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VIA ELECTRONIC FILING
Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20554

Re: E-911 Location Accuracy Proceeding,
PS Docket No. 07-117; CC Docket No. 94-102;
and WC Docket No. 05-196

Reply Comment

Dear Ms. Dortch:

Our company is a Tier III licensee provider of Commercial Mobile Radio Service ("CMRS") and, as such, is subject to the E-911 requirements codified in Section 20.18 of the Commission's Rules. We hereby submit our reply comments on the issues specified in Part III B of the Commission's *Notice of Proposed Rulemaking, Wireless E911 Location Accuracy Requirements, et al., PS Docket No. 07-114, CC Docket No. 94-102, and WC Docket No. 05-196*, 22 FCC Rcd. 10609 (2007) ("*NPRM*").[1]

At the outset, we share the desire expressed collectively by the Commission and the Commenters that Public Safety Answering Points ("PSAPs") be provided with the most accurate E-911 location information that can be realistically and economically supplied. However, at present, considerations of technology and economics impose some constraints on precisely how accurate that information can be.

Section 20.18 of the Commission's Rules contemplates that CMRS licensees will provide Phase II Automatic Location Information ("ALI") to requesting PSAPs using either a handset-based or a network-based solution, although the Commission has acquiesced in and permitted the use of hybrid solutions employing elements of both. Under the current regulations, network-based solutions are required to provide a level of accuracy of 100 meters for 67% of calls and 300 meters for 95% of calls; while handset-based solutions are required to provide a level of accuracy of 50 meters for 67% of calls and 150 meters for 95% of calls. The current regulations do not require that an elevation above ground level reading be provided to the PSAPs for either type of Phase II solution.

The Commenters in this proceeding correctly note that both handset-based and network-based solutions (as well as the various currently-deployed hybrids) have serious technological limitations when it comes to providing usably accurate location coordinates

[1] The *NPRM* was published in the Federal Register on June 20, 2007. Accordingly, these reply comments are timely filed.

in most instances. The Commenters in this proceeding further agree that greater accuracy in geographic coordinates readings cannot be obtained using current technology; and that it is wholly impossible to provide any usable elevation-above-ground level value. In this regard, the record is simply devoid of any evidence demonstrating that ALI accuracy greater than that required under the current regulations can be achieved using existing technology. Thus, for example, given the constraints of existing technology, network-based solutions are simply incapable of providing an elevation value; while Global Positioning System ("GPS") technology is capable of providing elevation values accurate only to within a range of approximately 250 feet (*i.e.*, comparable to the height of a twenty-five story building), a level of accuracy completely unusable for E-911 purposes but nevertheless consistent with other, non-Commission, requirements specified by the Federal government for GPS generally.

Those commenting in this proceeding on the Part III B issues (including CMRS licensees, equipment vendors and public safety organizations) correctly argue from a variety of viewpoints that the Commission should not resolve these issues absent the most up-to-date information available as to what is both technically achievable and economically reasonable, and which do not impose undue burdens on various E-911 state funding programs. As many Commenters note, the law requires the Commission to engage in reasoned decision-making and to act in a manner that is not arbitrary and capricious, all of which prohibits the Commission from compelling carriers to do the impossible.

Therefore, we share the view expressed by these Commenters that a panel of experts be formed under Commission auspices to explore what solutions (if any) are technically and economically feasible for the provision of more accurate E-911 ALI to the PSAPs, and to advise the Commission accordingly. The panel would consist of representatives from all affected stakeholders, including Commission personnel, large CMRS carriers, rural CMRS carriers, E-911 solution vendors, public safety representatives, trade associations and others. Resolution of the issues presented in this proceeding should be deferred pending receipt of the panel's report. This will enable the Commission to adopt workable solutions for E-911 accuracy, and avoid the waste of carrier and state government resources that would surely occur if the Commission tried to adopt regulations in vacuum specifying requirements that cannot be achieved.

We wish to take this occasion to thank the Commission in advance for its consideration of our views, and we respectfully request the Commission to proceed in accordance with these recommendations.

Very truly yours,

John Reiser
COO/Assistant General Manager