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Via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: WT Docket No. 94-102

Dear Ms. Dortch:

QUALCOMM Incorporated (“QUALCOMM”) hereby states its support for the recommendations of the Network Reliability and Interoperability Council (“NRIC”) Focus Group 1A for enhanced wireless location accuracy requirements, which are supported by a broad group of public safety organizations and wireless industry participants. For many years, QUALCOMM has been at the forefront of developing position location technology used by wireless carriers to deliver E911 service. QUALCOMM pioneered the Assisted GPS technology, a handset-based solution which is used by many wireless carriers to meet the FCC mandate to provide Phase II E911 service. We believe that the experience and knowledge gained through those efforts makes us qualified to comment upon any proposed changes to the FCC’s E911 mandate.

Last Friday, December 16, 2005, NRIC completed its consideration of Focus Group 1A’s final report on accuracy testing. We are aware of the pending petition filed by the Association of Public Safety Communications Officers, International (“APCO”) seeking to impose a new PSAP-by-PSAP accuracy requirement. We note that the two other major public safety organizations, the National Emergency Number Association (“NENA”) and the National Association of State 911 Administrators (“NASNA”) both oppose APCO’s position. We believe that it would be fundamentally unfair and inappropriate now, years after the Commission originally adopted the E911 mandate, for the Commission to impose a new PSAP-by-PSAP accuracy requirement. Such a requirement would also fail to recognize the capabilities of, and limitations inherent in, the currently deployed position location technology and would arbitrarily and fundamentally change the requirement that the technology has been designed to meet.

Assisted GPS is the world’s most accurate position location solution. Assisted GPS, as it has been implemented by various wireless carriers and OEMs, produces highly accurate results that are consistent with the FCC’s E911 mandate, as it has existed for many years, when considering the range of environments, including dense urban, urban, suburban, and rural, together with the distribution of emergency calls across these areas typically experienced by the carriers. However, as the Commission’s rules recognize, position location

technology does not guarantee precise location for all callers in all locations 100 percent of the time. In particular, a PSAP-by-PSAP requirement could lead to misleading conclusions about a carrier's compliance with the E911 mandate based on performance within the boundaries of a particular PSAP, which could be an area of any particular size and potentially be defined with an environment that is not representative of the ones from which the vast majority of wireless 911 calls are placed and/or an environment that is especially challenging for a given technology. Performance measured within these arbitrary boundaries would not be indicative of the carrier's overall performance in delivering Phase II E911 service in compliance with the FCC's mandate and would not be consistent with the intent of the mandate to ensure that an E911 solution is provided to the vast majority of callers.

There are over 6,000 PSAPs in the United States, some consisting of just one town. A PSAP-by-PSAP requirement would be inherently arbitrary, given the inconsistency in the boundaries of PSAPs, the extremely small size of many PSAPs, as well as the varied environments in the over 6,000 PSAPs. The E911 mandate should not treat each of these disparate areas as equivalent for purposes of the FCC's requirements, particularly because there are no fair, reasonable, or standardized criteria to design for or verify the performance of an E911 solution as implemented by a given carrier in such dramatically uneven areas, any one of which may have unique characteristics that could produce skewed results. Demanding the same level of precision in such varied and arbitrarily composed areas with disparate environments fails to establish consistent criteria for which position location technology can be designed and instead is highly problematic to implement. Moreover, imposition of such a requirement does not reflect real life usage patterns for wireless 911 calls. QUALCOMM believes that the Commission should encourage all affected stakeholders to agree upon clear, objective, and measurable compliance requirements that are not based on test areas that are unduly small or idiosyncratic, the very process that has been underway under the auspices of the Network Reliability and Interoperability Council.

We urge the Commission to continue its work in facilitating the continuing progress in ensuring the greatest possible availability of wireless E911 services by working with all affected stakeholders—public safety organizations, wireless carriers, technology vendors, and others, rather than by imposing a new requirement that is widely opposed by these same stakeholders.

Respectfully submitted,

/s/ Dean R. Brenner

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