

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Revision of the Commission’s Rules	)	
To Ensure Compatibility with	)	CC Docket No. 94-102
Enhanced 911 Emergency Calling Systems	)	
	)	
Request for Waiver of Location-Capable Handset	)	WT Docket No. 05-286
Penetration Deadline by Sprint Nextel Corporation	)	
	)	
Request for Waiver of Location-Capable Handset	)	WT Docket No. 05-302
Penetration Deadline by Nextel Partners, Inc.	)	

**SPRINT NEXTEL CORPORATION  
E911 QUARTERLY REPORT**

**November 1, 2007**

Sprint Nextel Corporation (“SN” or the “Company”)<sup>1</sup> hereby submits its E911 Quarterly Report in compliance with the Federal Communication Commission’s Orders in the above captioned dockets.<sup>2</sup>

**I. INTRODUCTION**

SN is committed to providing its customers and public safety officials with valuable E911 Phase I and II services throughout its network. SN was the first carrier to begin selling Global Positioning System (“GPS”) enabled handsets, the first carrier to deploy a handset-based Phase II network, the first to convert 100% of new activations on its CDMA network to GPS-

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<sup>1</sup> Sprint Nextel Corporation is the result of a merger between Sprint Corporation (“Sprint”) and Nextel Communications, Inc. (“Nextel”), which closed on August 12, 2005. On June 26, 2006, SN completed a merger with Nextel Partners, Inc. (“Partners”). The terms “Sprint,” “Nextel” and “Partners” refer to those entities as they existed prior to the closing of those transactions.

<sup>2</sup> *In the Matter of Request for Waiver of Location-Capable Handset Penetration Deadline by Sprint Nextel Corporation*, Order, FCC 06-183, WT Docket No. 05-286 (released January 5, 2007); *In the Mat-*

enabled devices, and the first carrier to reach the 95% penetration benchmark on its CDMA network. The network elements necessary to support Phase I and II services have been deployed throughout SN's network and SN is prepared to provide Phase I and II services to any requesting Public Safety Answering Point ("PSAP") within its national footprint.

As SN anticipated in its *Waiver Petition* filed on September 29, 2005,<sup>3</sup> however, it was unable to meet the requirement that 95% of its existing customer base be GPS enabled by December 31, 2005. As discussed in the *Waiver Petition*, a latent software defect resulted in a malfunction of the E911 Phase II location capability in all iDEN Phase II-compliant handsets on July 17, 2004 – affecting over 4.7 million handsets.<sup>4</sup> This, combined with other circumstances affecting SN's conversion efforts, led SN to seek a waiver of the Commission's 95% handset deployment rule until December 31, 2007.<sup>5</sup>

The *Waiver Orders* issued January 5, 2007, denied SN's requested extension and directed SN to provide quarterly reports on its progress toward the handset penetration benchmark and its Phase II deployments. This report provides the FCC with this requested data, as well as with new information from a January 2007 study that suggests SN's E911-capable handset penetration rate is actually *higher* than reflected in the Company's available records.

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*ter of Request for Waiver of Location-Capable Handset Penetration Deadline by Nextel Partners, Inc.*, Order, FCC 06-184, WT Docket No. 05-302, (January 5, 2007) ("*Waiver Orders*").

<sup>3</sup> *Sprint Nextel Corporation Request for Limited Waiver*, CC Docket No. 94-102, filed September 29, 2005 ("*Waiver Petition*").

<sup>4</sup> Nextel Partners experienced the same software defect on its iDEN network and also sought an extension of the FCC's December 31, 2005, deadline through December 31, 2007. See *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket 94-102, Petition for Limited Waiver of Nextel Partners, Inc. (October 17, 2005).

<sup>5</sup> See *Waiver Petition* at 6, 14-20.

## II. GPS HANDSET PENETRATION STATUS

SN was the first carrier to effectively meet the Commission's 100% new activation requirement, doing so on its CDMA network during the third quarter of 2003.<sup>6</sup> Despite significant obstacles (*e.g.*, a sole supplier of iDEN technology) that required a delayed initial launch of GPS handsets, SN effectively met the 100% activation requirement for its iDEN network during the first quarter of 2005.<sup>7</sup> SN has introduced more than fifty GPS-enabled handset models on its CDMA network since October 1, 2001, and more than twenty-five GPS-enabled handset models on its iDEN network since October 1, 2002. All new handset models introduced by SN are GPS-enabled, and have been since January of 2003 on its CDMA network and since February 2004 on its iDEN network (the last non-GPS model introduced was a BlackBerry that is no longer available).

Sprint Nextel has continued to aggressively pursue compliance with the handset penetration obligation. Sprint continues to reflash defective handsets, market location-based services, and offer low cost and free handsets to continuing Sprint Nextel subscribers. Specifically, Sprint currently offers four different phone models for free with the execution of a two-year contract, and five additional models for less than fifty dollars (*i.e.*, nine GPS capable phones for less than fifty dollars). Sprint has also extended its EvDO network deployment to approximately 224 million POPs, thus offering customers exciting new data services not available on their iDEN handsets. SN is actively marketing these services to encourage conversion to GPS enabled devices. Additionally, Sprint Nextel offers four "hybrid" phones which will operate on the CDMA network for ordinary calls to the PSTN but will access the iDEN network for "push-to-talk" func-

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<sup>6</sup> See Sprint Corporation Seventh Quarterly E911 Implementation Report (filed August 1, 2003) at 1-3; Sprint Corporation Eighth Quarterly E911 Implementation Report (November 1, 2003) at 2.

<sup>7</sup> See Nextel Communications, Inc. Phase I and Phase II E911 Quarterly Report (February 1, 2005) at 11-12.

tionality. Sprint Nextel is optimistic that these new handsets will prove more compelling to customers currently using older iDEN phones and further encourage conversion to a GPS enabled device.

As of September 30, 2007, SN's subscriber records indicate that the GPS handset penetration rate had reached 94.66% - an increase of .99% from SN's last quarterly report.<sup>8</sup> And, if the Motorola software defect had not occurred, the penetration rate would exceed the FCC mandate, having reached 97.06% - an increase of .81% from the last report.<sup>9</sup> As these increases in handset penetration rates illustrate, SN has taken the December 2005 benchmark seriously and continues to devote substantial resources to maximize its GPS handset penetration rate.

Furthermore, as reported in SN's last quarterly report, a study conducted by SN suggests that the Company's actual E911-capable handset penetration rate is higher than the Company's records indicate.<sup>10</sup> SN's records may underestimate the number of GPS-enabled handsets in use by subscribers at a given point in time because a subset of the Company's handset offerings may be upgraded directly by the consumer, without any resulting notification to SN. Specifically, SN's iDEN handsets have interchangeable Subscriber Identity Modules (commonly referred to as "SIM" cards). These SIM cards store the subscriber's cell phone number and other unique identification information, and can be freely exchanged between iDEN handsets.

SN conducted a study in January 2007, to assess the extent to which customers may have upgraded their non-GPS enabled handsets to models supporting E911 location capabilities without the Company's knowledge. SN selected a statistically relevant sample of subscribers who, according to the Company's records, were not using GPS-enabled handsets. Working together

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<sup>8</sup> See Sprint Nextel Corporation, E911 Quarterly Report (August 1, 2007) at 4.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 4-5.

with Motorola, SN sent Short Message Service (“SMS”) text messages to these selected subscribers, requesting a return message. When the user returned the SMS message, the signaling stream included information on the version of software used by the handset.<sup>11</sup> Based upon the handset software version, SN determined that a number of handsets were GPS-enabled, even though Company’s records did not reflect this capability.

Taking the results of this study into consideration, SN’s combined handset penetration rate for June 2007 would have been .83% higher (an increase from 94.66% to 95.49%), and if the Motorola software defect had not occurred, the combined penetration rate would have been .70% higher (an increase from 97.06% to 97.76%). In short, SN’s January 2007 study shows that its subscriber records understate the actual GPS handset penetration rate, and if re-calculated to include “off-record” handset upgrades, SN’s penetration rate exceeds the FCC’s mandated 95% level.

### **III. STATUS OF PHASE II DEPLOYMENTS**

The *Waiver Orders* require SN to report the number and status of Phase II requests and the estimated dates on which Phase II service will be available to PSAPs served by SN’s network.<sup>12</sup> Appendix A to this filing provides the Commission with the current status of both Phase I and II requests received by SN. During the second quarter of 2007, SN completed a combined 294 Phase I PSAP deployments and 374 Phase II deployments on both its Code Division Multiple Access (“CDMA”) and integrated Digital Enhanced Network (“iDEN™”) networks.<sup>13</sup> During this time period, SN brought its total Phase I deployments to 4,828 PSAPs on its combined

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<sup>11</sup> A sufficient number of subscribers responded to these messages to yield a statistically relevant survey.

<sup>12</sup> *Waiver Orders* at ¶34.

<sup>13</sup> Appendix A contains specific information regarding these PSAP deployments.

networks and its total Phase II deployments to 4,243 PSAPs.<sup>14</sup> SN now provides Phase I and/or II services in portions of 48 states, Puerto Rico and the District of Columbia.

With respect to Phase II deployments specifically, SN launched 192 new PSAPs on its CDMA network and 182 new PSAPs on its iDEN network in the last quarter, bringing total Phase II CDMA deployments to 3,567 PSAPs and total Phase II iDEN deployments to 3,243 PSAPs. These numbers reflect, at a minimum, 4,243 unique Phase II PSAP deployments. As discussed in previous filings, where a PSAP has made a Phase II request, and the ALI provider has not upgraded its ALI database, or prohibits the use of that ALI database contingent upon state regulatory authority approval of the ALI provider's tariff filing, the PSAP is unable to receive or utilize Phase II information. A PSAP will be unable to receive Phase II data unless the necessary ALI and CPE upgrades have been performed.<sup>15</sup>

The "Date PSAP Made Request" column in Appendix A indicates the date a PSAP request was issued, even if the PSAP did not at that time meet the prerequisites of Rule 20.18. SN's objective is to deploy Phase I and II services with as many PSAPs as possible. Accordingly, SN has not attempted to segregate those requests as valid or invalid under the prerequisites contained in Rule 20.18, but has moved forward on all requests. Where deployment is not possible within six months of a request, SN has established an agreed upon deployment schedule or negotiated other arrangements as permitted under the Commission's *Richardson Reconsideration*

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<sup>14</sup> These numbers reflect the total unique PSAP deployments on the SN network, including Nextel Partners. If all CDMA and iDEN deployments are counted separately, including duplicative deployments, SN has deployed 7,856 Phase I requests and 6,810 Phase II requests.

<sup>15</sup> See Sprint Reply Comments in Support of its Petition for Reconsideration and Clarification, CC Docket No. 94-102 (Jan. 28, 2002).

*Order.*<sup>16</sup> At the Commission's request, SN will provide additional information with respect to specific deployments and PSAP circumstances presented in each case.

#### **IV. CONCLUSION**

As demonstrated in this report, SN remains committed to E911 deployment efforts and to working with public safety in this important area.

Respectfully submitted,

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<sup>16</sup> *In the Matter of Petition of City of Richardson Texas*, Order on Reconsideration, CC Docket 94-102, FCC 02-318, (2002) at ¶29.