

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matters of

IP-Enabled Services

E911 Requirements for IP-Enabled Service Providers

WC Docket No. 04-36

WC Docket No. 05-196

T-MOBILE USA, INC. REPLY TO OPPOSITION OF NENA

T-Mobile USA, Inc. (“T-Mobile”) hereby replies to NENA’s Opposition to T-Mobile’s Petition for Clarification of the Commission’s *VoIP E911 Order*.¹ No other party has objected to T-Mobile’s Petition, and Sprint has filed in support of T-Mobile.² NENA makes two narrow objections to T-Mobile’s Petition, arguing that (1) PSAPs may rely on Wireline Compatibility Mode in addition to Non-Call Associated Signaling (“NCAS”) to receive certain information and (2) it would be premature to conclude that CMRS carriers may deliver location information for Wi-Fi locations using latitude and longitude. Neither of these objections provides a basis for denying or delaying T-Mobile’s requested clarifications. As detailed below, NENA and T-Mobile, despite using different terms, appear to agree in substance on necessary PSAP capabilities. With respect to NENA’s second argument, the requested clarification is certainly not

¹ *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245 (2005).

² Sprint Nextel Comments, WC Docket Nos. 04-36 & 05-196 (filed Sept. 15, 2005). In particular, Sprint Nextel agrees: (1) the term Registered Location should include automatically derived location information, *id.* at 3-4; (2) wireless-based interconnected VoIP providers should be permitted to deliver location information using x,y coordinates, *id.* at 4-5; and (3) CMRS carriers providing VoIP services should use the Commission’s existing procedures for deployment of E911. *Id.* at 5.

premature, as it would resolve ambiguities that are already hampering CMRS providers as they endeavor to meet the fast-approaching E911 deadline.

I. NENA AND T-MOBILE AGREE THAT PSAPS MUST HAVE ACCESS TO pANI AND DYNAMIC DATA UPDATE CAPABILITIES TO RECEIVE MOBILE AND NOMADIC VOIP E911 CALLS.

In its Petition, T-Mobile asked the Commission to clarify that a PSAP cannot be deemed to be able to receive and utilize E911 for mobile and nomadic interconnected VoIP until it has taken various steps, including implementing NCAS.³ NENA apparently agrees in principle with this position, but contends that PSAPs may alternatively get access to pANI and dynamic data update capabilities through access to Wireline Compatibility Mode.⁴ T-Mobile agrees with NENA on this point, and believes NENA's opposition to T-Mobile's request arises from the use of different terms rather than from a disagreement over the underlying capabilities necessary for a PSAP to be capable of receiving and utilizing E911 data elements. With respect to this question, T-Mobile simply believes that a PSAP must implement the use of pANI and dynamic data update for ALI (and take the additional steps outlined in T-Mobile's Petition) before it can be deemed capable of receiving mobile and nomadic interconnected VoIP calls.

To the extent that NENA is arguing that the *only* step a PSAP must take to be capable of receiving and utilizing E911 data elements is to implement NCAS or Wireless Compatibility Mode, T-Mobile disagrees. As T-Mobile explained in its Petition, the Commission should harmonize its VoIP and CMRS E911 rules by making clear that the framework for E911 delivery set forth in Section 20.18, including the provisions governing PSAP requests and implementation periods, governs whether PSAPs are

³ Petition of T-Mobile USA, Inc. for Clarification at 8-10, WC Docket Nos. 04-36 & 05-196 (filed July 29, 2005).

⁴ Opposition of NENA at 2-3, WC Docket Nos. 04-36 & 05-196 (filed Sept. 15, 2005).

capable of receiving and utilizing E911 in the VoIP context as well as the CMRS context, particularly when the VoIP provider is the CMRS carrier. The Commission has examined the process for PSAP and carrier upgrades necessary to deliver E911, and has set forth a reasoned schedule and process to govern implementation of E911. The same carrier and PSAP upgrades that enable wireless E911 for CMRS are necessary to enable E911 service for mobile or nomadic interconnected VoIP, and should, accordingly, be subject to the same reasoned schedule and process that the Commission developed for wireless E911 for CMRS. Moreover, absent such harmonization, CMRS carriers may be put in the anomalous position of being required to complete the upgrades necessary to offer CMRS (and mobile or nomadic interconnected VoIP) E911 in advance of any PSAP request. The Commission should avoid such divergent deadlines and clarify that existing procedures and timelines, embodied in Section 20.18, govern PSAP ability to receive and utilize E911 data elements for mobile and nomadic interconnected VoIP.

II. T-MOBILE’S REQUESTED CLARIFICATION THAT CMRS PROVIDERS MAY USE EXISTING INFRASTRUCTURE WOULD SERVE THE PUBLIC INTEREST AND IS URGENTLY NECESSARY.

In its Petition, T-Mobile explained that CMRS providers receive and deliver location information in longitude and latitude, or “x,y,” form, and accordingly requested clarification that VoIP providers are permitted to deliver location information in this form.⁵ NENA objects to this request on two grounds. First, NENA contends that the FCC “deliberately . . . deferred” this question to the NPRM, implying that it is therefore inappropriate to consider T-Mobile’s request for clarification.⁶ Second, NENA argues that it may be appropriate to require provision of street addresses for Wi-Fi hotspots.

⁵ T-Mobile Petition for Clarification at 10-12.

⁶ Opposition of NENA at 1.

With respect to NENA's procedural argument, because the Commission has not specified the form in which location information must be delivered to a PSAP, T-Mobile's request for clarification that it may provide information in a particular form is manifestly appropriate for resolution here.

Turning to NENA's substantive concern, T-Mobile does not understand NENA to be insisting that CMRS carriers capable of using their existing infrastructure to deliver location information be required, instead, to deploy entirely redundant infrastructure in order to deliver location information in civil address rather than "x,y" form. Forcing wireless providers to ignore their existing capabilities and conform to wireline norms in this respect would harm the public good by preventing the use of existing and proven CMRS infrastructure to deliver emergency services and imposing unnecessary costs on CMRS carriers seeking to offer CMRS/VoIP hybrid services to the public.

Instead, T-Mobile understands NENA to be arguing only that it would be premature to conclude, for example, that location information for wireless hotspots may be delivered in "x,y" form. T-Mobile's petition, however, is directed at the situation presented by a single device that can move freely between VoIP and CMRS, and which is served by a wireless network operator offering both services. In such a case, information the operator derives from its CMRS network – information that is derived in "x,y" and not street address form – is more likely to be reliable than user-reported street address location information. T-Mobile's petition merely seeks clarification that it is free to deliver that more reliable information and to use its existing CMRS infrastructure to deliver that information in "x,y" form.⁷ Clarifying this point as T-Mobile requests would

⁷ Moreover, in the CMRS context, CMRS providers work with PSAPs to associate street addresses with cell locations. CMRS providers then deliver those addresses (with or without accompanying x,y

certainly not be premature, as CMRS providers, like the rest of the VoIP industry, are working as quickly as possible to meet the Commission's E911 deadlines, and should be given a clear understanding of their obligations as they do so.

Conclusion

For the foregoing reasons, T-Mobile's Petition for Clarification should be granted expeditiously and in full.

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coordinates, depending on PSAP capabilities). PSAPs are accustomed to receiving these street addresses from CMRS providers, understand what they signify, and would likely prefer these addresses to user-reported street addresses. This further illustrates the hazards of simply imposing wireline E911 norms wholesale on CMRS providers offering VoIP services.