



October 6, 2020

BY ELECTRONIC DELIVERY

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445  
12th Street, SW  
Washington, DC 20554

Re: *CTIA Petition for Reconsideration*  
*PS Docket No. 07-114, Wireless 9-1-1 Location Accuracy*

Dear Chairman Pai:

The National Public Safety Telecommunications Council (NPSTC)<sup>1</sup> greatly appreciates your continued leadership and support for public safety through the Commission's recent adoption of the *Sixth Report and Order* and its expansion of wireless vertical location requirements on a nationwide basis.<sup>2</sup> Given the importance of highly accurate vertical location capabilities to rapidly locate and assist individuals in distress, the Commission should immediately dismiss the petition for reconsideration that was filed by CTIA ("Petition")<sup>3</sup> as both untimely<sup>4</sup> and relying on arguments that were fully considered and rejected by the Commission.<sup>5</sup> The Petition is

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<sup>1</sup> NPSTC is a federation of public safety organizations whose mission is to improve public safety telecommunications and interoperability through collaborative leadership. NPSTC pursues the role of resource and advocate for public safety organizations in the United States on matters relating to public safety telecommunications. Accordingly, NPSTC provides guidance on issues that can either negatively impact or benefit the operation of public safety communications.

<sup>2</sup> *Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114, Sixth Report and Order and Order on Reconsideration, FCC 20-98 (July 17, 2020) ("*Sixth Report and Order*")

<sup>3</sup> See CTIA Petition for Reconsideration, PS Docket No. 07-114 at 7 (Sept. 28, 2020) ("*CTIA Petition*").

<sup>4</sup> See 47 C.F.R. § 1.429(1)(9).

<sup>5</sup> See 47 C.F.R. § 1.429(1)(3).

untimely because it seeks reconsideration of the timeline that the Commission adopted in 2015 for the implementation of wireless vertical location.<sup>6</sup> CTIA acknowledges that the deadline pre-dates the *Sixth Report and Order*, requesting reconsideration of “the timelines *affirmed* in the Sixth R&O.”<sup>7</sup>

The Petition should also be dismissed because it relies extensively on arguments that were fully considered and rejected by the Commission in the *Sixth Report and Order*. For example, the Petition argues at length regarding the relative merits and availability of barometric pressure sensor-based solutions,<sup>8</sup> the use of “push” versus “over the top” approaches to place those solutions in handsets,<sup>9</sup> the adequacy of the Stage Z testbed results,<sup>10</sup> the ongoing development of operating system (“OS”)-based technologies by Google and Apple,<sup>11</sup> and their proposal to extend the deployment timeline by an additional five years, permitting 50% accuracy in 2021 and 80% accuracy no sooner than 2025.<sup>12</sup> Each of these issues was thoroughly considered and addressed by the Commission in the *Sixth Report and Order* and do not merit reconsideration just six month before the first implementation deadline.

CTIA claims that its Petition merits consideration because “the gravity of Z-axis testing challenges has only become known since the Sixth R&O was adopted”<sup>13</sup> and therefore qualifies as an event that “occurred or circumstances which have changed since the last opportunity to present such matters to the Commission.”<sup>14</sup> CTIA acknowledges, however, that this assertion is not true.<sup>15</sup> Prior to the adoption of the *Sixth Report and Order*, the carriers made it very clear

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<sup>6</sup> See Wireless E911 Location Accuracy Requirements, PS Docket No. 07-114, *Fourth Report and Order*, FCC 15-9 (Feb. 3, 2015) (adopting an initial vertical location implementation deadline of April 3, 2021).

<sup>7</sup> *CTIA Petition* at 7 (*emphasis added*).

<sup>8</sup> *CTIA petition*, 7-11.

<sup>9</sup> *CTIA petition*, 8-9.

<sup>10</sup> *CTIA petition*, 6.

<sup>11</sup> *CTIA petition*, 3.

<sup>12</sup> *CTIA petition*, 13-15.

<sup>13</sup> *CTIA petition*, 3.

<sup>14</sup> *CTIA petition*, at 1 n.3 (*citing* 47 C.F.R. § 1.429(b)).

<sup>15</sup> See *CTIA petition*, 3 (acknowledging that the FCC recognized in the *Sixth Report and Order* “that the COVID-19 pandemic could have a ‘potential impact’ on upcoming testing”).

that the COVID-19 pandemic was impacting additional testing and those statements were quoted by the Commission in the *Sixth Report and Order*. T-Mobile, for example, highlighted that the pandemic “has jeopardized testing plans for the remainder of 2020 and potentially beyond (letter from counsel to Secretary, FCC, July9, 2020).” Thus, CTIA’s cancellation of the Stage Zb testbed was both anticipated and irrelevant given the fact that only one vendor had expressed interest in participating.

Instead, the only thing that may prevent the implementation of vertical location technologies in the largest 25 cities by the April 2021 deadline is the intransigence of the carriers in preventing the deployment of the z-axis technologies that have already been demonstrated to be compliant. Several of NPSTC’s members served on CTIA’s Location Accuracy Quarterly Advisory Committee and observed firsthand the efforts of CTIA and its members to impose obstacles in the path of z-axis deployment.

First, the industry abandoned the National Emergency Address Database along with the promise for dispatchable location in a reasonable time and now they want to delay the z-axis deadline. The Commission should not permit the carriers to use the pandemic as a pretext to further this agenda. Instead, the Commission should continue its leadership in the pursuit of wireless location accuracy by immediately dismissing CTIA’s petition as untimely and devoid of new arguments. The Commission should also direct the carriers to finalize their implementation of those z-axis technologies by the April 2021 deadline that have already been demonstrated to be 3 meter compliant. The critical needs of public safety and the public that it serves, necessitates this decisive action.

Respectfully submitted,



Ralph Haller, Chairman  
National Public Safety Telecommunications Council