'like' phone (i.e., an i730 with the updated software in exchange for their current i730) or a 'self-service' kit with data cable and software upgrade utility. Customers who choose to receive a 'like' phone will need to reinstall their A-GPS applications on the phone. (See below: What happens to the customer's phone when it is re-flashed?)

I am unable to use my Falcon phone for A-GPS applications until the software is updated. In the meantime, can I take out my SIM card and put it into an i58sr or i88s?

Swapping a SIM from a Falcon phone to an i58 or i88 will allow you to carry most of your services to that new phone. It also will carry over the phone information often used to authenticate your phone for A-GPS applications (PTN, IP Address). However, the address book on the 3-Digit series phone SIMs is incompatible with other phones, so a customer's address book could become corrupted in the swap.

To avoid this situation, upload your address book prior to swapping the SIM and avoid adding any new numbers to the address book while the SIM is in the new phone to minimize the possibility of corruption. For more information on how to transfer contacts visit www.nextel.com/services/nextelonline/addressbook.shtml. In addition, you will need to perform certain steps to return to full service with your A-GPS applications. Some of these steps require special handling, depending on the service you were using.

Reinstall Java applications on the phone. If you downloaded the application after purchasing the phone, you will probably NOT see the application on your phone because it is linked to the IMEI of the phone, and you are now accessing from a new IMEI. Some Java applications will require you to register your new 'IMEI' number.

Reset the Privacy settings on the phone. The first time you run the GPS Java application after swapping the SIM, you will have to answer the prompt to set the privacy to 'Restricted,' 'Unrestricted,' or 'By Permission.' Most customers prefer 'Unrestricted.'

NOTE: If you have Signal Insurance on the 3-digit series phones, please note that the coverage applies to the original phone, not the SIM. You can either continue briefly without insurance until the 3 digit series phone is restored to service, or you can call Signal to change the coverage for the duration.

Is Nextel Mobile Locator affected?

Yes, Mobile Locator is affected, however an interim solution has been installed in the network enabling cell-site accuracy. When you view the map and query the location of a phone, you will see the location of the nearest cell site to that phone. Customers will still receive a credit.

I've heard that other carriers have launched navigation services. Does this mean Nextel has lost its GPS navigation advantage?

No. Nextel is still the only carrier that offers turn-by-turn A-GPS navigation. Other carriers have services that provide text messages with MapQuest-like directions. The user must enter their starting address and ending address and manually advance through every instruction. Because the phone has no real-time location capability, if the user deviates from the route, there is no automatic rerouting, and they must reenter a new starting point. In addition, features such as highway routing are not available on these other services.

Service & Repair Questions

Are limited edition phones eligible for replacement?

No. Limited edition phones are not eligible for replacement, but customers with Limited Edition phones (e.g., i736 NASCAR series) are eligible for the data cable and utility re-flashing option.

What happens to the customer's phone when it is re-flashed?

All ring tones, wallpaper, and preinstalled applications (like TeleNav) that previously resided on the phone will be reinstalled automatically. All Java applications that were added separately will need to be reinstalled. Most of the Java Applications that existed on the phone prior to the re-flash should be available for re-download by running Download Apps, and accessing the 'Re-downloads' option.

If you don't find the application in the 'Re-download' or 'Subscription' options within Download Apps, use the original installation method to retrieve your application (MAM, PMAM or other). After reinstalling the Java application, you will need to run the Java application and respond to the prompt regarding privacy consent. •Most customers prefer 'Unrestricted' to ensure the location is always provided without interrupting the user. •Most applications will require the user to reenter their Login and Password, so the user will need to have that handy. There is no charge to re-download applications to the re-flashed phones.

When and where can customers go to get their phones re-flashed?

To obtain updates for i58sr, i88s, i205, i305, i530, i710, i730, i733, i736, and i830 phones, customers have several options:

- Visit a Nextel-owned Retail Store or Service Center, or one of our Authorized Service Centers, to have the software installed on their phone. [Find their closest repair location.](#)
- Use their phone's data cable (part number NKN6559), if they have one, or [order one at no cost from Motorola.](#) They can also call Motorola at 800-590-9845 to request the cable.
- Once a customer has the cable, they can follow the instructions here [to download the software update.](#)

Does a customer have to have a paid subscription to a GPS application in order to receive the free data cable from Motorola?

Any Nextel customer can order a cable if they need to re-flash their phone. Customers can order free cables on nextel.com/gpsupdates.

How does the customer reinstall games and applications that they purchased before upgrading the software on their phone?

Ring tones and wallpaper will not be affected during the re-flash. Preloaded and standard applications (e.g., TeleNav) will be reloaded by the utility. Third-party applications that were downloaded after the phone was purchased will be erased during the re-flash, but customers can reinstall these applications using Download Apps. Customers can re-download those games and applications purchased before the phone software update by going to Java Apps > Download Apps > Re-Downloads and selecting the application or game from the list of available applications. Once an application or game is downloaded, you can install it by going to Java Apps on your phone and selecting the application or game icon.

Will web browser favorites remain unchanged after the re-flash?

All Web and Data Services and bookmarks will remain unchanged. Certain websites that allowed you to save your log in information may require you to reenter your log in information.

Will text messages received prior to the re-flash still be accessible?

SMS Text Messages will be transferred to the new device. Two-Way Messages will still be available through the 2-Way application in Net Mode but the Net Alert for any read or unread 2-Way messages will not be displayed in the Messages screen. All Net Alerts, whether saved or un-saved will be lost.

Voice Mail message counts will be displayed in the Messages screen but the 'Unread' icon will not be displayed on the phone idle screen until a new message comes in. All message content will be moved to the new device.

Will phones ordered and shipped today have the new software upgrade?

Nextel began re-selling GPS services on September 1, when we had an acceptable inventory of fixed i205, i305, i530, i710, i730, i733, i736 and i830 phones for all distribution channels.

Is there a charge to customers for re-flashing their phones?

Nextel is offering its customers affected by the GPS software issue a free re-flash of their phones. Customers will not be charged a fee.

What is required for Mobile Applications Manager (MAM)?

Customers must have either Data Access Plan (formerly Total Connect) or have MAM SOC applied on their account for MAM to distribute applications to the customer's phone.

Billing Questions

Will the customer be charged for GPS applications?

No. Customers with phones affected by this issue will not be charged for Nextel-billed A-GPS services during this outage. In addition, Nextel will credit customers with up to 60 days of A-GPS services. If the services are partner-billed, customers will be credited with one month free Data Access Plan (formerly Total Connect) . Customers with unaffected phones will be billed as usual.

Are there other means of compensating the customer?

A one-time \$10 courtesy adjustment is available for customers with A-GPS services on Motorola i205, i305, i530, i710, i730, i733, i736, and i830 iDEN• phones. Customer Care reps can offer this credit at their discretion. This credit is in addition to automatic adjustments that will apply related to the A-GPS program. Use the GPSADJ reason code. Complete details are available on i-Connect (see \$10 GPS Courtesy Adjustment QRG).

How will Nextel determine which customers to credit if it is a Partner-billed application? For applications that are Partner-billed, is the Partner willing to suspend billing during this period?

Partner-billed A-GPS application subscribers will be automatically credited for their Data Access Plan (formerly Total Connect) service. Nextel is working with the Partners to identify their customers who are affected, and provide credits. Third-party application Partners may also credit customers, however this is still pending.

FCC Compliance Questions

Was A-GPS disabled for 911 calls on the i58sr and i88s phones? Was the disabling of transmission of A-GPS E911 information done at the network level?

Yes, E911 Phase II capability was temporarily disabled on the network, which affected the i58sr and i88s. E911 Phase 1 was still fully functional (many 911 responders could track you based on cell site rather than using longitude and latitude positioning). E911 Phase II has been restored on the network, and i58sr and i88s phones will need to be re-flashed to take advantage of this capability.

Is Nextel now considered compliant with E911 requirements?

Nextel is compliant with E911 Phase I, which enables all phones to complete 911 calls and transmit Phase 1 information (caller ID and cell site location).

Has Nextel issued an official statement to the 911 community (911 centers for example)?

Since Nextel became aware of the software issue in some of our A-GPS enabled phones, Nextel has been proactively communicating with emergency call centers and providing them with updates on the fix. They are all aware of the situation, as is the FCC.

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Jared Carlson

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in

You are here: [Home Page](#) > [GPS Application Customer Bill Message](#)

GPS Application Customer Bill Message

Updated: 06/17/05

The following bill message was included in September 2004 invoices for those customers who subscribe to GPS applications to explain the GPS Software Issue.

Because of a recently identified Motorola software issue affecting GPS services on i205, i305, i530, i710, i730, i733, i736, and i830 phones, Nextel is sending a letter to affected customers detailing the issue and solution options, including reestablishing E911 location functionality. Beginning with this bill, impacted customers receive a two-month credit over two bill cycles on Nextel-billed A-GPS applications and service plans. The credit appears in the invoice under 'Adjustments, Access and Other Charges'. For more information, see www.nextel.com/gpsupdates.



DIRECT ~ 09/07/04

URGENT/IMPORTANT

- Update on A-GPS Software Fix

PRODUCTS & SERVICES

SALES TOOLS

OPERATIONS

URGENT/IMPORTANT

Update on A-GPS Software Fix

On September 3, Nextel mailed first-class letters to customers who subscribe to Nextel- and Vendor-billed A-GPS applications outlining options for updating software on 3-Digit Series phones and explaining the two months' credit (through September 17) these customers will receive over two bill cycles. The letters will be available September 7 on [s.n.c.](#) **NOTE:** These customers should upgrade the software in their phones before September 17.

PRODUCTS & SERVICES

Pg 1 of 2



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DIRECT ~ 09/20/04

URGENT/IMPORTANT

[Redacted]

A-GPS UPDATE

i58sr & i88s Software Upgrades Available September 20

PRODUCTS & SERVICES

[Redacted]ers

SALES TOOLS

[Redacted]

CUSTOMER CONTESTS

[Redacted]

OPERATIONS

[Redacted]

PUBLIC SECTOR

[Redacted]

URGENT/IMPORTANT

[Redacted]

A-GPS UPDATE

i58sr & i88s Software Upgrades Available September 20

Beginning September 20, the A-GPS software fix available for all existing customers with 3-Digit Series Phones is now available for the i58sr and i88s. While A-GPS capabilities have been fully functional for the i58sr and i88s, they require a software upgrade to take advantage of E911 Phase II service (providing 911 Call Centers with precise location of devices).

FREE Software updates for the i58sr, i88s and 3-Digit Series Phones are available via several options:

- Visit a Nextel-owned Retail Store, Service Center or Authorized Service Center to have the software installed on your phone. Locations can be found at nextel.com or by calling 800-TALKCEL
- Use a data cable, [order one at no cost from Motorola](#) or call Motorola at 800-590-9845. Instructions to download the software update are available [here](#)

Check s.n.c and nextel.com for continuous updates.

PRODUCTS & SERVICES

[Redacted]

SALES TOOLS



DIRECT - 09/27/04

A-GPS UPDATE

- 1730-Series Customers Must Visit S&R for Software Update

PRODUCTS & SERVICES

- [Redacted]

SALES TOOLS

- [Redacted]

OPERATIONS

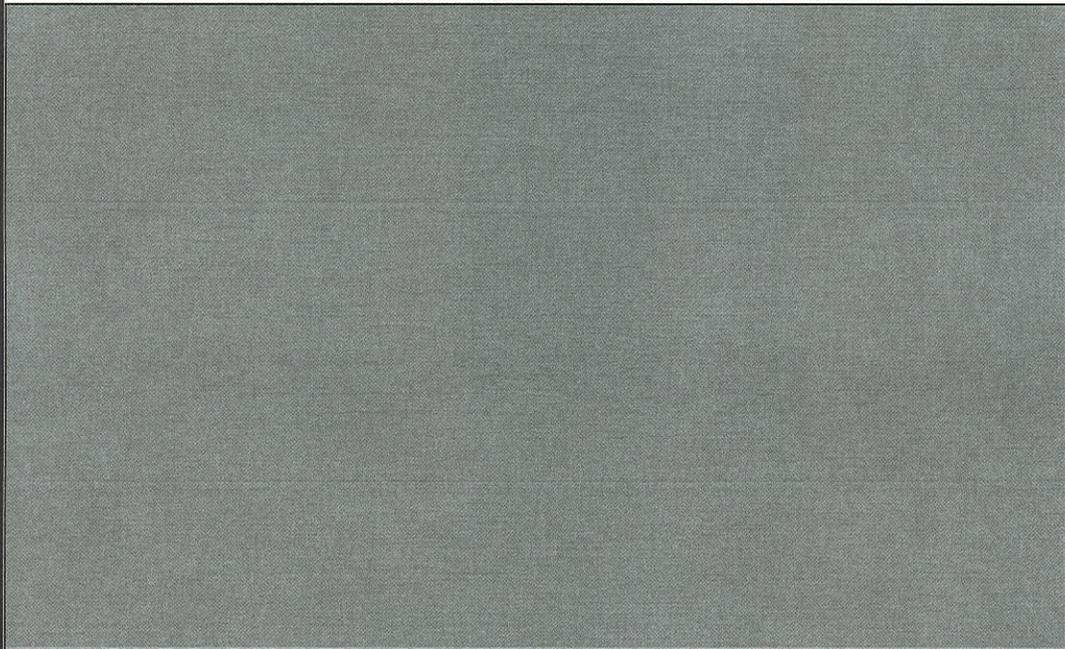
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A-GPS UPDATE

1730-Series Customers Must Visit S&R for Software Update

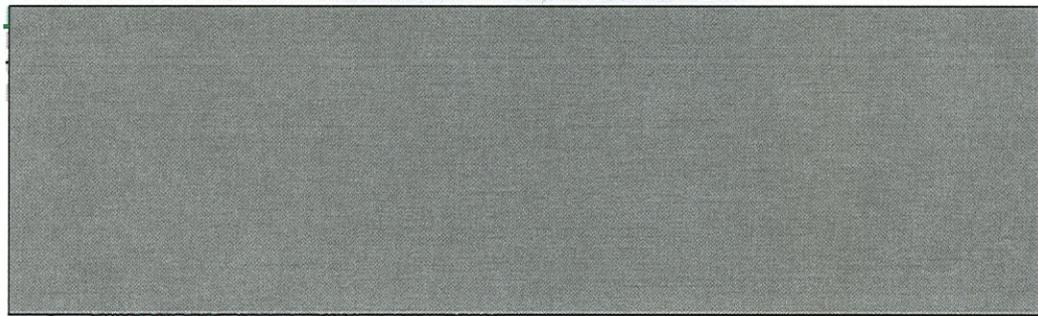
1730-Series (1730, 1736, 1733) customers who wish to update their phone's software (for A-GPS and E911 Phase II compliance) must go to a Service & Repair center, as the devices must be updated by an actual repair technician. The Sales & Service Locator on nextel.com will indicate whether a location is equipped to handle 1730-series phones.

PRODUCTS & SERVICES



replacement return of their phone (no charge for in-warranty phones)

SALES TOOLS





DIRECT ~ 10/25/04

URGENT/IMPORTANT

- [Redacted]

PRODUCTS & SERVICES

- [Redacted]

- Customers Who Update A-GPS Software Can Win New Escalade!

INCENTIVES

- [Redacted]

OPERATIONS

- [Redacted]

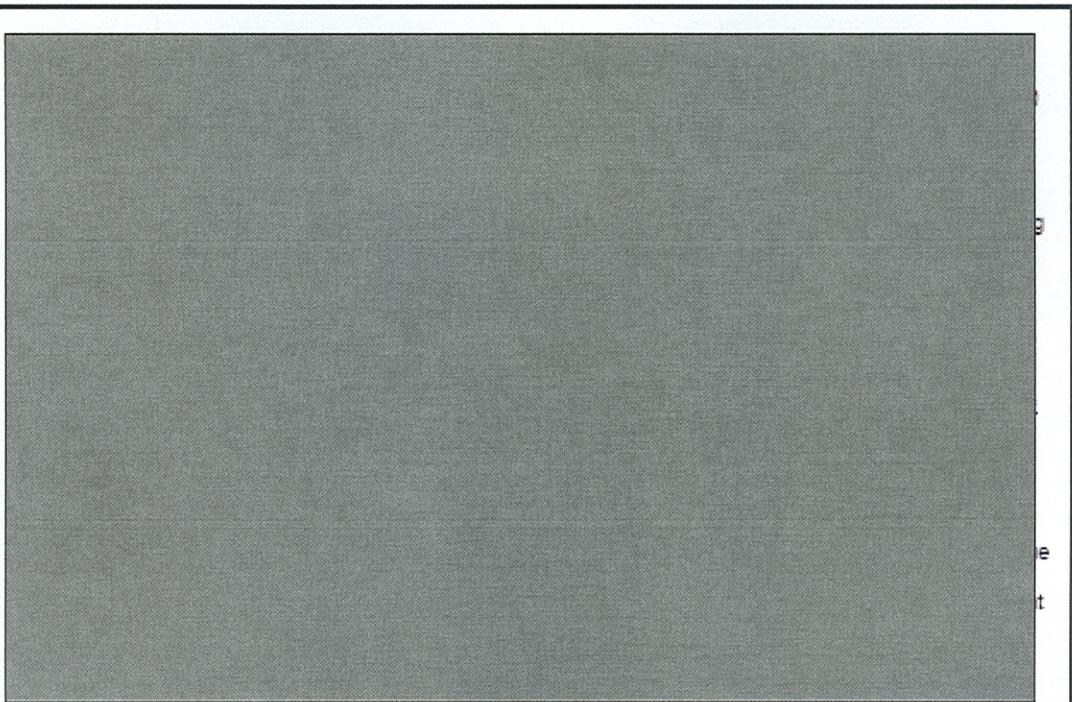
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PRODUCTS & SERVICES

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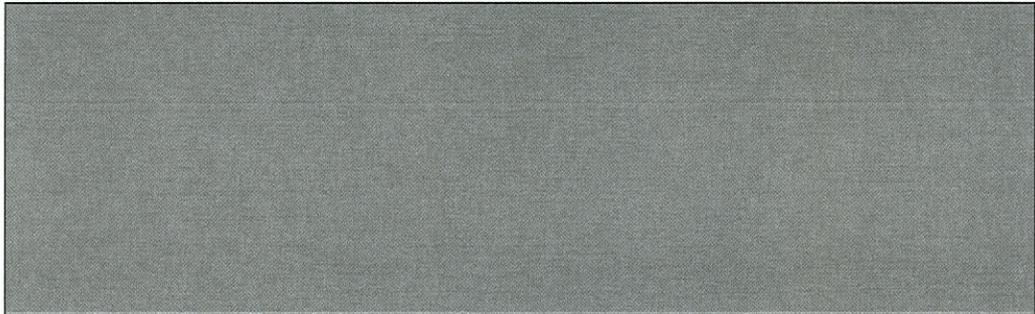


Customers Who Update A-GPS Software Can Win New Escalade!

Nextel will begin mailing letters to all customers on November 3, providing two options on how to get the A-GPS software update for their 3-Digit Series phones (self-service kit or S&R center).

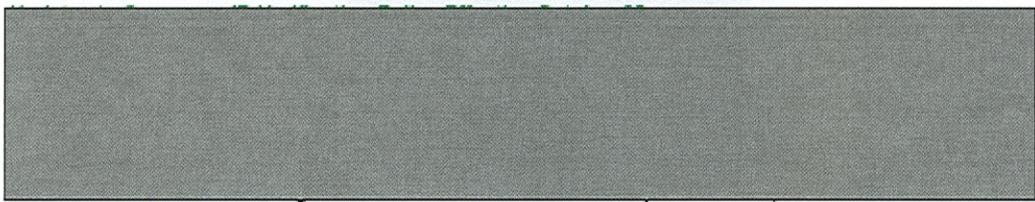
- For each phone updated, customers will be entered into a Motorola-sponsored sweepstakes for a chance to win one of thousands of prizes, including a Cadillac Escalade, round-trip airfare tickets, \$20 Web gift certificates, Nextel service discounts and more
- Software must be updated by March 31, 2005 to be eligible. Winners will be selected in mid-April 2005
- Customers will be eligible for a TeleNav offer of \$9.99/month AND unlimited free use for the first 30 days when they purchase the service

INCENTIVES



Gift amounts (prizes) vary by region. [See also Terms & Conditions](#) for more information.

OPERATIONS





IMPORTANT INFORMATION ABOUT YOUR MOTOROLA PHONE – IMMEDIATE ATTENTION REQUIRED

January 24, 2005

Code: AGPSP3A2

Dear Nextel Customer,

We have identified a software issue with the A-GPS (Assisted Global Positioning System) feature in your Motorola phone. This issue affects your phone's ability to obtain and utilize A-GPS capabilities. A-GPS capabilities are important for location identification in emergencies and are necessary to use tracking and navigation solutions through your phone. Although you may not have noticed anything different, it is imperative that the software on your phone is updated.

PHONES THAT ARE AFFECTED

Motorola iDEN® model phones: i58sr¹, i88s¹, i205, i305, i530, i710, i730, i733, i736 and i830. Our records indicate that you currently have one or more of these phones on your account. You need to update the software on those phones to reestablish A-GPS functionality for E911 calls and other A-GPS applications.

E911 CAPABILITIES AND IMPACT

E911 service continues to be available throughout Nextel's National Network, transmitting the caller's callback number and the nearest cell site to local emergency call centers where those call centers are capable of receiving that information. However, your A-GPS enabled phone(s) must be upgraded to take advantage of E911 Phase II functionality in those areas of the United States where Nextel has deployed Phase II service. E911 Phase II is a technology that uses information from the A-GPS network to provide 911 call centers with the approximate physical location of the wireless phone used to place a 911 call.² Once updated, your phone can also help get you where you're going faster, thanks to other A-GPS services like audible turn-by-turn directions. To enjoy these features, you need to upgrade your phone's software.

HOW TO UPDATE YOUR PHONE

To update the software on your phone, at no charge to you, please follow the directions in the enclosed A-GPS self-service kit. The update can be done from a standard desktop or laptop computer. It will take approximately 15 minutes. If you need additional assistance, simply take your phone to a Nextel Service and Repair Center and they will perform the update for you, free of charge. To find the Service and Repair Center nearest you, visit www.nextel.com/gpsupdates.

ACT NOW TO UPDATE YOUR PHONE

Thank you for taking the time to make this important update to your phone. If you perform the update before March 31, 2005, we will offer you Telenav™, Nextel's A-GPS-powered, turn-by-turn driving directions solution, free for 30 days (a \$9.99 value) when you purchase TeleNav service.³ To take advantage of the free driving directions, please call 866-567-7805 or speak with your Nextel Representative. In addition, once your phone is reflashed, you will automatically be entered into the Motorola A-GPS Reflash Sweepstakes. Please see the enclosed Motorola Sweepstakes flyer for details and Official Rules.

Our customers are our top priority, and we are committed to helping you get things done. Should you need more information or to answer additional questions, **please call Motorola at 800-590-9845 (Mon-Fri, 9am - 8pm EST; Sat 9am – 5pm EST).**

Thank you for your continued business.

Sincerely,

David McNaughton
Vice President of Marketing
Nextel Communications

Peter Aloumanis
General Manager, US Operations
Motorola, iDEN Subscriber Group

1. The software package(s) enclosed were sent to you to upgrade the phone model(s) which were listed on your account at the time of this mailing. To order a free self-service kit for models listed which you did not receive a package for, please visit <https://idenonline.motorola.com/upgrade>.
2. The availability and accuracy of location information will vary depending on the environment in which the A-GPS feature is being used.
3. Offer expires March 31, 2005. Customer must call to cancel the TeleNav service before the free trial period ends to avoid being charged for this service. The \$9.99/mo plan includes 10 routes/month from TeleNav and 1/2 MB of Total Connect Data. Overage rate of \$0.01/kb applies. Average route is 10 KB without audio street names and 30 KB with audio street name prompts. Nextel driving directions are provided by Televigations TeleNav Service and requires a Nextel voice service plan, TeleNav service (billed by Nextel), and a Nextel A-GPS, Java-enabled phone. Other TeleNav options are available.
4. Sweepstake prizes will be awarded to the account holder. See the enclosed Motorola Sweepstakes flyer for the official rules.

→ THE NEXT FEW MINUTES COULD LAND YOU A 2005 CADILLAC ESCALADE!

→ REFLASH NOW FOR A CHANCE TO WIN BIG



Reflash your phone for FREE with the enclosed A-GPS software and you could WIN one of THOUSANDS of prizes:

- Brand new 2005 Cadillac Escalades
- Round trip airline tickets
- Discounts on your Nextel service
- Motorola products
- Or many other great prizes!

Act now for a chance to win!*

*Reflash your phone while connected to the Internet and you will be automatically entered for a chance to win! If you do not have Internet access, after reflashing your phone's software, you may enter by calling 1-800-590-9845. See reverse side for official rules. If you would like to be removed from our sweepstakes/contest mail list, please contact us at Motorola A-GPS Reflash Sweeps (Opt-out), Dept. 442007, Lubbock, TX 79491-2007.

NO PURCHASE NECESSARY TO ENTER OR WIN. VOID WHERE PROHIBITED. MAKING A PURCHASE WILL NOT INCREASE YOUR CHANCE OF WINNING. BUYING WILL NOT HELP YOU WIN. YOUR CHANCES OF WINNING WITHOUT MAKING A PURCHASE ARE THE SAME AS THE CHANCES OF SOMEONE WHO PURCHASES SOMETHING. IT IS ILLEGAL TO GIVE ANY ADVANTAGE TO BUYERS IN A SWEEPSTAKES.

KEYLINE FILE

THE ZIPATONI COMPANYabe

Program Name: MOTOROLA

Document Name: iden8994_Flyer

Overall Document Size: 8-1/2" x 11"

File Built At 100% of final size **Proof output at 100%**

ITEM NUMBER:

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MOTOROLA A-GPS REFLASH SWEEPSTAKES ("Sweepstakes"). **OFFICIAL RULES.** NO PURCHASE NECESSARY TO ENTER OR WIN. OPEN TO RESIDENTS OF THE UNITED STATES ONLY. MAKING A PURCHASE WILL NOT INCREASE YOUR CHANCE OF WINNING. VOID WHERE PROHIBITED. BUYING WILL NOT HELP YOU WIN. YOUR CHANCES OF WINNING WITHOUT MAKING A PURCHASE ARE THE SAME AS THE CHANCES OF SOMEONE WHO PURCHASES SOMETHING. IT IS ILLEGAL TO GIVE ANY ADVANTAGE TO BUYERS IN A SWEEPSTAKES. Entry into this Sweepstakes constitutes your acceptance of these Official Rules. **DATES:** This sweepstakes begins September 27, 2004 at 12:00 am CST and ends March 31, 2005 at 12:00 am CST ("Sweepstakes Period"). **WHO MAY ENTER:** Open to current Nextel account holders as of September 13, 2004 who are age 18 and over who receive the Motorola/Nextel A-GPS Reflash Sweepstakes packet via mail (which includes the following items: offer letter, instructions, software CD & cable) Individuals employed by Motorola, Inc. ("Sponsor"), Nextel, Inc., their affiliate companies, subsidiaries, advertising and promotion agencies, or judges (collectively "Sweepstakes Parties") at any time during the Sweepstakes Period, and members of their immediate family or persons living in the same household, are not eligible. **HOW TO ENTER:** To automatically be entered for a chance to win, complete the A-GPS software upgrade on your Motorola phone while connected to the Internet, with the software provided in this mailing. This sequence will generate an automatic entry into the Sweepstakes. In the event you are not connected to the Internet while updating your phone's software (including updates performed by an Authorized Nextel representative), after you have completed the software update, please call toll free 1-800-590-9845 to be entered into the Sweepstakes. For purposes of these Official Rules, an entry occurs when the Sweepstakes Parties' servers record the entry information resulting from entrant completing the upgrade process, or such entry is recorded as a result of the toll-free call. Any automated receipt (such as one confirming completion of upgrade) does not constitute proof of actual receipt by Sponsor for purposes of these Official Rules. Entries will be deemed made by the authorized Nextel account holder of record at the time the entry is submitted. The authorized Nextel account holder of record is the entity who is assigned to the Nextel account, as evidenced by the name of the addressee to whom the software upgrade package is mailed. In the event the authorized Nextel account holder is a legal entity (e.g. a corporation), the prize will be awarded to the legal entity. The potential winner may be required to provide Sweepstakes Parties with proof that he/she is the authorized Nextel account holder of record associated with the winning entry. **Limit one entry per phone.** Although subsequent attempts to enter may be received, only the first entry received for an upgraded phone will be eligible; subsequent attempts to enter will be disqualified. The submission of an entry is solely the responsibility of the entrant. Entries may only be made according to the method described above. Only eligible entries actually received by Sweepstakes Parties before the end of the Sweepstakes Period will be included in the prize drawing. **HOW TO WIN:** On or about April 15, 2005 a random drawing will be conducted by an independent judging agency to select the winners from all eligible entries received. On or about April 20, 2005 winners will be notified by telephone and overnight mail. All winners must meet the eligibility requirements set forth in these rules, sign and have notarized an affidavit of eligibility, and liability and publicity release, where permitted by law, in order to qualify for the prize. **Note: You are not a winner of any prize until you have been verified as a winner by the independent judging Agency.** Decisions of the judges are final in all matters relating to this Sweepstakes. **ODDS OF WINNING:** The odds of winning depend upon the number of eligible entries received. **PRIZES:** Overall Prize Pool: 5,220 total prizes with a total ARV of \$1,275,000. Twenty (20) Cadillac Escalades equipped with standard features. (ARV: \$53,000.) Winner will not have a choice of color of vehicle and must agree to accept delivery of the vehicle "as is" at a location designated by Sponsors; the only warranties which will apply are those of the manufacturer. All taxes on the vehicle and other expenses not specified herein (including but not limited to sales tax, luxury tax, gas consumption taxes, destination charges, registration, title and license fees, insurance, gas, maintenance and all other costs incurred in claiming, transferring, registering or using the car) are the sole responsibility of the winner. Proof of insurance and a valid driver's license may be required upon delivery. Two Hundred (200) winners receive round trip tickets on American Airlines. Each Second Prize winner will receive two (2) tickets to fly anywhere in the continental United States. Departure must happen within 1 year of prize award. Specific travel arrangements based on availability. Trip includes: round-trip coach air transportation from the major airport nearest winner's home to any airport American Airlines flies within the continental United States. (ARV: \$600.00.) Actual value of trip varies based on point of departure and airfare fluctuations. Two Thousand (2,000) winners will receive a \$20 Webcertificate redeemable at any of the locations specified. (RV: \$20.00). One Thousand (1,000) winners will receive a Motorola iDentifier accessory. (RV: \$20.00). One Thousand (1,000) winners will receive \$25 discount off of their Nextel Service. (RV: \$25.00). One Hundred (100) winners will receive a NASCAR Phone. (RV: \$249.00). One Hundred (100) winners will receive one NFL ticket. (RV: \$60.00). Eight Hundred (800) winners will receive a NASCAR Gift Certificate. (RV: \$10.00). Only the prizes specified in the numbers indicated will be awarded. Prizes are non-transferable, with no cash redemption or equivalent. Sponsor reserves the right to substitute a prize or prize component of equal or greater value should a prize or any component of a prize become unavailable. Except as specifically provided herein, Prize packages do not include insurance, personal expenses, incidental charges, gratuities, or any other items not specifically described in these Official Rules. All applicable taxes and usage charges on prizes are the sole responsibility of the winner. If required by law, Sponsor or its agents shall require payment from winner of taxes to be remitted to the appropriate taxing authorities. Sponsor expressly disclaims any responsibility or liability for injury or loss to any person or property relating to the delivery and/or subsequent use of prizes awarded. Sponsor makes no representation or warranties concerning the appearance, safety or performance of any prize awarded. **CLAIMING PRIZE:** All properly claimed prizes will be awarded. It is solely the responsibility of any prospective prizewinner to confirm acceptance of the prize does not and will not violate their company policies, government regulations, or other restrictions on acceptance of such prizes. As a condition of winning the prize, winners must complete, sign and return an affidavit or eligibility and liability and publicity release, where permitted by law, and any other applicable forms required by a taxing authority, and travel companion must complete, sign and return a liability/publicity release, where permitted by law, within 7 days of receipt of written prize notification or prize will be forfeited and an alternate winner selected. If any correspondence of the independent judging agency or any prize is returned as undeliverable, the corresponding prize will be forfeited and will be awarded to an alternate winner. Should a winner make any false statement(s) in any document referenced above, the winner will be required to promptly return to Sponsor his/her prize. Any unclaimed prizes will be awarded in a random drawing to be held as necessary. By accepting prize, entrants consent to Sponsor's use of their name, photograph and/or likeness, address, voice, and statements made by or attributed to them, in perpetuity, in any and all media now known or hereafter developed (including, without limitation, print, broadcast and Internet), for all legitimate business purposes including advertising and promotional activities without additional compensation, unless prohibited by law. Upon delivery to the winner's address, Sponsor will be deemed to have awarded the prize to the winner with winner assuming full responsibility for the prize. **MISCELLANEOUS CONDITIONS:** All entries become the property of Sponsor and will not be returned. By participating entrants agree to abide by and be bound by these Official Rules and the decisions of the judges, which shall be final and binding with respect to all issues relating to this Sweepstakes. It is your responsibility to ensure that you have complied with all of the conditions contained in the Official Rules. The Sweepstakes Parties are not responsible for any lost, late, misdirected, stolen, illegible, incomplete entries, or for any computer, online, telephone or technical malfunctions that may occur. Sweepstakes Parties are not responsible for any incorrect or inaccurate information, whether caused by any of the equipment or programming associated with or utilized in the Sweepstakes, or any technical or human error which may occur in the processing of submissions in the Sweepstakes. Sweepstakes Parties assume no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, theft or destruction or unauthorized access to, or alteration of, entries. Sweepstakes Parties are not responsible for any problems, failures or technical malfunction of any network or lines, computer systems, servers, providers, computer equipment, or software, or any combination of the foregoing. If, for any reason, the Sweepstakes is not capable of running as planned, including infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of Sweepstakes Party which corrupt or affect the administration, security, fairness, integrity or proper conduct of this Sweepstakes, Sponsor reserves the right at its sole discretion to cancel, terminate, modify or suspend the Sweepstakes and select winners from among all eligible entries received prior to the cancellation. Persons found tampering with or abusing any aspect of this Sweepstakes, or whom Sponsor believes to be causing malfunction, error, disruption or damage will be disqualified. **CAUTION: ANY ATTEMPT BY AN ENTRANT OR ANY OTHER INDIVIDUAL TO DELIBERATELY DAMAGE OR UNDERMINE THE LEGITIMATE OPERATION OF THE SWEEPSTAKES MAY BE A VIOLATION OF CRIMINAL AND CIVIL LAWS. SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH PERSON TO THE FULLEST EXTENT PERMITTED BY LAW.** Sponsor reserves the right to correct any typographical, printing, computer programming or operator errors. By participating in this Sweepstakes, entrants agree to release and hold harmless Sweepstakes Parties and each of their respective parent companies, affiliates, subsidiaries, officers, directors, representatives, agents and employees, from any and all liability whatsoever for any injuries, losses or damages of any kind arising from or in connection with, either directly or indirectly, 1) the awarding, acceptance, receipt, possession, use and/or misuse of any prize awarded herein; or 2) participation in the Sweepstakes or any prize related activities, including but not limited to traveling to or from any prize related activity. **PRIVACY/OPT-OUT:** Your personal information may be shared by and between the other Sweepstakes Parties for purposes of fulfilling this Sweepstakes. If you want to be removed from our sweepstakes/contest mailing list, please contact us at Motorola A-GPS Reflash Sweeps (Opt-Out), Dept. 442007, Lubbock, TX 79491-2007. **ARBITRATION AND CHOICE OF LAW:** Except where prohibited by law, as a condition of participating in this Sweepstakes, entrant agrees that (1) any and all disputes and causes of action arising out of or connected with this Sweepstakes, or any prizes awarded, shall be resolved individually, without resort to any form of class action, and exclusively by final and binding arbitration under the rules of the American Arbitration Association and held at the AAA regional office nearest the Entrant; (2) the Federal Arbitration Act shall govern the interpretation, enforcement and all proceedings at such arbitration; and (3) judgment upon such arbitration award may be entered in any court having jurisdiction. Under no circumstances will Entrant be permitted to obtain awards for, and Entrant hereby waives all rights to claim, punitive, incidental or consequential damages, or any other damages, including attorneys' fees, other than Entrant's actual out-of-pocket expenses (i.e., costs associated with entering this Sweepstakes), and Entrant further waives all rights to have damages multiplied or increased. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, or the rights and obligations of entrants and Sponsor in connection with this Sweepstakes, shall be governed by, and construed in accordance with, the substantive laws of the State of Illinois, USA without regard to Illinois choice of law rules. **WINNER'S LIST:** If you would like a copy of the winner's list, please send a self-addressed stamped envelope to: Motorola A-GPS Reflash Sweeps, Dept. 442007, Lubbock, TX 79491-2007 after September 27, 2004 and before April 15, 2005. **OFFICIAL RULES:** If you would like a copy of these Official Rules, please send a self-addressed stamped envelope to: Motorola A-GPS Reflash Sweeps, Dept. 442007, Lubbock, TX 79491-2007. Vermont residents may omit the return postage. Request received after the close of the Sweepstakes Period will not be honored. **SPONSOR:** Motorola, Inc. 8000 West Sunrise Boulevard, Plantation, FL 33322-9947.

• Don't forget about your chance to win great prizes
• when you update the A-GPS function on your phone.
• You could win a **2005 Cadillac Escalade, airline
tickets, and more!** See the previous Motorola/Nextel A-GPS
• mailing for entry details and Official Rules.



NEXTEL |™



Updating
is
QUICK
&
EASY!

*The **INFORMATION** inside can help Emergency Dispatchers locate you!*

INFORMATION
ABOUT YOUR MOTOROLA PHONE

NEXTEL |™

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**LOOK INSIDE FOR
IMPORTANT**

Enable your phone to transmit your approximate location in emergencies* by updating the A-GPS function on your phone.

PLEASE TAKE A FEW MINUTES TO READ THIS MAILER AND UPDATE THE A-GPS FUNCTION ON YOUR MOTOROLA PHONE.

A few weeks ago, you received a package from Nextel and Motorola regarding a software issue affecting the A-GPS (Assisted Global Positioning System) functionality within the i58sr, i88s, i205, i305, i530, i710, i730, i733, i736 and i830 Motorola phones.

The package included an A-GPS self-service kit and directions to update your phone's software. Our records indicate the phone(s) on your account still require this update.



Why it is important to update your phone's software:

The A-GPS software allows your phone to perform important functions:

It provides 911 call centers with your approximate physical location when placing an emergency 911 call. This functionality is available where Nextel has deployed E911 Phase II service.*

It enables location, navigation and tracking services such as:

- The ability to locate people and inventory.
- The ability to receive navigation services such as turn-by-turn driving directions on your phone.
- The ability to use tracking software that facilitates improved workforce management.

How to update your phone's software, at no charge to you:

Follow the directions in the A-GPS self-service kit you received a few weeks ago. This process should take approximately **15 minutes**. If you need an additional kit or have any questions, please call Motorola at 800-590-9845 (Mon-Fri, 9am - 8pm EST; Sat 9am-5pm EST).

OR

Take your phone to a Nextel Service and Repair Center and they will update the software for you. Visit www.nextel.com/gpsupdates to find the Service and Repair Center nearest you.



* E911 Phase I service continues to be available throughout Nextel's National Network, transmitting the caller's call back number and the nearest cell site to local 911 call centers where those call centers are capable of receiving that information. Requires E911 Phase II network functionality, and is only available in those areas where Nextel has deployed Phase II service. The availability and accuracy of location information will vary depending on the environment in which the A-GPS feature is being used.

NO PURCHASE NECESSARY TO ENTER TO WIN. VOID WHERE PROHIBITED. Sweepstakes begins September 27, 2004 at 12:00 am CST and ends March 31, 2005 at 12:00 am CST. Open to current Nextel account holders as of September 13, 2004 who are age 18 and over and who previously received the Motorola/Nextel A-GPS Reflash Sweepstakes packet via mail. Employees of Motorola, Nextel, their affiliate companies, subsidiaries, and advertising and promotion agencies, are not eligible. To automatically be entered for a chance to win, while connected to the Internet, complete the A-GPS software update on your Motorola phone with the software provided in the previous mailing, or if not connected to the Internet, after you have completed the software update, please call toll free 1-800-590-9845. Odds of winning depend on the number of eligible entries received. Sweepstakes subject to Official Rules; to obtain a copy of the Official Rules, please send a self-addressed stamped envelope by March 31, 2005 to: Motorola A-GPS Reflash Sweeps, Dept. 442007, Lubbock, TX 79491-2007. Vermont residents may omit the return postage. Sponsored by Motorola, Inc. 8000 West Sunrise Boulevard, Plantation, FL 33322-9947. Buying will not help you win. Your chances of winning without making a purchase are the same as the chances of someone who purchases something. It is illegal to give any advantage to buyers in a sweepstakes.

If you want to be removed from our sweepstakes/contest mailing list, please contact us at Motorola A-GPS Reflash Sweeps (Opt-Out), Dept. 442007, Lubbock, TX 79491-2007.



**ACT BY
FEBRUARY 28, 2005
FOR YOUR CHANCE
TO WIN GREAT
PRIZES!**

NEXTEL





IMMEDIATE ACTION REQUIRED
PLEASE TAKE ACTION NOW TO UPDATE YOUR MOTOROLA PHONE

January 10, 2005

Code: AGPSP3A3

Dear Nextel Customer,

On several occasions we have attempted to contact you about an important software issue that affects the A-GPS (Assisted Global Positioning System) feature in your Motorola phone. A-GPS capabilities are important for location identification in emergencies and are necessary to use tracking and navigation solutions through your phone.

Our records indicate that you currently have one or more of these phones on your account. **Please take action now to update your phone.** Below, please find detailed information to assist you with update process.

What phones are affected?

¹ Motorola iDEN® model phones: i58sr, i88s¹, i205, i305, i530, i710, i730, i733, i736 and i830.

How do I update my phone(s)?

To update you're the software on your phone, free of charge, please choose one of the following options:

- **Update using a standard desktop or laptop computer**
Updating the software will take approximately 15 minutes. Simply follow the directions in the A-GPS self-service kit you received from us several weeks ago. Should you no longer have the self-service kit, please call Motorola at 800-590-9845 (Mon-Fri, 9am – 8pm EST; Sat 9am – 5pm EST).
- **Update at a Nextel Service and Repair Center**
Simply take your phone to a Nextel Service and Repair Center and they will perform the update for you, free of charge. To find the Service and Repair Center nearest you, visit www.nextel.com/gpsupdates.

How does this software issue impact my 911 service?

E911 service continues to be available throughout Nextel's National Network, transmitting the caller's callback number and the nearest cell site to local emergency call centers where those call centers are capable of receiving that information. However, your A-GPS enabled phone(s) must be upgraded to take advantage of E911 Phase II functionality. E911 Phase II is a technology that uses information from the A-GPS network to provide 911 call centers with the approximate physical location of the wireless phone used to place a 911 call² in those areas of the United States where Nextel has deployed Phase II service.

TAKE THIS IMPORTANT STEP NOW TO UPDATE YOUR PHONE

Our customers are our top priority, and we are committed to helping you get things done. Should you need more information or to answer additional questions, **please call Motorola at 800-590-9845 (Mon-Fri, 9am - 8pm EST; Sat 9am – 5pm EST).**

Thank you for your continued business.

Sincerely,

David McNaughton
Vice President of Marketing
Nextel Communications

Peter Aloumanis
General Manager, US Operations
Motorola, iDEN Subscriber Group

1. The software package(s) enclosed were sent to you to upgrade the phone model(s) which were listed on your account at the time of this mailing. To order a free self-service kit for models listed which you did not receive a package, please visit <https://idenonline.motorola.com/iupgrade>.
2. The availability and accuracy of location information will vary depending on the environment in which the A-GPS feature is being used.