



PUBLIC NOTICE

Federal Communications Commission
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DA 01-886
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR CLARIFICATION OR DECLARATORY RULING CONCERNING PUBLIC SAFETY ANSWERING POINT REQUESTS FOR PHASE II ENHANCED 911

(CC DOCKET NO. 94-102)

COMMENTS DUE: April 23, 2001

REPLIES DUE: May 3, 2001

By this Public Notice, the WTB seeks comment on a petition filed April 5, 2001, by the City of Richardson, Texas ("Richardson") seeking clarification and/or a declaratory ruling concerning the process by which a Public Safety Answering Point ("PSAP") requests Phase II enhanced 911 ("E911") service from a wireless carrier. Specifically, Richardson seeks confirmation that a PSAP makes a valid request for Phase II E911 service by informing the carrier that the necessary equipment upgrades for Phase II service will be finalized prior to the delivery of the service by the carrier and by having an adequate cost recovery mechanism in place to bring its equipment to the level necessary to receive Phase II data.¹ Richardson asserts that a carrier receiving such a request is required to deliver Phase II service within six months after receiving such a request or by October 1, 2001, whichever is later, so that the service is available to the PSAP when its equipment upgrades are completed.

Richardson states that it made such a request to VoiceStream Wireless ("VoiceStream") on March 20, 2000. VoiceStream responded that Richardson's request was not valid because the PSAP was not currently capable of receiving and using Phase II data, despite reassurances by Richardson that its equipment upgrades would be finalized prior to the carrier's delivery of Phase II service. Richardson asserts that, according to VoiceStream's reasoning, a carrier need not take steps necessary to bring Phase II service to a PSAP until the PSAP has finished all of its equipment upgrades. Richardson expresses concern that if other carriers share this interpretation of the Commission's rules, it will needlessly delay the initiation of Phase II services and will harm the public. To avoid potential delays, Richardson urges us to clarify that the carrier must perform the work necessary to bring Phase II service to a PSAP making such a request at the same time that the PSAP is completing its upgrades, in order to ensure that Phase II service will be available when the PSAP is first ready to use the data.

Parties interested in filing comments on Richardson's petition may do so on or before April 23, 2001. Reply comments are due on or before May 3, 2001. All comments shall reference the docket number of this proceeding. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through ECFS can be sent as an electronic file via the

¹ See 47 C.F.R. § 20.18(j).

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 who choose to file by paper must file an original and four copies of each filing with the Commission's Secretary (Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington D.C. 20554) and a diskette copy to the Commission's copy contractor (International Transcription Service, Inc. (ITS), CY-B400, Federal Communications Commission, 445 12th Street, S.W., Washington D.C. 20554). In addition, parties should submit one copy to Wendy Austrie, Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, Room 3-B101, 445 12th Street, S.W., Washington D.C. 20554. Filings and comments are also available for inspection and copying in the Reference Information Center, Federal Communications Commission, Room CY-A257, 445 12th Street, S.W., Washington D.C. or may be purchased from ITS.

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Wendy Austrie, (202) 418-1310.

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