



PUBLIC NOTICE

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WTB SEEKS COMMENT ON WIRELESS E911 PHASE II AMENDED WAIVER REQUEST FILED BY CINCINNATI BELL WIRELESS, LLC.

CC DOCKET NO. 94-102

Comments Due: July 9, 2001

Reply Comments Due: July 23, 2001

Under the Federal Communications Commission's (Commission's) rules, wireless carriers are required to begin deploying the capability to identify the precise location of wireless 911 calls beginning on October 1, 2001, provided 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 location technologies that might be used, specifically for handset-based and network-based ALI technologies.²

In a filing made on May 25, 2001, Cincinnati Bell Wireless, LLC (CBW) amended a previous filing submitted on May 1, 2001, seeking a waiver of the E911 Phase II Location Technology Implementation Rules.³ CBW requests a waiver of the Commission's deadline provisions of the E911 Phase II rules.⁴ CBW is an Ohio company created as a joint venture between Broadwing Inc. (formerly Cincinnati Bell Inc.) and AT&T Wireless Services, Inc. (AWS). CBW began providing facilities-based PCS services as a joint venture with AWS in January 1999.⁵ CBW notes that among the agreements underlying the joint venture between CBW and AWS is the Network Management Agreement (NMA), which requires AWS to

¹ 47 C.F.R. §20.18.

² 47 C.F.R. §20.18(f)-(h).

³ *Cincinnati Bell Wireless LLC Amended Petition For Waiver of the E911Phase II Location Technology Implementation Rules*, CC Docket 94-102, filed May 25, 2001 (*Amended Petition*); *Cincinnati Bell Wireless LLC Petition For Waiver of the E911Phase II Location Technology Implementation Rules*, CC Docket 94-102, filed May 1, 2001.

⁴ *See* 47 C.F.R. §20.18(e)-(h).

⁵ *Amended Petition* at 2.

provide all planning, engineering, operations, and support functions related to CBW's PCS network. CBW states that planning and implementing E911 upgrades specifically fall within AWS' responsibilities as part of the NMA.⁶ Based upon its relationship with AWS, CBW requests the same consideration accorded to AWS' *Request for Waiver*.⁷

CBW amended its petition for waiver to account for the planned deployment by AWS of services based on the Global System for Mobile Communication (GSM) standard. CBW states that it currently offers only Time Division Multiple Access (TDMA) based services. CBW suggests, however, as an AWS affiliate and AWS market that it is probable that CBW will also adopt the GSM standard should AWS deploy services utilizing that standard.⁸ CBW seeks a waiver of these provisions to permit AWS to deploy Mobile-Assisted Network Location (MNLS) technology for CBW's TDMA customers. CBW's request mirrors that made by AWS as filed with the Commission on April 4, 2001.⁹ CBW asserts that it requires waiver of the Commission's accuracy rules for handset based location technologies in order for AWS to deploy MNLS in CBW's network as explained more fully in AWS' *Request for Waiver*.¹⁰

We seek comment on CBW's *Amended Waiver Request*. Parties interested in filing comments may do on or before **July 9, 2001** and reply comments on or before **July 23, 2001**.

This is a "permit but disclose" proceeding pursuant to § 1.1206 of the Commission's Rules.¹¹ 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

⁶ *Id* at 2.

⁷ *AT&T Wireless Services, Inc. Request for Waiver of the E911 Phase II Location Technology Implementation Rules*, CC Docket No. 94-102, filed April 4, 2001. (*AWS Request for Waiver*).

⁸ *Amended Petition* at 2, footnote 5.

⁹ *AWS Request for Waiver*.

¹⁰ *Amended Petition* at 3; *See also AWS Request for Waiver*.

¹¹ 47 C.F.R. § 1.1206.

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 Gregory Vadas, Policy Division, Wireless Telecommunications Bureau, at (202) 418-1310.