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September 7, 2007

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VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Written *Ex Parte* Communication; PS Docket No. 07-114;
CC Docket No. 94-102; WC Docket No. 05-196**

Dear Ms. Dortch:

The law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP, on behalf of its cellular and Broadband PCS clients and in conjunction with CTIA – The Wireless Association, respectfully submits this *ex parte* letter to further urge the Federal Communications Commission (“FCC” or “Commission”) to proceed prudently and cautiously as it considers new Enhanced 911 (“E-911”) compliance requirements in the Wireless E-911 Location Accuracy Requirements proceeding.

Almost without exception, the overwhelming majority of commenters support the Commission’s goal of improving location accuracy. An equal number of commenters also support the concept of a joint FCC, industry, and Public Safety forum on E-911 location accuracy. Before the Commission makes any determination on the timing for the effectiveness of any new E-911 rules, we believe that it is prudent to convene a group of subject matter experts to review the state of E-911 location accuracy technology, and to investigate what can and should be done going forward. We further believe that the Commission should not establish a timeframe for any new accuracy compliance standards that may be adopted until the completion of this effort.

We believe that a timely, speedy, and thorough investigation of the technical feasibility, implementation and development of any new solutions will best serve the public interest, and will

keep the focus of this proceeding on moving forward with new and improved solutions. The Commission already is helping to facilitate a similar process through the WARN Act and its efforts to facilitate the development and deployment of an Emergency Alert solution. That joint private-public partnership is moving forward rapidly, with thousands of man-hours being invested by all parties. The Commission should use a similar process here to pursue improved E-911 solutions.

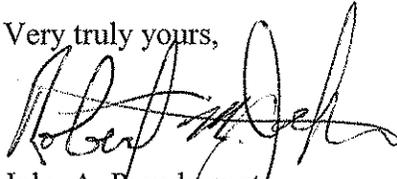
This effort will help to inform not only the Commission, but also Public Safety, before setting the effectiveness of any new rules. It will allow a reasonable amount of time for development of standards, equipment, testing and development given the large CMRS customer base and location solutions already deployed in the marketplace. It also will help to inform the Commission of the impact, both financial and technical, of any proposed changes on all wireless carriers – large and small, urban and rural.

In the docket, Public Safety organizations similarly have recognized the need to establish timeframes only after collecting and evaluating relevant and “technically feasible” information. As APCO presciently notes, “. . . without further information regarding state-of-the-art technology, and a fair review of concerns raised by the wireless carriers and others, it is difficult at this time to provide a specific [compliance] timeframe”¹ In addition, the National Emergency Number Association observes “[w]e hope to become better educated by the answers provided in this proceeding, but at this point the answers to timing and benchmarking cannot be given with precision.”²

In sum, an “E-911 working group,” with accelerated timeframes for delivery of information to the Commission, could be the most appropriate forum for addressing improvements to E-911 location accuracy. That effort will educate the Commission as it considers changes to the E-911 rules, including the establishment of a date for the effectiveness of any possible changes.

Pursuant to Section 1.1206 of the Commission’s Rules, this letter is being electronically filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Very truly yours,



John A. Frendergast
Robert M. Jackson

¹ APCO Comments, filed 8/20/07.

² NENA Comments, filed 8/20/07.