

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Wireless E911 Location Accuracy)	PS Docket No. 07-114
Requirements)	
)	

REPLY COMMENTS OF AT&T INC.

AT&T Inc. (“AT&T”) respectfully submits these reply comments in response to the Commission’s September 22, 2008 public notice seeking comment on recent proposals to improve wireless E911 Phase II location accuracy.¹ AT&T’s opening comments summarized and elaborated on the three central facets of the proposal AT&T has submitted with APCO and NENA,² emphasizing that the joint proposal would result in improved compliance measurements for network-based technologies and would accordingly serve the public interest. The record reflects widespread agreement on that conclusion, further confirming that the joint proposal should be adopted without delay.

First, numerous commenters endorse the measurement of location accuracy on a county-wide basis, as reflected in the APCO/NENA/AT&T joint proposal. As AT&T explained in its opening comments, although the Commission’s current rules require carriers to meet location accuracy requirements on a system-wide basis, public safety representatives have long sought

¹ See Public Notice, *Comment Sought on Proposals Regarding Service Rules for Wireless Enhanced 911 Phase II Location Accuracy and Reliability*, DA 08-2129, PS Docket No. 07-114 (Sept. 22, 2008).

² See Letter from Brian Fontes, NENA, Robert M. Gurs, APCO, and Robert W. Quinn, Jr., AT&T, to the Hon. Kevin Martin, Chairman, FCC, PS Docket No. 07-114 (Aug. 25, 2008) (“Joint Letter”).

measurement on the basis of smaller geographic areas.³ Numerous commenters recognize that the joint proposal's recommendation of county-level measurement would accommodate this goal while minimizing the technical infeasibility that characterized the Commission's prior effort to require PSAP-level measurement.⁴ The flexibility built into the joint proposal, moreover, will enable carriers to meet the joint proposal's ultimate requirements and interim benchmarks through a variety of means and incorporating the technologies that are best suited to their network and their particular deployment strategy.⁵ Particularly in light of that flexibility, AT&T is confident that the APCO/NENA/AT&T joint proposal is technically feasible for carriers that currently rely on network-based solutions.

The one commenter to object to county-wide measurement – the New York City Police Department (“NYPD”) – bases its objection on a misunderstanding. The NYPD starts from the assumption that the Commission's rules requiring PSAP-level accuracy remain intact, and it calls into question the joint proposal's departure from those rules and its endorsement instead of county-level measurement.⁶ But the Commission's existing rules do not in fact require PSAP-level accuracy. On the contrary, the Commission's order imposing such a mandate was stayed and then vacated by the D.C. Circuit.⁷ As a result, the Commission's rules pre-dating the

³ See AT&T Comments at 3.

⁴ See, e.g., Corr Wireless Comments at 2-3; Nokia Comments at 2; Motorola Comments at 2 ; see also Verizon Wireless Comments at 3 (endorsing county-level measurement for handset-based technologies); Sprint Nextel Comments at 2-3 (same).

⁵ See Joint Letter at 2-3 (identifying benchmarks that carriers can meet using handset- and/or network-based solutions at their election, and providing for blended reporting to enable carriers to rely on the technologies and strategies for deployment best suited to their networks).

⁶ See NYPD Comments at 2.

⁷ See Order, *Rural Cellular Ass'n v. FCC*, No. 08-1069 (D.C. Cir. Mar. 25, 2008) (staying Commission order imposing PSAP-level accuracy requirements); Order, *Rural Cellular Ass'n v. FCC*, No. 08-1069 (D.C. Cir. Sept. 17, 2008) (vacating Commission order).

imposition of PSAP-level measurement remain in effect and, as noted above, those rules require compliance with the Commission's location-accuracy standards on a system-wide basis.

Accordingly, the county-level compliance called for by the joint proposal is a significant advance over current requirements, not, as the NYPD wrongly contends, a retreat from the status quo.

Equally important, the PSAP-level compliance apparently advocated by the NYPD is not technically feasible. As AT&T has explained, the network-based technology available today is as a technical matter incapable of enabling compliance with the Commission's accuracy measurements in numerous PSAPs nationwide, and the various proposed solutions reflected in the record of this proceeding – including angle-of-arrival antennae, additional LMUs, so-called “hybrid” technology, and location-only sites – cannot and would not address the shortcomings in many of those areas.⁸ APCO and NENA's support for county-level location accuracy measurements thus reflects, not only a desire to improve upon the system-wide measurement that is the standard today, but also a recognition that county-level compliance reflects the outer limits of network-wide technical feasibility.

Second, the record reflects widespread support for the proposal to convene an E911 Technical Advisory Group (“ETAG”) to assess current technological capabilities for wireless E911 location accuracy and to identify and verify emerging technologies for improving performance, particularly in challenging areas (including calls originating indoors). Commenters recognize the value of a coordinated process in which representatives from all sectors of the industry – including public safety, carriers, and technology vendors – work cooperatively and expeditiously to enhance location accuracy to the extent feasible and to improve the manner in

⁸ See Joint Decl. of Richard E. Burns and Kristin Rinne ¶¶ 8-22, PS Docket 07-114 (attachment to Petition of AT&T Inc. for Expedited Stay Pending Judicial Review (filed Feb. 22, 2008)).

which location accuracy is measured.⁹ Moreover, the ETAG structure, topic, and timing discussed in AT&T's opening comments are designed precisely to those ends.¹⁰ In this respect, it is important to note that a primary function of the ETAG would be to evaluate the feasibility and capabilities of emerging technologies intended to improve E911 location accuracy, including the technologies that commenters in this proceeding identify as promising.¹¹

Finally, commenters overwhelmingly support the proposed requirement that carriers pass confidence/uncertainty ("C/U") data to local exchange carriers for delivery to Phase II PSAPs. As AT&T's opening comments explain, the provision of C/U data is intended to enable PSAPs to understand the likely accuracy of the location estimate provided with a wireless call, so that first responders can target their response efforts accordingly.¹² Numerous commenters recognize the value of this proposal. They further recognize, however, that wireless carriers can only be charged with passing C/U data to the local exchange carrier that is the emergency services provider for the PSAP; the local exchange carrier itself must be responsible for passing those data to the PSAP, and the PSAP must take responsibility for deploying the capacity to receive and make use of the data.¹³

⁹ *See, e.g.*, Alliance for Telecommunications Industry Solutions Comments at 1, 4-5; T-Mobile/RCA Comments at 24; National Telecommunications Cooperative Ass'n Comments at 3; Rural Telecommunications Group Comments at 4; Blooston Rural Carriers Comments at 2; Nokia Comments at 2-3; Telecommunications Industry Association Comments at 1-2; Motorola Comments at 4; Andrew LLC Comments at 1.

¹⁰ *See* AT&T Comments at 4-5.

¹¹ *See* TeleCommunication Systems, Inc. Comments at 2-3 (proposing use of horizontal uncertainty as the primary criteria for meeting location accuracy standards); S5 Wireless Comments at 2-4 (discussing hybrid technology); Polaris Wireless Comments at 9-10 (same).

¹² *See* AT&T Comments at 5-7.

¹³ *See* Verizon Wireless Comments at 5; Sprint Nextel Comments at 5-6; Nokia Comments at 2-3; *see also* NYPD Comments at 2 (emphasizing importance to public safety officials of knowing the accuracy of information provided to dispatchers).

As AT&T noted in its opening comments, moreover, it is important that the C/U data delivered by carriers adhere to a single, common standard.¹⁴ In this respect, AT&T and other carriers have reached consensus that uncertainty estimates will be provided by carriers at a confidence level corresponding to one standard deviation (“one sigma”) from the mean. (This standard corresponds to a confidence level of approximately 68%.) Although there will be variations in the corresponding uncertainty measure across carriers (and, for individual carriers, across various counties), a consistent confidence level adhered to by all carriers will enable PSAPs and first responders to make better use of the location estimates provided with wireless E911 calls.

Conclusion

The Commission should adopt the proposals reflected in the Joint Letter without delay.

Respectfully submitted,

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¹⁴ See AT&T Comments at 6-7.