

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 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

To: The Commission

**COMMENTS OF APCO
In Response to Section III.B**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in response to Section III.B of the Commission’s *Notice of Proposed Rulemaking*, FCC 07-108 (released June 1, 2007) (“*NPRM*”), in the above-captioned proceedings.¹

On July 6, 2007, APCO filed comments in support of the Commission’s tentative conclusion in Section III.A of the *NPRM* to grant APCO’s long-pending Request for Declaratory Ruling and to clarify that wireless carriers are required to satisfy the Enhanced 9-1-1

¹ The *NPRM* established separate comment periods for Section III.A and Section III.B.

(“E9-1-1”) rules within each PSAP service area. APCO is disappointed that the Commission has not yet acted upon the PSAP-level accuracy issue, for which it adopted a highly abbreviated comment schedule as APCO had recommended.

For too many years, stakeholders in the wireless E9-1-1 issue have been distracted by circular debates regarding the appropriate geographic area in which location accuracy should be measured. Thus, APCO welcomed the Commission’s tentative conclusion on PSAP-level accuracy, and now hopes that the Commission will proceed quickly to put that issue behind us so that undivided attention can be focused on the more difficult issues posed in Section III.B of the *NPRM*. Indeed, defining the measurement area is a necessary predicate for meaningful analysis of those additional issues. For example, without a clear rule on the measurement area, it is virtually impossible to consider the real impact of a particular accuracy standard on the ability of PSAPs to accurately and reliably dispatch emergency personnel. The following comments will be based upon an assumption that the FCC will soon make clear that PSAP service areas are the relevant areas for compliance with the E9-1-1 accuracy rules, regardless how those rules may otherwise be modified in subsequent orders.

Deferred Enforcement of Section 20.18(h). The Commission sought comment in Section III.A of the *NPRM* as to whether it should defer enforcement of its wireless accuracy rules if it adopts its tentative conclusion on PSAP-level accuracy. APCO’s comments in response to Section III.A indicated concurrence with such a deferment. However, enforcement should not be deferred beyond the effective date of a Commission order addressing the Section III.B issues. That being said, whether or not enforcement is actually needed at that point will depend upon

other rule changes in the order addressing compliance timeframes and other matters. Contrary to the fears of some, APCO and others in public safety do not advocate immediate, draconian enforcement of the PSAP-level accuracy requirement. Rather, firm but fair compliance benchmarks and deadlines should be adopted.

Single Location Accuracy Standard. The Commission tentatively concludes that “the public interest would be better served by a single location accuracy requirement rather than the current separate accuracy requirements for network- and handset-based technologies.” APCO agrees. As noted by the Commission, and in APCO’s prior comments in response to Section III.A, substantial portions of the nation’s population are increasingly relying upon wireless phones as their primary (and often only) telephone, even within homes and businesses. That makes it all the more important that first responders can locate emergencies reported through wireless 9-1-1 calls, which in turn requires more accurate, and reliable location information in a variety of settings. To the public, and to PSAPs, the type of location technology used by the wireless service provider is irrelevant, though its consistency and accuracy is crucial to successful outcomes for responders and the public they serve.

Location Technologies. The Commission seeks updated information on the capabilities of various locations technologies, an issue that is best addressed by providers of such technologies and other parties. As to the experiences of PSAPs, APCO refers the Commission again to the Project Locate Report.²

² Association of Public-Safety Communications Officials-International, “An Assessment of the Value of Location Data Delivered to PSAPs with Enhanced 9-1-1 Calls,” CC Docket No. 94-102 (filed Apr. 10, 2007). See NPRM, n.19.

Accuracy Standard. APCO agrees with the Commission’s inclination to require a “uniform accuracy standard at least as stringent as that current in place for handset-based technologies,” though we also share the Commission’s desire for even greater accuracy. The original requirements were somewhat arbitrary, and did not anticipate the advances in location technologies that have occurred, or that so many consumers would abandon wireline phones in homes and offices. Today, minor variations in location data can have a dramatic, and potentially tragic, impact on the ability of first responders to find emergencies inside dense residential developments, apartments, and offices. The increased use of wireless phones in multiple-story buildings also requires potential inclusion of elevation information if technologically feasible.

Compliance Timeframes. APCO urges the Commission to adopt firm, but fair timeframes for compliance with the revised location rules and the PSAP-level compliance requirement. However, without further information regarding state-of-the-art location technology, and a fair review of concerns raised by the wireless carriers and others, it is difficult at this time to propose a specific timeframe. We look forward to working with the Commission and other parties to resolve those issues

Compliance Testing. If the Commission continues to rely upon OET Bulletin No. 71, to define the required testing methods, that document should be modified to increase the number of indoor calls that must be included in the testing to at least 30%. As noted elsewhere, the increasing use of wireless phones in homes and businesses has dramatically changed the original uses of wireless, and such indoor use demands even greater levels of location accuracy.

Schedule for Testing. APCO continues to support testing every two years, as noted in the *NPRM*.

Accuracy Data: Wireless service providers should be required to share location accuracy test data with PSAPs, at least as follows: every two years or when there are significant changes made to the current infrastructure and when the PSAP and wireless service provider are joined in testing locally. The data is usually available in a spreadsheet format and common headers are used to identify the fields. However, inclusion of accuracy data, such as standardized uncertainty values in the call record to the PSAP requires further study, including the impact upon PSAPs.

9-1-1 Calls Placed When Roaming. APCO agrees with the Commission's concern about the need to address 9-1-1 calls from customers roaming on a wireless network utilizing a different location technology. The Commission should require that wireless carriers develop a viable technical solution to this problem by a specific deadline.

Interconnected VoIP Services. APCO believes that the Commission's rules should strive for absolute transparency, such that callers to 9-1-1 will be assured that their accurate location be provided to the correct PSAP regardless whether they are using a traditional wireline, wireline VoIP, wireless CMRS, or nomadic VoIP device. The type of accuracy location data provided, however, may vary. Specifically, where an interconnected VoIP service connects to a PSAP through an IP/wireline technology, it should provide validated Master Street Address Guide (MSAG) information. However, where the interconnected VoIP service connects to a PSAP

through a wireless network, then the location information should be delivered in the same form as required of other wireless service providers.

CONCLUSION

Therefore, for the reasons set forth in APCO's comments in response to Section III.A of the *NPRM*, the Commission should immediately grant APCO's Request for Declaratory Ruling and clarify that PSAP service areas are the relevant area of compliance for Section 20.18(h). The Commission should also adopt rules and gather information on matters discussed in Section III.B of the *NPRM* consistent with the comments set forth above.

Respectfully submitted,

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