



June 28, 2006

EX PARTE NOTICE

VIA ELECTRONIC SUBMISSION

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, D.C. 20554

Re: EB Docket No. 04-296
Emergency Alert Systems

Dear Ms. Dortch:

On June 27, 2006, Tom Sugrue, Kathleen Ham, Gary Jones and Shellie Blakeney of T-Mobile USA, Inc. (“T-Mobile”) participated in four meetings at the Federal Communications Commission (“FCC” or “Commission”) to discuss wireless emergency alert systems (EAS). First, T-Mobile representatives met with Aaron Goldberger, legal advisor to Commissioner Tate. Next, T-Mobile representatives met with Commissioner McDowell and his legal advisor, Angela Giancarlo. T-Mobile representatives then met with Commissioner Adelstein and his legal advisor, Barry Ohlson. Finally, the group met with Bruce Gottlieb, legal advisor to Commissioner Copps and Joseph Bissonnette, intern to Commissioner Copps. The positions presented by T-Mobile were consistent with its comments and other filings submitted in the above-referenced docket.

T-Mobile is supportive of the FCC’s interest in utilizing wireless service as part of a menu of communications technologies that make up the nation’s emergency alert services. In order to develop an effective wireless component to EAS, however, T-Mobile believes that a joint government/industry working group is an essential initial step to address governmental technological and administrative uncertainties that now exist. A joint working group provides an organized method for developing a service description and technical requirements for an emergency service. T-Mobile recognizes that this approach was used in establishing the wireless priority service (WPS) and is considered a critical factor that significantly contributed to its success.

Relying on a joint government-industry cooperative effort to define and implement a wireless EAS service is especially appropriate in light of Executive Order 13,407, released on June 26, 2006.¹ The President has wisely set forth specific direction and timeframes to reasonably and effectively update the EAS service. Under the terms of the Executive Order, the Department of Homeland Security (DHS), as a first step, is required to conduct an inventory and assessment of the current system’s capabilities; next, DHS

¹ Exec. Order No. 13,407, 71 Fed. Reg. 36,975 (June 28, 2006). (“Executive Order” or “Order”).

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must establish the specific standards and requirements of the next generation public alert system. As the Order recognizes, these are key prerequisites to the final phase, which involves working with the private sector to develop the targeted capabilities and functions. And even in that final phase, the Order recognizes that there must be sufficient time for testing and implementation. Throughout, the Order emphasizes the need to “consult, coordinate, and cooperate” with the private sector; the Order similarly recognizes that the new alert system must take into account the “functions and capabilities” of the private sector. Finally, the Order makes clear that any FCC rules on wireless EAS or EAS generally should be consistent and coordinate with DHS guidance on implementing the Order’s overall public warning objectives. Such guidance will presumably support a closely coordinated public/private initiative, which will be served by the government/industry working group concept that T-Mobile has advocated. In short, the directives in this Order provide a blueprint for government and industry to work together to tackle the fundamental issues for implementing an effective wireless EAS.

Pursuant to the Presidential directive, and the procedures detailed therein, T-Mobile believes government, carriers, and vendors can establish a near-term wireless EAS solution based on SMS technology, and set attainable deployment dates for a point-to-multipoint, “broadcast-like” solution that provides for the functionalities the government will want for EAS. The SMS solution could potentially send millions of alerts in a short timeframe to subscribers across the country that opt-in to receive wireless EAS messages. This capability could provide an extremely valuable complement to the existing broadcast and cable-based EAS services. In the longer term, once the service requirements and operating parameters are established, even more robust broadcast-based services are possible. But these can be most efficiently implemented and will offer more valuable functionality if they are part of a carrier’s deployment of advanced wireless or “3G” services. Hence, T-Mobile requests the Commission to be mindful that different carriers will deploy technological solutions in their respective networks and handsets at different stages depending on their implementation of third generation systems.

Pursuant to section 1.1206(b) of the Commission’s rules, an electronic copy of this letter is being filed.

Sincerely,

/s/Thomas J. Sugrue

Thomas J. Sugrue
Vice President,
Government Affairs

cc: Aaron Goldberger
Angela Giancarlo
Barry Ohlson

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Bruce Gottlieb