



PUBLIC NOTICE

Federal Communications Commission
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WTB SEEKS COMMENT ON PHASE II E911 IMPLEMENTATION WAIVER REQUESTS FILED BY NEXTEL COMMUNICATIONS, INC. AND HAWAIIAN WIRELESS, INC.

CC DOCKET No. 94-102

Comments Due: January 5, 2001

Reply Comments Due: January 22, 2001

To encourage advance planning of the implementation of the Federal Communications Commission's (Commission) Enhanced 911 (E911) rules and to facilitate coordination between wireless carriers and parties involved in public safety issues, wireless carriers were required to file a wireless E911 Phase II Automatic Location Identification (ALI) implementation report with the Commission on or before November 9, 2000. The Commission's E911 rules required wireless carriers to choose a handset-based or network-based approach that comply with those rules. In addition, carriers were required to report on tests conducted; implementation details and schedule; PSAP interface; strategy and schedule for the upgrade and/or replacement of existing customer handsets; efforts made to accommodate handsets that are incompatible with the carrier's ALI system and; any other necessary information.

In filing its E911 Phase II implementation report, Nextel Communications, Inc. (Nextel) requested a waiver of the Phase II implementation deadline to deploy an Assisted Global Positioning System (A-GPS) location technology. Nextel states that because it cannot obtain the necessary equipment from manufacturers within the Commission's established timeframes, it cannot begin deployment until October 1, 2002. Nextel states that it is one of only two wireless carriers who provides iDEN technology and claims that it has access to only one ALI solution that can provide accurate Phase II location on its iDEN network. Nextel further states that Motorola, the only iDEN manufacturer, is developing a prototype iDEN handset with the A-GPS capability, and modification of Nextel's iDEN network is projected to be completed in the second quarter of 2001. Nextel anticipates that its handsets will not be available to subscribers until October 1, 2002. If granted a waiver, Nextel says it will contribute \$25 million over the next 2 years to help the public safety community upgrade facilities to accept location information.

Hawaiian Wireless, Inc. (HWI) did not file an E911 Phase II Implementation Report. Instead, HWI requests a waiver of the obligation to meet Phase II E911 capabilities or, alternatively, a two-year extension to achieve compliance. HWI states that Ericsson, its sole supplier, will not provide E911 Phase

II handset or network equipment for its existing Down Banded Cellular (DBC) system. HWI further states there is no network or handset modification that would permit it to comply with the Commission's requirements using its existing system, the only avenue available to HWI would be to replace its entire system, both infrastructure and subscriber units, using more broadly available technology such as AMPS, TDMA, CDMA or even GSM. HWI states that alternatively, an extension of time would allow it to keep its existing network in operation while evaluating its business options.

We seek comment on these waiver requests. Parties interested in filing comments may do so on or before **January 5, 2001** and reply comments are due on or before **January 22, 2001**.

This is a "permit but disclose" proceeding pursuant to §1.1206 of the Commission's Rules.¹ 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, parties should include their full name, Postal Service mailing address, and the docket number of this proceeding. Parties who choose to file by paper must submit an original and four copies to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., TW-A325, Washington, D.C. 20554 and a diskette copy with the Commission's copy contractor, International Transcript Service, Inc. (ITS), Room CY-B400, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. In addition, parties must submit one copy to E. Wendy Austrie, Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, Room 3-B101, 445 12th Street, S.W., Washington, D.C. 20554. Copies of the waiver requests may be obtained from the following docket: CC Docket No. 94-102. Comments and reply comments will be available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554.

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

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¹ 47 C.F.R. §1.1206.