Before the
Federal Communications Commission
Washington, DC

In the Matter of	)	
	)	
IP-Enabled Services	)	WC Docket No. 04-36
	)	
E911 Requirements for IP-Enabled Service Providers	)	WC Docket No. 05-196
	)	

To: The Commission

REPLY COMMENTS OF CTIA – THE WIRELESS ASSOCIATION™

CTIA – The Wireless Association™ ("CTIA")[1] submits the following reply comments in regard to the *Notice of Proposed Rulemaking* in the above-captioned proceedings.[2] Many commenters, including VoIP providers, network operators, solutions providers, manufacturers, and, to a large extent, the public safety community, overwhelmingly urged the Commission to allow interconnected VoIP providers maximum flexibility in achieving the Commission's VoIP E911 objectives. As many commenters note, the wireless E911 experience underscores the need for such flexibility.

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[1] CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the organization covers Commercial Mobile Radio Services ("CMRS") providers and manufacturers, including cellular, broadband PCS, ESMR, as well as providers and manufacturers of wireless data services and products.

[2] *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36 and 05-196, First Report and Order and Notice of Proposed Rulemaking, FCC 05-116 (rel. June 3, 2005) ("*First Report and Order*" or "*NPRM*," as applicable).

I. The Record Overwhelmingly Support Allowing Interconnected VoIP Providers Maximum Flexibility in Achieving E911 Policy Goals.

Industry commenters of all stripes, including VoIP service providers, network operators, E911 solutions providers, and manufacturers, agree that the FCC should not mandate particular technology solutions or arbitrary timelines.[3] SBC, for example, notes that rather than imposing artificial deadlines or specific technologies, "the Commission can best serve the public interest by playing a leadership role in encouraging the[] industry-driven efforts" currently underway.[4] For wireless technologies in particular, Motorola notes that "[m]any of the IP-based wireless technologies are still going through foundational decisions and early-state evolutions in their make-up" and "[c]onsiderable uncertainty still exists about which will be used, by whom, and for what."[5]

Notably, the public safety community and state and local officials also acknowledge the need for flexibility.[6] NENA, for example, explains that "[a]ppropriate location solutions are necessarily dependent on the type of VoIP service being offered" and that the Commission "must allow the appropriate standards processes to determine the specific methodologies" to meet

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[3] *See, e.g.,* CTIA Comments at 6-10; Vonage Comments at 7-8 (FCC should focus efforts toward setting parameters and criteria, and creating the environment necessary for the expeditious development and implementation of effective ALI solutions); Cisco Comments at 3 (rules and standards must be sufficiently flexible to encompass multiple devices and situations); SBC Comments at 3-4; BellSouth Comments at 3-6; Motorola Comments at 2-3.

[4] SBC Comments at 8.

[5] Motorola Comments at 3.

[6] *See, e.g.,* Boulder RETSA Comments at 4-5 (FCC should provide flexibility in developing solutions); NASUCA Comments at 13 (allow VoIP providers to find the solutions that best fit customer's needs); NENA Comments at 6-7.

reasonable Commission guidelines.[7] The comments reflect a strong consensus that a flexible approach will enable each interconnected VoIP provider to identify and deploy the best solution for its service configuration and technology.[8]

Importantly in this regard, commenters underscore that the Commission should avoid imposing arbitrary deadlines for the introduction of automatic location solutions. Comments from industry and public safety alike overwhelmingly oppose the proposal to require automatic location capability in VoIP-related customer premises equipment by June 2006.[9] As a threshold matter, it prejudges the appropriate solution for particular VoIP providers. In addition, it is premature to consider *any* deadlines given the early stages of VoIP E911 development.

II. The Importance of Flexibility is Underscored by the Lessons Learned from Industry's Wireless E911 Experience.

In its comments, CTIA explained that the wireless E911 experience further demonstrates the need to afford industry flexibility in identifying and deploying E911 solutions.[10] As the Commission's Hatfield Report concluded, flexibility can actually facilitate the rollout of advanced E911 services.[11]

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[7] NENA Comments at 6.

[8] *See* CTIA Comments at 9-10; Cisco Comments at 5-9 (explaining how certain solutions may be more appropriate for some solutions than others); VON Coalition at 5-11.

[9] *See* CTIA Comments at 4, 9-10; American Cable Ass'n Comments at 3-4; Cingular Comments at 1-2; Cisco Comments at 10; CDT Comments at 6-7; Earthlink Comments at 4; iPosi Comments at 4-5; ITIC Comments at 5-6; Motorola Comments at 3 n.4; SBC Comments at 9-10; Time Warner Comments at 7; United Online Comments at 10-11; Verizon Comments at 4; VON Coalition Comments at 12-13.

[10] CTIA Comments at 7-8.

[11] *See A Report on Technical and Operational issues Impacting the Provision of Wireless Enhanced 911 Services*, Prepared for the Federal Communications Commission by Dale N. Hatfield, filed Oct. 15, 2002 in WT Docket No. 02-46, at 45 ("Hatfield Report").

Like CTIA, other commenters noted that the Commission's initial E911 rules facilitated only network-based solutions and, while well-intentioned, initially skewed carriers' technology decisions toward what proved to be less-than-optimal solutions for many providers' particular networks.[12]

The record also demonstrates that PSAP capabilities and upgrades are a critical component of any end-to-end VoIP E911 solution.[13] Indeed, although some public safety organizations argue that VoIP solutions must fit existing PSAP networks,[14] others acknowledge the need for significant upgrades.[15] Consistent with a general flexibility approach, the Commission should not compel industry to engineer VoIP-based E911 around antiquated PSAP networks. Otherwise, E911 systems will remain the suboptimal and inefficient "kluge" bemoaned in the Hatfield Report.[16] Industry and the public safety community are currently working to address some of these issues through standards development processes, and the Commission should allow the relevant parties to work through these technology issues.[17]

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[12] *See* Motorola Comments at 3 n.5; United Online Comments at 10-11.

[13] *See* Global IP Alliance Comments at 3-5, 15; RNK Comments at 12; United Online Comments at 18; Skype Comments at 12-13.

[14] *See* Boulder RETSA Comments at 4; NASUCA Comments at 18-19.

[15] *See* Texas 911 Alliance Comments at 20-21; NENA Comments at 12-13 (PSAP funds may best be spent on advancing to next generation systems rather than adding redundancy to existing PSAP networks).

[16] *See* Hatfield Report at 14.

[17] *See* Skype Comments at 16-18.

CONCLUSION

For the foregoing reasons, the record overwhelmingly supports a flexible regulatory approach to VoIP providers' E911 provision of automatic location information to PSAPs.

Respectfully submitted,

CTIA – THE WIRELESS ASSOCIATION™

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