

consider the circumstances facing other affected parties as it develops its ultimate location accuracy requirements. In particular, Motorola can confirm the unique challenges faced by GSM carriers as described by the Rural Cellular Association (“RCA”) and T-Mobile in their joint comments.

Motorola agrees that the joint proposal developed by Verizon Wireless, APCO, and NENA “serves the public interest by providing an expedited way to resolve long-pending issues as to how to measure the accuracy of handset-based E911 systems.”⁴ In particular, Sprint Nextel observed that this proposal “strikes a careful balance” between public safety’s need to have a better granular understanding of network operations, the desire for maximum possible location accuracy, and the limits of technology.⁵ Motorola agrees with Sprint’s assessment of the Verizon Wireless proposal and in particular concurs with Sprint’s statement that the exception for forestation should apply to all terrain obstructions.⁶ Any obstructions that attenuate either primary communications

some of the proposed benchmarks, and because implementation of A-GPS for GSM carriers is directly tied to implementation of 3G service, several of the proposed benchmarks will not be technically and economically feasible for carriers other than AT&T unless these other carriers have a more nearly comparable period from the introduction of their own 3G services to meet the benchmarks.”); Comments of the National Telecommunications Cooperative Association, PS Docket No. 07-114, at 2 (filed Oct. 6, 2008) (“The proposed revisions to the accuracy requirements and additional time for compliance are welcome changes to the current E911 regulatory regime, but it is expected that new standards will impose prohibitive costs on many rural wireless carriers, if compliance is even possible.”); Comments of the Blooston Rural Carriers, PS Docket No. 07-114, at 3 (filed Oct. 6, 2008) (“Regardless of what new Phase II location accuracy and reliability rules are eventually adopted, the Blooston Rural Carriers urge the Commission to recognize that it may not be technically feasible for carriers to meet the modified location accuracy requirements in every county.”).

⁴ Comments of Verizon Wireless, PS Docket No. 07-114, at 2 (filed Oct. 6, 2008).

⁵ Comments of Sprint Nextel Corporation, WT Docket No. 07-114, at 4 (filed Oct. 6, 2008).

⁶ *Id.* at n. 5 (“Although the Handset Location Accuracy Proposal specifically referenced only one type of terrain obstruction (“forestation”), it is Sprint’s understanding

signals or associated signals providing location measurements can negatively impact the yield and/or accuracy of location accuracy measurements.

Motorola generally approves of the joint proposal of AT&T, APCO, and NENA regarding network-based E911 solutions, and notes that although AT&T's "measurements and benchmarks are aggressive," the proposed requirements "will spur development and deployment of the technological advances necessary to improve location accuracy."⁷ In their joint comments, T-Mobile and RCA state that the AT&T proposal represents "a major step forward" which "presents a potentially workable framework for achieving county-level accuracy, and provides network-based carriers a clear path for migrating to handset-based A-GPS solutions."⁸

Additionally, however, Motorola notes RCA and T-Mobile's concern that "these agreements do not eliminate the need for the Commission to assess whether these proposals are technically and economically feasible for other carriers."⁹ RCA and T-Mobile make several proposals which they state will allow "carriers who have different network topologies and differing starting points with respect to 3G and A-GPS deployment than AT&T" to have "a realistic migration path to the same ultimate county-

that APCO and NENA agree that the proposal applies to all terrain obstructions, whether natural (cloud cover, mountains) or manmade (buildings), because both types of obstructions adversely affect location accuracy.").

⁷ Comments of AT&T Inc., PS Docket No. 07-114, at 3 (filed Oct. 6, 2008).

⁸ T-Mobile/RCA Comments at 1-2.

⁹ *Id.* at 1-2.

level accuracy performance.”¹⁰ The Commission should consider the concerns raised by T-Mobile and RCA in promulgating E911 requirements.

RCA and T-Mobile correctly observe that GSM carriers face particular obstacles that make compliance with AT&T’s proposed E911 benchmarks extremely challenging.¹¹ As an initial matter, there are no second generation (“2G”) GSM A-GPS handsets sold today and therefore implementation of A-GPS for GSM carriers is directly tied to implementation of third generation (“3G”) service.¹² Unlike the circumstances described by AT&T, other GSM providers are deploying 3G at varying rates of speed.¹³ For example, T-Mobile did not acquire its 3G spectrum until 2006 and had to wait for federal users to clear the spectrum before it could begin its 3G deployment.¹⁴

¹⁰ *Id.* at 7. These proposals include: (1) extending the second, third, and fourth benchmarks in AT&T’s proposal by at least two years; (2) modifying the third benchmark so that a carrier may be found compliant based only on handset-based measurements so long as the carrier has reached an 85% nationwide handset penetration rate; (3) allowing carriers to temporarily exclude counties with fewer than three cell sites until they can meet the handset penetration rate for handset-only based compliance; (4) extending the first benchmark by at least a year for Tier III carriers and six months for all other carriers; (5) allowing carriers to blend handset-based and network-based performance for all benchmarks; and (6) excluding indoor measurements from the proposed county-level benchmarks. *Id.* at 12-24.

¹¹ *Id.* at 11.

¹² *Id.* at 3, 13.

¹³ *Id.* at 12-13.

¹⁴ *Id.* at 14 (“[T-Mobile] then had to work with federal users to clear that spectrum, a challenging, time-consuming process that meant that AWS spectrum did not become usable until this year, and then only on a market-by-market basis. After launching its first 3G market in May 2008, T-Mobile has continued to work aggressively to clear additional markets so that, by the end of 2008, it plans to have launched its 3G service in 27 major markets. While this is a significant accomplishment, it comes almost three years after AT&T launched its 3G services in a comparable number of markets and pales next to AT&T’s current deployment of 3G on an almost ubiquitous basis throughout its network.”).

The concerns raised by RCA and T-Mobile are valid and reasonable considering past E911 experiences. Further, AT&T's proposal would require GSM carriers to aggressively deploy A-GPS handsets in a market that is currently experiencing little growth and record low churn rates.¹⁵ As a result, handset turnover is lower (and deployment therefore more difficult) than when CDMA and iDEN carriers were deploying A-GPS handsets.¹⁶ The Commission should take into account the unique circumstances described by RCA and T-Mobile in developing their E911 benchmarks for such carriers.

The comments also show widespread support for establishing an ETAG so that all relevant parties can participate in developing location accuracy improvements for all environments in the short and long term.¹⁷

¹⁵ *Id.* at 18, n. 36.

¹⁶ *Id.* at 18.

¹⁷ *See, e.g., Id.* at 24 (“In addition, T-Mobile and RCA support the creation of an E911 Technical Advisory Group to address open issues on a going forward basis.”); Comments of the National Telecommunications Cooperative Association, PS Docket No. 07-114, at 2-4 (filed Oct. 6, 2008); Comments of the Alliance for Telecommunications Industry Solutions’ Emergency Services Interconnection Forum, PS Docket No. 07-114, at 4 (filed Oct. 6, 2008) (“ESIF agrees with the many commenters that have suggested that the Commission engage interested stakeholders, including industry groups, in an open consensus based forum to address many of the outstanding related wireless E911 issues.”); Nokia Comments at 3 (“As Nokia has previously noted, an industry working group is the best forum in which to evaluate the technical and commercial feasibility of E911 solutions and to ensure that solutions are adopted that can ultimately meet location accuracy requirements.”).

Motorola reiterates its support for the progress made by AT&T, Verizon Wireless, APCO, and NENA, and it urges the Commission to consider the modifications proposed by RCA and T-Mobile as well as the concerns of several commenters in developing modified E911 location accuracy benchmarks. Motorola looks forward to continued participation in this process.

Respectfully submitted,

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