



May 30, 2012

Ms. Marlene H. Dortch
Secretary to the
Federal Communications Commission
Washington, D.C. 20548

Re: *Reply Comment* of Agero, Inc.,
In the Matter of Certain Wireless Service Interruptions.
GN Docket 12-52, DA 12-331 (March 1, 2012)

Dear Ms. Dortch:

On behalf of Agero, Inc., this letter presents our *Reply Comment* addressing the Commission's *Public Notice* relating to wireless service interruptions by government agencies for purposes of public safety.¹ Agero provides global automobile manufacturers with automotive telematics technology and services, including automatic crash notification (ACN), and in-vehicle SOS buttons designed to accelerate and enhance response to vehicle emergencies. Any service interruption presents enormous risk to providing timely emergency response.

Automotive telematics is the gateway for various forms of connectivity to and from the vehicle's occupants, including vital emergency voice and data communications.² Since 1997, ACN technology has been a core feature of Agero's offerings. ACN opens a voice communications link and transmits vehicle location data to the Agero response center anytime a vehicle's airbag is deployed or emergency tensioning restraint sensors linked to seat belts are activated. That information is combined with other information about the vehicle owner and vehicle and routed to emergency responders. More recently, some vehicle models also are able to communicate

¹ Commission Seeks Comment on Certain Wireless Service Disruptions, *Public Notice*, DA 12-311, GN Docket No. 12-52 (March 1, 2012).

² Agero (formerly ATX Group) is a privately held company headquartered in Medford, Mass provides advanced in-vehicle connectivity, safety, and driver assistance information to nearly two million vehicle owners. These services are provided through electronic devices that can interface with drivers through in-vehicle navigation screens; direct two-way communications audio links with a call center agent via a dedicated in-vehicle button not connected to the public switch telephone network; SMS messaging transmitted to a hand-held communications device or accessed via an application on a smart phone or tablet; an off-board Web portal; or through automated, interactive voice/speech technologies. Agero is a member of the Cross Country Group of companies.

advanced automatic collision notification (AACN) data, a compilation of crash sensor data from which the potential risk of severe and potentially life-threatening injury to the vehicle occupants can be derived. This information is conveyed to the 911 Center. Telematics-equipped vehicles also are able to provide timely, location-based information to service trucks responding to stranded motorists in disabled vehicles and, on some models, remotely disengage a stolen vehicle. The Commission has long recognized the value of such technology.³

The *Public Notice* relates to a decision by officials of Bay Area Rapid Transit (BART) to interrupt wireless service. Prior to a protest on August 11, 2011, BART states that it obtained information of planned activity and concluded that the safety of the BART system would be compromised. Based on concern for passenger safety, BART officials decided to interrupt temporarily cell phone service on portions of the BART system.⁴ The Commission seeks comment about past practices and precedents, the bases for interrupting wireless service, the risks accompanying an interruption, the scope of any interruption and the authority and legal constraints of such action.

Agero agrees with the comments of BMW of North America (BMW)⁵ and CTIA, the Wireless Association.⁶ BMW notes that if the cellular network is interrupted, a vehicle's ACN system cannot send an emergency call or any crash or GPS data. The risk to the driver and vehicle occupants is significant. Notably, emergency response, including that provided through telematics, relies on a vibrant cellular network where a citizen, confronted with an emergency, can summon help and be located via that network so police, fire or EMS can be dispatched quickly and effectively. An increasingly mobile society – continually connected – now considers the cellular network as its primary conduit to access public safety. It has become the backbone of the nation's emergency response system. Service interruptions contradict this important value.

CTIA notes that the National Communications System's Standard Operating Procedure 303, "Emergency Wireless Protocols" ("SOP 303"), addresses possible shutdown and restoration circumstances for use by commercial and private wireless networks during national crises. The process was developed under the President's National Security Telecommunications Advisory Committee. It recognizes that any interruption of wireless service, particularly in emergency situations, carries significant public safety risk. The protocols developed by SOP 303 comprehend the challenge presented by a service interruption to emergency calls and profile the values associated with uninterrupted wireless services.

³ In the Matter of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *et al.*, *Report and Order and Second Further Notice of Proposed Rulemaking*, FCC 03-290, CC Docket No. 94-102 and IB Docket No. 99-67 at paragraphs 64-90 (December 1, 2003).

⁴ Press Release, BAY AREA RAPID TRANSIT, *Statement on temporary wireless service interruption in select BART stations on Aug. 11*, (Aug. 12, 2011), available at <http://www.bart.gov/news/articles/2011/news20110812.aspx>.

⁵ Comments of the BMW Group, BMW of North America LLC, GN Docket 12-52, filed in the docket on April 30, 2012, at 1.

⁶ Comment of CTIA, the Wireless Association, GN Docket 12-52, filed in the docket on April 30, 2012 at 3-5.

Intentional interruption of wireless service, whether limited or localized, presents enormous risk to dispatching emergency assistance. Agero urges the Commission, as it examines the issues, to preserve this fundamental element of emergency response.

Respectfully submitted,

A handwritten signature in black ink that reads "Gary A. Wallace". The signature is written in a cursive, flowing style.

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