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July 25, 2014

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Written *Ex Parte* Presentation
Wireless E911 Location Accuracy Requirements, PS Docket No. 07-114

Dear Ms. Dortch:

The formal public comment cycle in this proceeding has concluded and the Commission has been presented with a voluminous record concerning its proposed horizontal and vertical location accuracy standards. Not surprisingly, the record reflects differing assessments of the current and projected technology trends and the appropriate path forward. The overwhelming majority of these differing viewpoints are made in good faith, and Verizon is heartened by constructive dialogue that has emerged among service providers, public safety organizations such as APCO and NENA, and a number of solution and technology vendors. Verizon remains committed to these consensus-driven efforts and to collaboration with industry stakeholders to continue to improve delivery of location information on 911 calls.

In contrast to the productive collaboration among industry and public safety stakeholders, the TruePosition-affiliated FindMe911 Coalition continues to repeat its misleading claims about carriers' 911 call performance, this time for data provided to the Commission by the District of Columbia (the "District").¹ This is not the first time FindMe911 has made such inaccurate claims,² but they have now

¹ See FindMe911 News, *FCC Data: 9 out of 10 Wireless 9-1-1 Calls in D.C. Lack Accurate Caller Location Information* (July 10, 2014), <http://findme911.org/news/fcc-data-9-out-of-10-wireless-9-1-1-calls-in-d-c-lack-accurate-caller-location-information/> ("FindMe911 News Release").

² See Letter from Nneka Chiazor, Verizon, to Marlene H. Dortch, FCC, PS Docket No. 07-114 (Nov. 14, 2013).

been echoed in the mainstream press, including a *Washington Post* article stating that carriers' "rates of compliance were still no better than a coin toss" in the District.³ Verizon does not take lightly such allegations and undertook an internal review of its own performance data in response to the claims. Verizon representatives met Wednesday with representatives of the District's Office of Unified Communications (OUC) to discuss the findings summarized below. Those findings confirm that Verizon is delivering caller location information for a substantial majority of 911 calls in the District consistent with Commission rules.

- ***Verizon Delivers Caller Location for the Overwhelming Majority of District 911 Calls.***
Verizon's high performance level in the District shows that FindMe911's assertions are patently misleading as to Verizon:
 - Verizon provided location data derived from its "Assisted-GPS" Phase II solution to the PSAP for *84 percent* of 911 calls in the District. The performance statistic that FindMe911 attributes to Verizon of below 25 percent, and the FindMe911 Director (also serving as TruePosition's counsel) characterizing the remaining 75 percent as "emergency callers [that] cannot be located on wireless phones," are not supported by the facts.⁴
 - As Verizon has explained, its Phase II solution uses three methods to estimate the caller's location: GPS satellites (the most accurate); a hybrid of GPS and Advanced Forward Link Trilateration ("GPS-AFLT"); and AFLT alone. 80 percent of 911 calls with Phase II information (*i.e.* approximately two-thirds of the total 911 calls) provided either a GPS or hybrid GPS-AFLT fix, with the remaining 20 percent (approximately 17% of the total 911 calls) an AFLT fix.
 - Verizon was limited to delivering "Phase I" information (cell sector location data) to the OUC for only approximately *16 percent* of the total 911 calls – a far cry from the over 75 percent figure alleged by FindMe911.
- ***Verizon Delivers Caller Location Data on a Timely and Reliable Basis in the District.***
Verizon also delivered Phase II location information in a timely fashion, within 11 seconds on average, but FindMe911 and the media reports respectively ignored and misstated the significance of the PSAP retrieval process in evaluating the District's data. The components of Phase II data delivery and the PSAPs' need to retrieve that data when the 911 call arrives and at a standard interval thereafter are well-documented and acknowledged by the Commission.⁵ There may be valid reasons as to why a 911 call taker would choose not to

³ See Brian Fung, *Calling 911 from your cell phone in D.C.? Good luck getting first-responders to find you*, WASHINGTON POST (July 10, 2014), <http://www.washingtonpost.com/blogs/the-switch/wp/2014/07/10/calling-911-from-your-cell-phone-in-d-c-good-luck-getting-first-responders-to-find-you/>; see also Angela Moscaritolo, *Calling 911 from a Cell Phone? Good Luck; Nine out of 10 wireless 911 calls made in D.C. in the first half of 2013 did not include accurate location info*, PC MAGAZINE (July 11, 2014), <http://www.pcmag.com/article2/0,2817,2460743,00.asp>.

⁴ See FindMe911 News Release (quoting Jamie Barnett, "Director of the Find Me 911 Coalition"); TruePosition Comments in PS Docket Nol. 07-114 (May 12, 2014) ("TruePosition Comments") (counsel includes James Arden Barnett, Jr.).

⁵ See Letter from Nneka Chiazor, Verizon, to Marlene H. Dortch, FCC, PS Docket No. 07-114 (Sept. 11, 2013) (describing rule of MPC and look-up process in E911 location delivery); *Wireless E911 Location Accuracy Requirements*, Third Further Notice of Proposed Rulemaking, 29 FCC Rcd 2374, ¶¶ 142-149, 171 (2014).

retrieve available location information, such as the limitations of the PSAP's CPE, but this factor is critical to understanding and accurately assessing a carrier's level of performance.

- Verizon Wireless is typically able to deliver Phase II location information well within a 20 second duration after the 911 caller hits "send." In fact, in the District during the 2013 period covered by the FindMe911 report, that duration was only *11 seconds* on average. So if the PSAP were to perform a follow-up retrieval within the standard 20-30 second period after the 911 call is first received, as many PSAPs successfully do, Phase II information would have been available to it for the vast majority of Verizon Wireless 911 calls in the District, either with the initial retrieval that occurs when the 911 call first arrives or with a follow-up retrieval at 20-30 seconds.
- Verizon is working with its E911 Phase II vendor to gather additional data, but our analysis for the one-month period of January 2014 indicates that a follow-up retrieval was performed for only a small fraction of 911 calls made within the District – *under 2 percent*. Verizon discussed this data with the OUC Wednesday and understands that it does not routinely employ the standard retrieval process because that process has often created issues with presentation of location data to the call takers at the OUC's premises. Verizon has committed to conduct joint testing with the OUC to better assess this matter.
- The *Washington Post's* explanation that the PSAP retrieval "starts a process that can run for as long as 30 seconds while the phone tries to acquire a line-of-sight connection with an orbiting GPS satellite" erroneously implies that the retrieval process will somehow delay the carrier's own location solution and delivery of Phase II data. In fact, the carrier's location determination process is initiated with the 911 call and continues thereafter, regardless of whether the PSAP has initiated a follow-up retrieval. Thus, as long as a carrier has delivered its Phase II data to the Mobile Positioning Center before the PSAP's follow-up retrieval occurs, it will be available to the PSAP at that time as described immediately above, not 30 seconds later.
- The *Washington Post's* explanation of the PSAP retrieval process also presumes that Phase II delivery is always dependent on availability of GPS data. That presumption is flatly inaccurate as to Verizon, which provides a network-based AFLT fix when GPS data is not available. That explanation, while inaccurate, nevertheless shines an ironic light on TruePosition's and FindMe911's own disparagement of A-GPS in this proceeding, given that TruePosition now relies in part on A-GPS data in its proffered solution to improve its indoor location accuracy results.⁶

Consistent with its findings responsive to FindMe911's earlier allegations, data for the District indicates that Verizon obtains and provides accurate and timely Phase II information for the vast majority of 911 calls. Verizon understands the important need to provide PSAPs with accurate and timely E911 location information, and remains committed to: providing a high level of E911 performance; further improving location accuracy, including for indoor 911 calls, through collaboration and market-driven technology advancements such as those associated with the development of dispatchable address solutions; and to working with PSAPs to address performance concerns that arise.⁷

⁶ See TruePosition Comments at 7-12; FindMe911 Coalition Comments, PS Docket No. 07-114, at 3-4 (May 12, 2014).

⁷ See Verizon Comments, PS Docket No. 07-114 (May 12, 2014).

Stakeholders may disagree about the appropriate direction for the Commission to take in this proceeding, but FindMe911's alarmist allegations about current E911 performance are both a distraction and detraction from those good faith efforts. As Verizon stated last November in response to FindMe911's earlier allegations: "[I]t is not appropriate to make inaccurate or misleading claims about compliance with current rules or carriers' performance, particularly when carriers have already squarely rebutted the basis for those claims. With respect to Verizon at least, the Coalition's statements do just that, which serves no one's interest."

Please contact the undersigned if there are questions concerning this filing.

Sincerely,

A handwritten signature in cursive script that reads "Neeka Chazor".