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June 27, 2006

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

**Re: Notice of Oral *Ex Parte* Communication,
WT Docket No. 04-296 – Review of the Emergency Alert System**

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of oral *ex parte* presentations in connection with the above-captioned proceeding. The meetings occurred on June 26, 2006 with the following:

Office of Commissioner Tate: Ian Dillner, Legal Advisor;

Office of Strategic Planning and Policy Analysis: Gregory M. Cooke and Sherille Ismail; and

Office of Engineering and Technology: Jeffrey Goldthorp and Timothy A. Peterson.

The meetings were attended by the undersigned and Arthur L. Prest of Prest & Associates, on behalf of the Rural Cellular Association ("RCA").

Discussion in meetings referred to RCA's Comments in response to the Commission's "Further Notice of Proposed Rulemaking" in this matter. RCA urges consideration of a concept that involves integration into the cellular handset of a supplemental reception capability so that subscribers that "opt-in" to the service may receive messages that are broadcast through the

existing national weather alert radio network. Messages of importance to all would be receivable by all; messages of a local character such as severe weather alerts would be received from the National Weather Service ("NWS") station in nearest proximity to the cell phone user. Such a delivery system would be most effective if the wireless network would dynamically program the Specific Area Message Encoding ("SAME") code that corresponds to the area being sent an alert by a local national weather station into the supplemental NWS receiver in the handset as that handset moves from cell to cell.

There was discussion of limitations of Short Messaging Service or "SMS" and of Cell Broadcast technology for EAS. SMS was not designed to provide point-to-multipoint broadcasts of EAS messages to all wireless subscribers. For any wide-scale use of SMS to deliver an emergency message there would be prolonged delays in reception of urgent messages by customers. As for cell broadcast there are assorted other obstacles including a possibility that EAS by cell broadcast would require the use of a patented technology with undetermined licensing obligations for carriers. See, for example, the attached material from the website of PCA, Inc. (which has no affiliation with RCA).

Before the Commission orders any actions by wireless carriers for the delivery of EAS messages RCA recommends establishment of a working group of government and industry representatives. The working group would study and reach consensus on EAS user requirements and a service description for EAS by means of wireless devices. Questions for consideration by the working group might follow the attached list of questions compiled by Mr. Prest.

Sincerely,



David L. Nace
Counsel for Rural Cellular Association

cc: Best Copy and Printing, Inc. (by email)

RCA

NOAA NWS Test Message

Entire 39 Second 782 Character Audi Message

This is a test of the NOAA radio warning device. During potentially dangerous weather situations, specially built weather radios will be automatically activated to warn of the impending hazards. Tests of these radios and the warning system will be conducted by the National Weather Service every Wednesday between 11 AM and Noon. Reception of this broadcast, and the warning alarm, will vary at any given location. This variability, normally more noticeable at greater distances from the transmitter will occur even though you are using a good quality receiver in perfectly good working order. To provide the most consistent warning service possible, the warning alarm will be activated only for warnings and selected watches affecting the listening area.

160 characters and spaces (typical CDMA or GSM SMS text message limit):

This is a test of the NOAA radio warning device. During potentially dangerous weather situations, specially built weather radios will be automatically activated

93 characters and spaces (GSM Cell Broadcast text message limit):

This is a test of the NOAA radio warning device. During potentially dangerous weather situations,

RCA

Benefits of NOAA Public Alert Radio Proposal

- Message length is unlimited because EAS messages are audio based and the message is essentially a government radio broadcast that is being received by a radio receiver integrated into a wireless phone
- NOAA Public Alert radio broadcasts cover 97% of the population of the entire United States including Guam, Puerto Rico, and the Marianna Islands
- The audio message is not being transmitted through the wireless network thus avoiding bandwidth limitations of wireless networks
- Wireless carriers are not responsible for disseminating EAS messages
- By using SAME codes, EAS messages can be delivered to very discrete geographic areas (almost 9,000 geographic specific areas per state are possible). At the request of government entities, cell sites having discrete SAME codes could be built at critical state and federal government locations such as the Capitol, Pentagon, nuclear power plants, airports etc.
- Unlike Cell Broadcast technology where there is a significant difference in what is available for GSM technology versus CDMA technology, such an approach is technologically neutral
- According to a recent Consumer Electronics Association survey, 65% of the population surveyed are interested in owning portable Public Alert radio capability. It is believed that such interest would motivate subscribers to buy new handsets that include NOAA Public Alert radios

*Wireless EAS User Requirements/Service Description Questions
(Art Prest on behalf of RCA June 13, 2006)*

Government and Industry Consensus Required On A User Requirements/Service Description

Technical Questions:

1. What types of emergency messages must be conveyed?
2. Do roamers have to receive geographically specific locally generated EAS messages?
3. What should message format of content be (voice, text, video)?
4. Do EAS messages have to be delivered in multiple languages?
5. Do EAS messages have to be capable of providing alerts to the deaf and hard of hearing?
6. Should the subscriber be able to select which EAS messages they receive?
7. Is a discrete alert tone required for EAS messages?
8. Should there be different tones for different types of EAS messages?
9. Must EAS messages be received if a call is in progress?
10. Do EAS messages interrupt voice or data content?
11. Is a priority mechanism required for alert messages in the case of simultaneous alerts?
12. Does the receipt of an EAS message have to be confirmed?
13. Is there a requirement for message retries or re-transmission?
14. How would alerts be cancelled? Do alert cancellations have to be sent?
15. What is the maximum length of message (number of text characters or time)?
16. What level of geographic specificity is required?
 - i. County?
 - ii. Cell site coverage area?
 - iii. Within 300 feet?
 - iv. Is area dynamic depending on the type of alert?
17. How quickly must EAS messages be received after being sent?
18. How large a population must be covered at one time?
19. Do non-service initialized phones have to receive EAS messages?
20. What standard format will be used for the EAS messages?
21. Is there a periodic testing requirement? Does the subscriber see these "tests"?
22. What will the government format, interface and protocol be?

Policy Questions:

1. Which government agency will be responsible for managing a national EAS program?
2. Is delivery of EAS messages by CMRS carriers mandatory or optional?
3. Does the subscriber opt-in or opt-out?
4. Will there be some alerts that must be received by all wireless phones regardless whether the subscriber opted-in or not?
5. Who is allowed to generate EAS messages?
6. How would the government prevent fraudulent messages from being delivered to the wireless carrier?
7. How is liability protection provided to the wireless carrier?
8. How is cost recovery for wireless carriers provided?

Community Alerting System

[Overview](#)[Benefits](#)[Licensing](#)*from PCA, Inc.*

NEW

[Download the CAS Presentation from the 4G NABNET Conference in Kansas City 4/17/02](#)

Concept

The Community Alerting System (CAS) broadcasts emergency warning messages via wireless networks using designated zones/cell sites, and enhances Emergency Operations Center (EOC) effectiveness without increasing EOC responsibility or impacting the wireless infrastructure.

The CAS is based on a patented method and system for delivering emergency warnings via existing cellular networks

Typical System Flow

- When emergency situation arises, the appropriate authority (e.g. The National Weather Service) notifies the EOC
- The necessary warning level is determined by the city/county EOC
- Those areas in immediate danger/path of danger are located on a video map utilizing standard mapping software
- The EOC team, utilizing a specialized mapping interface, designates wireless zones in the threatened areas
- Emergency warning triggers are sent to specific wireless switches which send commands to cell site(s) in the designated zone. These cell site(s) broadcast the warning messages
- ALL fixed/mounted receivers and ALL mobile receiver currently in the designated zones will receive the warning messages and produce the warning alarms

Typical Applications

- Nuclear incidents
- Tornado/Severe Weather

- Flash Floods
- Chemical Spills
- Terrorism Attacks

Why: Who Benefits

- General Public
- EOC
- Law Enforcement Agencies
- Government Alerting Authorities

Probable Users

- Public
- Schools
- Dormitories
- Hospitals
- Institutions
- Office Buildings
- Nurseries
- Manufacturing Plant

Overview | [Benefits](#) | [Patent Information](#) | [PCA, Inc. Website](#)

Community Alerting System

[Overview](#)[Benefits](#)[Licensing](#)*from PCA, Inc.*

Intellectual Property and Licensing

Products and services presented on this website are protected by the United States Patent No. 6,112,075 - *Method of communicating emergency warnings through an existing cellular communication network, and system for communicating such warnings*, which was issued on August 29, 2000.

PCA Information Systems Inc. is owner by assignment of all rights to this patented methodology.

The sale/use of these products and services are subject to PCA license or royalty fees. Licenses are available on a market-by-market basis to vendors, communities, and service providers for the purposes of providing community alerting/notification services.

- Annual non-exclusive licenses are offered on a market-by-market basis.
- Fees vary based on population served in each market.
- Exclusive licenses are available in some markets.
- PCA provides consulting and assistance with system configuration, hardware/software issues, and implementation.

Contact PCA

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