

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Wireless E911 Location Accuracy Requirements	)	PS Docket No. 07-114
	)	
Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems	)	CC Docket No. 94-102
	)	
Association of Public-Safety Communications Officials-International, Inc. Request for Declaratory Ruling	)	
	)	
911 Requirements for IP-Enabled Service Providers	)	WC Docket No. 05-196

**COMMENTS  
OF THE  
NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION**

The National Telecommunications Cooperative Association (“NTCA”) submits these comments in response to the above referenced Notice of Proposed Rulemaking (“NPRM”) and its accompanying Regulatory Flexibility Analysis (“RFA”).<sup>1</sup> NTCA is a national association representing more than 570 rural telecommunications providers. While NTCA’s members are all rural incumbent local exchange carriers, most provide their rural communities with a broad array of telecommunications services, including

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<sup>1</sup> *Wireless E911 Location Accuracy Requirements; Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems; Association of Public-Safety Communications Officials-International, Inc. Request for Declaratory Ruling; 911 Requirements for IP-Enabled Service Providers*, PS Docket No. 07-114, CC Docket No. 94-102, WC Docket No. 05-196, Notice of Proposed Rulemaking, FCC 07-108 (rel. June 1, 2007 (“NPRM”).

wireless service. NTCA's CMRS providers are all Tier III wireless carriers and small businesses as that term is defined by the Small Business Administration.<sup>2</sup>

The Commission in this comment cycle requests that the industry comment on a timeline for compliance with its tentative conclusions regarding the accuracy standards of Section 20.18(h) of the Commission's rules.<sup>3</sup> The already established record in this proceeding demonstrates that requiring licensees to meet the accuracy standards at the geographic level defined by the coverage area of each respective Public Safety Answering Point ("PSAP") will be an expensive, technically difficult, and unenforceable prospect.<sup>4</sup>

NTCA's members serve the most rural areas of this country. Uncontrollable factors such as topography, and the configuration of networks constructed prior to Commission rules regarding location accuracy make compliance difficult, if not impossible. As SunCom notes, "the challenges involved in meeting the proposed PSAP-level location standard using present technology would be insurmountable"<sup>5</sup> and "no amount of investment in presently available technologies would ensure compliance."<sup>6</sup> The NPRM proposes rules that impose standards that are not reasonably achievable today.

Therefore, if the Commission adopts its tentative conclusions regarding accuracy standards, it must defer compliance for Tier III providers until such time as they can realistically comply. The Commission should consider such factors as the availability of

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<sup>2</sup> The Small Business Administration considers a cellular and other wireless telecommunications business to be "small" if it employs 1,500 or fewer employees.

<sup>3</sup> NPRM, Section III. B.

<sup>4</sup> See e.g., Comments of SunCom Wireless, Inc., the Rural Cellular Association, the State of Montana, Reply Comments of the Rural Telecommunications Group.

<sup>5</sup> Comments of SunCom, p. 2.

<sup>6</sup> Id at 3.

equipment, the cost to providers, the cost to consumers, and the ability of PSAPs to receive and interpret data. Assuming that affordable equipment is made available, Tier III carriers are typically last on the list of providers to receive it. If consumers must upgrade handsets for providers to comply, the implementation timetable should recognize consumers' reluctance to change equipment that works for new, more expensive equipment. And it is nonsensical to force Tier III carriers to meet new accuracy standards if the relevant PSAPs are unable to use the information.

NTCA's members fully support the goal of this proceeding. Emergency responders must be able to locate callers. However, prohibitively expensive short-term solutions would be disastrous to the rural wireless industry and the customers they serve. Inadequate technologies combined with unrealistic timetables would at the least ensure noncompliance by many small carriers. At worst, it could result in the discontinuance of service in some rural areas as providers turn off cell sites rather than risk fines for noncompliance. The Commission should not rush to implement new accuracy requirements. Instead, it should continue to work with the industry and collaborate to meet the public interest goals of the NPRM.

## Conclusion

For the foregoing reasons, NTCA respectfully requests that if the Commission adopts the accuracy standards proposed in its NPRM, it should defer compliance for Tier III carriers until such time as reasonably priced compliant equipment is widely available.

Respectfully submitted,

NATIONAL TELECOMMUNICATIONS  
COOPERATIVE ASSOCIATION

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**CERTIFICATE OF SERVICE**

I, Adrienne Rolls, certify that a copy of the foregoing Comments of the National Telecommunications Cooperative Association in Docket Nos. PS 07-114, CC 94-102 and WC 05-196, FCC 07-108, was served on this 20<sup>th</sup> day of August 2007 by first-class, United States mail, postage prepaid, or via electronic mail to the following persons:

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