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August 31, 2007

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Communication:

PS Docket No. 07-114 – Wireless E911 Location Accuracy Requirements

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of oral *ex parte* presentations on behalf of the Rural Cellular Association ("RCA") in connection with the above-referenced proceeding. The presentations occurred on August 30, 2007 in meetings with:

Angela Giancarlo, Legal Advisor to Commissioner Robert McDowell
Wayne Leighton and Chris Moore, Legal Advisors to Commissioner Deborah Tate

Attending the meeting on behalf of RCA, in addition to the undersigned, was Arthur L. Prest of Arthur L. Prest & Associates. We discussed positions presented in RCA's comments in the above-referenced docket as supplemented below.

RCA is an association of approximately 100 wireless carriers that serve rural and small markets in the United States. About half of RCA's carrier members use GSM technology for which no handset-based E-911 Phase II solution is commercially available, while the other half uses CDMA technology. Those with CDMA provide handsets with assisted-GPS capability but it is recognized that callers in locations where a "location fix" from satellites is not available may not be located by the carrier's network when a 911 call is transmitted.

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RCA's members support the goal of improving wireless networks to better report location accuracy from E911 callers. RCA confirmed that support in comments filed in both of the comment cycles of this proceeding. RCA also suggested that the Commission convene a forum of interested stakeholders to study and report on the feasibility of improving location accuracy information as well as a timetable for implementation and deployment.

RCA is concerned by recent trade press reports that indicate the Commission is considering, at its scheduled September 11, 2007 meeting, adopting a rule that would establish accuracy requirements for E911 Phase II compliance at the Public Safety Answering Point level. RCA believes that a ruling of this nature is premature and does not appropriately consider the technical limitations faced by wireless carriers. Instead, the Commission could adopt an approach that is underway to implement the WARN Act and to make available Emergency Alert messages to wireless service customers. A committee is actively at work in that area and will soon report its recommendations for Commission action.

It is not too late for the Commission to take similar to establish a forum of interested public safety and wireless carrier representatives to study and make recommendations on the process to improve E911 location accuracy. However, if the Commission ultimately decides to move ahead with a rule that requires location accuracy at the PSAP level, RCA requests that the Commission suspend the effective date of the rule, not delay enforcement of the rule. Wireless carriers should not be placed in the position of being non-compliant with a rule they have no capability to meet. The effects of non-compliance with a Commission rule would place some wireless carriers in default as to loan covenants and, of direct impact to the public, would jeopardize continuation of needed voice and data services in areas where E911 location accuracy cannot be assured. These results would be counterproductive to the goal of improving safety of life and property.

Sincerely,

A handwritten signature in black ink that reads "David L. Nace" followed by a stylized flourish or initials.

David L. Nace

cc: Angela Giancarlo (by email)
Wayne Leighton (by email)
Chris Moore (by email)
Best Copy and Printing, Inc. (by email)