

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
IP-Enabled Services)	WC Docket No. 04-36
)	
E911 Requirements for IP-Enabled Service Providers)	WC Docket No. 05-196
)	
)	

OPPOSITION OF NENA

The National Emergency Number Association (“NENA”) hereby opposes portions of the Petition for Clarification of T-Mobile USA, Inc. (“T-Mobile”). We appreciate that commercial mobile radio service (“CMRS”) providers may wish to “more fully integrate their existing CMRS operations with services using unlicensed spectrum to provide IP-enabled services.” (Petition, 2) But it would be premature, we believe, to conflate VOIP services that are nomadic – allowing call originations from a shifting set of essentially fixed points – with those that are truly mobile, such as wireless calls.

Thus, NENA has maintained, and continues to maintain, that civil addresses for fixed caller locations be passed to PSAPs, in preference to latitude and longitude or other forms of geodetic information.¹ When T-Mobile asks the Commission (Petition, 10) to

clarify that providers . . . may deliver location information
to the PSAP in the same manner as for CMRS

it is seeking an answer that the FCC deliberately has deferred to the Notice of Proposed Rulemaking:

¹ Comments, August 15, 2005, 5. NENA also has insisted on the requirement of MSAG validation for civic addresses. Reply Comments, September 12, 2005, 2-3. By “civil addresses,” we mean a street name and number associated with a “legal” rather than “postal” community.

How should providers of interconnected VoIP service satisfy the requirements we adopt today in cases in which a subscriber's Registered Location is not associated with a street address? . . . How should the use of wireless broadband connections such as Wi-Fi or WiMax impact the applicability of the obligations we adopt today? Would providers of wireless interconnected VoIP service be more appropriately subject to our existing 911/E911 rules for CMRS?²

Plainly, the Commission's decisions thus far are focused on VOIP access to E9-1-1 by fixed or nomadic callers whose uses are more analogous to wire than wireless telephony. The existing definition of "Registered Location" and the present content of Section 9.5(d) indicate that the FCC has not reached final conclusions on how to deal with wireless calls and callers that have no fixed locations, even temporarily.

NENA is prepared to consider, in the context of the Further Notice, the proposition that, for example, a wireless user who has roamed onto a wi-fi system at the time a 9-1-1 call is placed should be located geodetically, as he would be if on the main wireless network. But it is simply too soon to say in all cases (T-Mobile Petition, 11) that "no good public policy reason" exists for requiring a street address of a wi-fi location where possible. At this time, the street address is likely to be more accurate – perhaps significantly more accurate – than the latitude and longitude fixes available to the wireless carrier's system.

Additionally, we disagree with T-Mobile (Petition, 8-10) that a PSAP must implement Non-Call Associated Signaling ("NCAS") before it can be deemed capable of receiving nomadic interconnected VOIP calls.³ Instead, a PSAP must have access to either Wireline Compatibility

² First Report and Order and Notice of Proposed Rulemaking, FCC 05-116, released June 3, 2005, ¶59.

³ In the NCAS method, the Mobile Directory Number and other call-associated data are passed from the Mobile Switching Center to the PSAP outside the voice path. http://www.nena.org/9-1-1TechStandards/Standards_PDF/Master%20Glossary.pdf.

Mode or NCAS, but need not have implemented any form of wireless E9-1-1 service before it can be deemed ready for such calls.

NENA has inquired of the four largest E9-1-1 System Service Providers (“SSPs”) – BellSouth, SBC, Qwest and Verizon. Each of the four indicates that all PSAPs supported by their E9-1-1 systems have -- or can have -- access to pANI and dynamic data update for ALI without relying upon wireless E9-1-1 implementation. Three of the four state that such access does not require any specific order or payment for the infrastructure.

Nowhere in Section 9.5 of the Rules is wireless NCAS expressed or implied as the sole criterion of PSAP readiness for receipt of VOIP nomadic calls. Moreover, to import the so-called “Richardson” provisions from the wireless rules into the VOIP requirements (Petition, 9, n. 14) would be no mere clarification but an unwarranted rewrite of the regulations.

For the reasons stated above, we ask that the T-Mobile Petition be denied insofar as it seeks approval for geodetic location of VOIP nomadic calls and purports to make wireless regulatory artifacts a determinant of PSAP readiness to receive such calls.

Respectfully submitted,

NENA

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September 15, 2005

ITS ATTORNEY

Certificate of Service

This Opposition was served by e-mail attachment today upon Counsel for T-Mobile, John T. Nakahata, 1200 18th Street N.W., Suite 1200, Washington, D.C. 20036.

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