



PUBLIC NOTICE

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WTB SEEKS COMMENT ON WIRELESS E911 PHASE II WAIVER REQUEST FILED BY ALLTEL COMMUNICATIONS, INC.

CC DOCKET NO. 94-102

Comments Due: August 27, 2001

Reply Comments Due: September 6, 2001

The Federal Communications Commission's (Commission's) rules require wireless carriers to begin to deploy the capability to identify the precise location of wireless 911 calls beginning on October 1, 2001, provided that certain conditions are met.¹ This capability is called Phase II Automatic Location Identification (ALI). The Phase II rules establish deployment schedules and set accuracy and reliability requirements for both handset-based and network-based ALI technologies.²

On July 25, 2001, ALLTEL Communications, Inc. (ALLTELL) requested a waiver of the Phase II rules to permit it to deploy an assisted-global positioning satellite (A-GPS) hybrid E911 Phase II solution on a schedule that deviates from the schedule contained in the Commission's rules.³ Specifically, ALLTELL seeks a waiver of the following Commission rules: (1) Section 20.18(e), which establishes the requirement to provide Phase II service to Public Safety Answering Points (PSAPs); (2) the benchmark dates in Section 20.18(g)(1)(i)-(iv), governing the sale and activation of location capable handsets; and (3) Section 20.18(g)(2), which establishes the E911 Phase II network provisioning obligations associated with a hybrid solution.⁴

ALLTELL asserts that the current commercial unavailability of Phase II compliant A-GPS software and equipment from its various network and handset vendors makes it necessary for ALLTEL to seek a waiver of the Commission's deployment timeframes.⁵ ALLTELL claims that there are no other solutions commercially available that could be

¹ See 47 C.F.R. §§20.18(e)-(j).

² 47 C.F.R. §§20.18(f)-(h).

³ *ALLTELL Communications, Inc. Petition for Waiver of Sections 20.18(e) and (g) of the Commission's Rules*, CC Docket No. 94-102 (filed July 25, 2001) (*ALLTEL Petition*).

⁴ See 47 C.F.R. §§ 20.18(e) and (g).

⁵ *ALLTEL Petition* at i.

deployed in a faster time frame with the same degree of accuracy.⁶ In order to deploy its A-GPS solution, ALLTELL proposes a nine-month deferral of each of the penetration benchmarks in Section 20.18(g)(1)(i)-(iv). ALLTELL does not seek relief from the December 31, 2005, 95 percent penetration requirement. Additionally, with respect to the deployment dates of Phase II network elements, ALLTEL seeks a waiver until: the end of the first quarter 2002 for its Lucent switches; the end of the second quarter 2002 for its Nortel switches; and the end of the fourth quarter 2002 for its Motorola switches. ALLTEL indicates that it intends to deploy the A-GPS Phase II network features in each of its switches according to the schedule established in the waiver regardless of whether a PSAP in the switch's service area is capable of receiving and utilizing the ALI data provided.

ALLTEL also proposes to supply the Commission with quarterly updates on its Phase II compliance efforts as a condition to a grant of the waiver.

We seek comment on this waiver request. Parties interested in filing comments may do so on or before **August 27, 2001** and reply comments on or before **September 6, 2001**.

This is a "permit but disclose" proceeding pursuant to § 1.1206 of the Commission's Rules.⁷ Presentations to or from Commission decision-making personnel are permissible provided that *ex parte* presentations are disclosed pursuant to 47 C.F.R. § 1.1206(b).

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the docket number of this proceeding. Parties that choose to file by paper must file an original and four copies of each filing with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554, and a diskette copy with the Commission's copy contractor International Transcription Service, Inc. (ITS), Room CY-B400, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. The filing should include the docket number of this proceeding: CC Docket No. 94-102. Filings and comments are also available for inspection and copying during regular business hours in the Reference Information Center, Federal Communications Commission, Court Yard Level, Room CY-A257, 445 12th Street, S.W., Washington, D.C. or may be purchased from ITS.

For further information concerning this proceeding, contact Jennifer Salhus, Policy Division, Wireless Telecommunications Bureau, at (202) 418-1310.

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⁶ *Id.*

⁷ 47 C.F.R. § 1.1206.