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**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W., Room TW-A325  
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation in WT Docket No. 04-296  
Review of Emergency Alert System

Dear Ms. Dortch:

On August 21, 2006, John Scott of Verizon Wireless and the undersigned outside counsel for Verizon Wireless met with Angela Giancarlo, Acting Legal Advisor, Wireless and International Issues to Commissioner Robert M. McDowell, regarding the above-referenced rulemaking proceeding.

At this meeting, Verizon Wireless supported adoption of a short term SMS-based solution for wireless EAS patterned after the existing Amber Alert Service. Verizon Wireless emphasized the need to determine common service specifications (*e.g.*, type of alert, geographic delivery requirements, character requirements) as well as technical implementation specifications (*e.g.*, method of delivery to carrier, form of message, common interface protocols for government to distribute message to carrier, process for authentication of message, security protocols, identification of aggregator) *before* implementation begins. It also noted that, because SMS is a point-to-point technology, not a broadcast technology, it should not be made subject to time of delivery requirements and should be offered to customers on an opt-in basis.

In addition, Verizon Wireless discussed as a longer term EAS solution utilizing the call set-up or “paging” channel of its CDMA network to distribute broadcast text messages. This solution would permit the simultaneous transmission of alerts to subscribers in a given area so long as their handsets are on and capable of receiving the message. Customers will need to obtain new handsets because existing handsets are not capable of receiving a broadcast alert. This solution would provide broadcast capability for delivering messages of up to 120 characters of text once upgrades to the network infrastructure are made.

## Wiley Rein & Fielding LLP

Marlene H. Dortch

August 22, 2006

Page 2

Verizon Wireless believes that the shortest feasible time frame for deploying a cell broadcast solution would be two years *after* the standards, protocols and other specifications for broadcast alerts are determined. Achieving full deployment in this time frame will require the cooperation of network infrastructure vendors as well as handset vendors to develop, test and implement the solution in the network and in handsets. Before network infrastructure and handset vendors can develop this broadcast alert solution, they need to know what they need to “build to.” Deadlines or milestones should thus run from the date that the parameters of the broadcast alert service are set by the Commission or the federal agency that will be generating alerts.

In addition, Verizon Wireless addressed its ability to provide a tone or some other form of notification to the customer when an alert message under this solution was received. While handsets currently do not support a broadcast solution, the company believes that, working with handset vendors, it can achieve such a tone or notification, although it does not believe it can provide a tone for broadcast alerts distinct from the tone associated with the arrival of other SMS messages. Verizon Wireless also noted that it would not be able to cause its network to terminate a call or download in progress when an alert arrives. Such an interrupt requirement would in any event not serve the public interest because it would interfere with a customer’s emergency or other call that was already in progress.

Finally, although Verizon Wireless supports as a goal the consideration of the evolution of EAS as next generation wireless network technology is developed and implemented, it reiterated its opposition to a requirement to provide video or audio alerts on a broadcast basis as next generation technology is deployed. Such a requirement at this time would be premature and potentially counterproductive. The wireless industry is years away from deploying such capabilities on a widespread basis or at all. Deploying such capability requires substantial capital and spectrum as well as the purchase by customers of new handsets (the handsets that would provide the text alert discussed above would not be capable of providing video or audio broadcast alerts). Moreover, there is no basis in the record for concluding that text alerts do not provide customers with sufficient notice of an emergency weather or other situation. The better course is for the Commission to complete a decision

**Wiley Rein & Fielding LLP**

Marlene H. Dortch

August 22, 2006

Page 3

on text-based alerts and, should it believe additional regulatory involvement is necessary, initiate a notice of inquiry on future alert capabilities.

Respectfully submitted,

/s/ Nancy J. Victory

Nancy J. Victory

cc: Angela Giancarlo