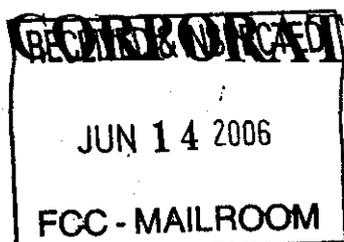




DOCKET FILE COPY ORIGINAL

# OFFICE OF THE CORPORATION COUNSEL



June 9, 2006

Marlene H. Dortch, Secretary  
 FEDERAL COMMUNICATIONS COMMISSION  
 Office of the Secretary  
 445 - 12<sup>th</sup> Street  
 Washington, D.C. 20554

Corporation Counsel  
 Marcia MacKenzie

Assistant Corporation Counsels

Eve M. Dorman  
 David R. Gault  
 Kristi A. Gullen  
 Dyann L. Hafner  
 Leslie A. Hamilton  
 Mary M. Kasperek  
 Katharine F. Kucharski  
 Maureen A. Plunkett  
 Gary S. Rehfeldt  
 Galen G. Strebe  
 John C. Talis

Child Support Agency

Support Enforcement Legal Director  
 Bradford J. Logsdon

Assistant Corporation Counsels

Clare Altschuler  
 Patricia Haraughty-Sanna  
 Peter C. Williams  
 H. Arleen Wolek  
 Randy A. Woodford  
 Jerre Ziebelman

Re: Certification of Non-Readiness pursuant to 47 C.F.R. §20.18(j)(4)  
 Filed by Verizon Wireless

Dear Ms. Dortch:

Verizon wireless has filed a Certification of Non-Readiness pursuant to 47 C.F.R. §20.18(j)(4) which was received by Dane County on May 30, 2006.

47 C.F.R. §20.18 sets forth the criteria a PSAP must meet in order to be ready to receive wireless 911 calls. Dane County, as detailed in the attached affidavit of Richard Ellingson, has met all those criteria and has been fully able to implement Enhanced 911 within all of Dane County since March 21, 2006. Despite its assertion to the contrary, the City of Middleton is not ready. As you are aware, there is no authority for carriers to refuse to provide service to a PSAP fully capable of receiving and utilizing the data elements associated with the service requested by attempting to impart another PSAP's non-readiness to the PSAP that has met the requirements set forth in the Federal Regulations.

When submitting a certification pursuant to 47 C.F.R. §20.18(j)(4)(iii), the carrier must, *inter alia*, document why a PSAP will not be ready. Verizon has failed to meet that burden with regard to Dane County.

To justify its claim of non-readiness, Verizon asserts that Dane County has not taken the steps necessary to receive and utilize Phase I and Phase II information and

No. of Copies rec'd 09/  
 List ABCDE

Marlene H. Dortch

June 9, 2006

Page 2

claims it cannot take further steps toward deployment until it has received an agreed upon call routing spreadsheet which identifies the PSAP responsible for receiving 911 calls. This assertion is not correct. There is no requirement in the federal regulations for an agreed upon spreadsheet. In fact, Dane County has prepared and submitted a spreadsheet to Verizon on 6/14/05. Further, the County has taken all required steps and worked with all carriers to deploy Enhanced 911 service throughout the County during the period of April 5 through May 10, 2006. Dane County continues to answer un-enhanced calls from the Middleton area and is prepared and willing to answer Enhanced 911 calls in this area as well.

Verizon also asserts it is not ready because of the dueling requests from the City of Middleton and Dane County. Again, this is not a criterion that can be used by a carrier to attempt to deny providing service to a PSAP. Carriers are obligated to provide service to a PSAP that has proven itself ready to receive and utilize the service requested. Dane County can do this, Middleton cannot. Verizon is impeding the timely provision of Enhanced 911 service to the citizens of Dane County.

47 C.F.R. §20.18(j)(4)(v) prohibits carriers from filing an inadequate or incomplete certification to delay performing its responsibilities. Verizon's certification is inadequate because it does not rely on any valid criteria to support its certification.

Dane County, is the only fully ready and capable PSAP in this service area, and Verizon Wireless must provide service for all areas served by the Dane County PSAP.

Sincerely,



Kristi A. Gullen

Assistant Corporation Counsel

Enclosure

cc: Duke Ellingson

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

Certification of Non-Readiness  
pursuant to 47 C.F.R. §20.18(j)(4)  
filed by Verizon Wireless

AFFIDAVIT OF RICHARD W. ELLINGSON

I, Richard W. Ellingson, being first duly sworn, on oath, do hereby depose and state as follows:

1. I am the Director of the Dane County Public Safety Communications Center (DCPSC).
2. DCPSC is ready to implement Phase I and Phase II wireless calls and has been since March 21, 2006.
3. In the 30 day period between May 10, 2006 and June 8, 2006, the Dane County Public Safety Communications Center answered 8,302 Phase I (P1) or Phase II (P2) wireless calls.
4. These calls referred to in paragraph 3 above, include P1 and P2 calls routed from the disputed area by another carrier (Cingular).
5. The DCPSC continues to answer Phase 0 calls from the disputed area.
6. Verizon cannot contend that Dane County is not ready to receive P2 wireless calls or that the carriers cannot deploy service is incorrect as it, as acknowledged by its filings, already provides P2 service to Dane County in all "non-disputed" areas.
7. Dane County submitted a call routing spreadsheet to Verizon on June 14, 2005.
8. The City of Middleton is not ready to receive P2 service as it does not have an approved Emergency Service Number or Master Street Address Guide entries necessary for the carriers to route calls and provide information to Middleton.

  
Richard W. Ellingson

Subscribed and sworn to before me  
this 9th day of June, 2006.

  
Notary Public, State of Wisconsin  
My commission: is permanent