

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

In the Matter of )  
 )  
Revision of the Commission's Rules to Ensure ) CC Docket 94-102  
Compatibility with Enhanced 9-1-1 Emergency )  
Calling Systems )

**COMMENTS OF NENA  
ON REQUEST FOR LIMITED WAIVER  
BY UNITED STATES CELLULAR CORPORATION<sup>1</sup>**

The National Emergency Number Association ("NENA") submits the following views on the captioned application. Previously, NENA has commented on similar waiver requests by Sprint Nextel, Alltel, CTIA/RCA, Verizon Wireless and Nextel Partners. In none of these earlier requests did we find that an extension of longer than a year had been justified. We paid particular attention to the marketing efforts of the carriers to meet the 95% benchmark.

USCC wants a six-month extension so it can (Request, 2) "launch a major notification and marketing campaign early next year," meaning 2006. We would like a better explanation of why that major campaign is only beginning now. We are also puzzled that "seven percent of USCC's customers are using handsets with unidentified GPS capabilities." (Request, 1) Why are the phones' capabilities not known? Information at Request, 8, n.11, that might shed light on the point has

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<sup>1</sup> United States Cellular Corporation ("USCC") seeks a waiver of Section 20.18(g)(1)(v), which requires that by December 31, 2005, 95% of the handsets in

been redacted. There are additional redactions at pages 10-15, inclusive. Perhaps now that the campaign presumably is launched, some of what USCC seeks to protect is already known through public announcements.

As has been true of other carrier requests, USCC pins a fair share of blame on the inability of PSAPs to be able to make use of the location information that GPS-assisted phones will generate. We are constrained to repeat the invitation in NENA's Comments of October 21, 2005, at 3 (emphasis added):

However, the importance of these PSAP readiness statistics to the pace of handset exchange is called into question by pages 5-7 of the Joint Petition. There, the sheer force and variety of reasons customers don't want to change handsets appears to far outweigh the presence or absence of Phase II ALI in emergency calling. Consumer resistance ranges from the "hassle" of learning a new phone's features to satisfaction with old phones to preference for analog technology, especially in rural areas. To repeat, NENA acknowledges that Phase II capability in PSAPs may be one factor among many in the decision to replace or keep an older phone, but we doubt that this is the "primary hurdle" that Joint Petitioners make it out to be. We invite carriers to prove us wrong by showing that penetration rates are far lower in PSAP jurisdictions that are not Phase II-ready.

## CONCLUSION

NENA respectfully asks the Commission to take a hard look at this request, despite its relatively short term of six months. We are concerned that expecting six months of a major marketing campaign to increase location-capable handset penetration by 10% or more is simply a recipe for a further waiver request in June, 2006.

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use on USCC's network be capable of locating callers with the accuracy and reliability specified for GPS-assisted wireless phones.

Respectfully submitted,

NENA

By \_\_\_\_\_

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January 25, 2005

ITS ATTORNEY

**Certificate of Service**

The foregoing Comments of NENA have been served today by e-mail attachment upon Thomas P. Van Wazer, Counsel for USCC.

Date: January 25, 2006

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James R. Hobson