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ATTORNEYS AT LAW

August 8, 2007

Ex Parte

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *In the Matter of Wireless E911 Location Accuracy Requirements*, PS Docket No.
07-114

Dear Ms. Dortch:

On August 8, 2007, Tom Sugrue, Vice President, Government Affairs, and Kathleen Ham, Managing Director, Federal Regulatory Affairs, of T-Mobile USA, Inc. and John Nakahata of Harris, Wiltshire & Grannis, LLP met with Wayne Leighton and Chris Moore, Legal Advisors to Commissioner Tate. During the course of this meeting, T-Mobile discussed the attached presentation.

In accordance with the Commission's rules, a copy of this letter is being filed electronically in the above-captioned docket. Please contact me at (202) 730-1320 if you have questions.

Sincerely,


John T. Nakahata
Counsel for T-Mobile USA, Inc.

T-Mobile stick together™

Wireless Service Promotes Public Safety

Consumers use wireless to place 260,000 911 calls per day (2005), many from places never possible using landlines – such as moving cars, parks, accident sites, city streets, canyon or woodland hikes, in malls and other indoor spaces.

Bringing wireless to ever more communities allows consumers to use wireless 911 in emergencies in even more locations.

Any discussion of wireless E911 must recognize that wireless service enhances public safety, especially by allowing help to arrive more often within the ‘golden hour’ following an incident.

Wireless E911 Accuracy – A Timely Review

T-Mobile supports review of accuracy standards.

T-Mobile seeks to achieve PSAP-level accuracy wherever technically feasible and economically reasonable.

T-Mobile supports a WARN Act-type advisory committee to conduct testing and to chart both a technically feasible objective and a realistic transition path.

T-Mobile's E911 Location Solution and Accuracy

Like the other GSM carriers, T-Mobile elected U-TDOA, after initially pursuing a hybrid E-OTD solution.

Network solution allowed T-Mobile immediately at deployment to provide Phase II location information for all handsets in a market area, including legacy handsets.

U-TDOA results are well within accuracy standards in many areas, but some challenges remain, particularly in rural areas.

T-Mobile has implemented optimization procedures to work with PSAPs to ensure that the best possible location estimates are provided.

PSAP-Level Compliance with Current Requirements Is Not Technically Feasible

NRIC VII – All parties agreed “it is not technically possible today for every carrier to meet the FCC location accuracy requirement at every PSAP.”

No commenter asserted that PSAP-level compliance at every PSAP is feasible with current technologies.

NASNA is correct: “There is no silver bullet solution for the provision of Phase II service.”

A Hybrid Solution Is Not The “Silver Bullet.”

Qualcomm: None of the enhancements to A-GPS “currently in the pipeline will make the dramatic changes that would be necessary to guarantee that the Phase II requirements will be met in each and every one of the 6,000 PSAPs.”

Exaggerated and self-interested vendor claims should be discounted.

- Even TruePosition does not claim that GPS and U-TDOA can meet the 50/150 hybrid standard at every PSAP.

Hybrid solutions also require changing out all current handsets, which will take years, and will not improve accuracy for any user with legacy handsets.

Other Possible Changes to U-TDOA Do Not Make PSAP-Level Compliance Technically Feasible

Adding LMUs to more cellsites is not the answer. T-Mobile already deploys LMUs at every site where it makes a significant difference.

Adding Angle-of-Arrival (AOA) will likely not improve accuracy in the most challenging situations, such as rural areas and highways.

- AOA degrades as distance from the cellsite increases.
- AOA requires larger antennas, which makes siting more difficult.

LMU sharing is not likely to help.

- Collocated or closely located LMUs do not meaningfully improve accuracy.
- Accuracy depends on keeping the cellsite database up to date, which will be difficult and challenging between carriers and in near-real-time.

What is the Path Forward?

Don't create serial changes in the accuracy rules. Would create wasted efforts and force carriers to invest in deadend stop-gaps.

Need to define a technically feasible objective, and a technically feasible and realistic transition path.

Need to have objective testing of technology solutions before rules are finalized to avoid basing rules on vaporware promises.

Objectives and transition need to consider carefully both the expected benefits and the operational and economic costs. Forcing carriers to withdraw service in some areas will not improve public safety.

The Horse Should Come Before the Cart

Before adopting a new accuracy compliance mandate, the FCC should perform an analysis of all technological options and capabilities.

- WARN Act type process under expeditious timeframe is reasonable model.
- Analysis should include ability of PSAP equipment to accept altitude, if that is mandated
- Standardization work must be done to normalize any new altitude data formats, etc.

If FCC nevertheless adopts PSAP-level accuracy requirement, effective date should be deferred.

- Making a technologically-infeasible rule effective is unreasonable.
- Even with deferral of enforcement, carriers could face private liability.