

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Wireless E911 Location Accuracy	)	PS Docket No. 07-114
Requirements	)	
	)	
Information Collection Being Submitted for	)	
Review and Approval to the Office of	)	OMB Control No. 3060-XXXX
Management and Budget	)	

**COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION**

Competitive Carriers Association (“CCA”) hereby submits these comments in response to the information collection analysis performed by the Federal Communications Commission (“FCC” or “Commission”) pursuant to the Paperwork Reduction Act (“PRA”), and submitted to the Office of Management and Budget in the above-referenced proceeding (“Notice”).<sup>1</sup> The Commission seeks comment on the accuracy of its information collection estimates, and ways to minimize the burden of responding to the collection, as required by the Commission’s *Fourth Report and Order* adopting rules for enhanced 911 location accuracy requirements (“*Order*”).<sup>2</sup> In these comments, CCA highlights some concerns about the Commission’s collections framework and process. CCA represents the interests of more than 100 competitive wireless carriers, including rural and regional carriers as well as national providers whose licensed service area covers over 95 percent of the nation, and more than 200 associate members who provide the products and services needed to deploy and maintain a wireless network. Improving the location

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<sup>1</sup> Wireless E911 Location Accuracy Requirements, *Information Collection Being Submitted for Review and Approval to the Office of Management and Budget*, OMB 3060-XXXX, 80 Fed. Reg. 30235 (May 27, 2015) (“Notice”).

<sup>2</sup> Wireless E911 Location Accuracy Requirements, *Fourth Report and Order*, PS Docket No. 07-114, 30 FCC Rcd 1259 (2015) (“*Order*”).

accuracy of 911 wireless calls is an important public policy goal shared by public safety and wireless service providers alike. The Commission should be mindful of the strain on smaller, rural carriers to respond to these information requests and appreciates the Commission's focus on minimizing these burdens.

Consistent with the Commission's 911 location accuracy goals, CCA proposed a *Parallel Path for Competitive Carriers' Improvement of E911 Location Accuracy Standards* (the "Parallel Path")<sup>3</sup>, which, together with the *Roadmap for Improving E911 Location Accuracy* (the "Roadmap")<sup>4</sup>, formed a significant basis of the rules adopted in the *Order*. Following adoption of the *Order*, CCA has continued to work with stakeholders to implement the standards and processes contained within the *Order*, to ensure that the benchmarks adopted in the rules are ultimately achieved. CCA is concerned, however, by some of the projections found in the Notice related to these efforts. In the first instance, CCA urges the Commission to recognize that improving E911 wireless location accuracy requirements is a significant undertaking for industry stakeholders, and therefore requests that the Commission modify the estimations set forth within the Notice. Once modified, the Commission should reevaluate financial and other resources needed to comply with these requirements. Furthermore, respondents to the information collection would benefit from much-needed clarification of how some of the FCC's initial estimates were derived. Finally, the Commission should clarify which responses are required versus those that are discretionary.

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<sup>3</sup> *Ex Parte* Letter from Rebecca Murphy Thompson, General Counsel, CCA to Marlene H. Dortch, Secretary, FCC, PS Docket No. 07-114 (filed Jan. 16, 2015) ("CCA *Ex Parte*") (attaching *A Parallel Path for Competitive Carriers' Improvement of E911 Location Accuracy Standards* ("Parallel Path")).

<sup>4</sup> *See Ex Parte* Letter from John Wright, President, APCO International *et al.* to Marlene H. Dortch, Secretary, FCC, PS Docket No. 07-114 (filed Nov. 18, 2014), Attachment A, *Roadmap for Improving E911 Location Accuracy* ("Roadmap").

## DISCUSSION

### I. THE COMMISSION SHOULD REVISE ESTIMATES OF RESPONSE TIME AND TOTAL ANNUAL COSTS EXPECTED TO BE BORNE BY RESPONDENTS WHEN COMPLYING WITH THE DATA SUBMISSION

While CCA appreciates the Commission's efforts to assess the accuracy of the data it has collected, the Commission should revise its assessments of the amount of resources expected to be used by providers when participating in the information collection process. Specifically, the Notice's estimated time per response is between two and ten hours.<sup>5</sup> In practice, however, the time needed to comply with the Commission's requests is likely to be more than ten hours, particularly for carriers seeking to provide all of the information sought by the Commission. For example, Sections 20.18(i)(4)(i) and (ii) of the Commission's rules require that each CMRS provider submit to the Commission its plan for implementing improved indoor location accuracy, and a report on its progress towards doing so no later than 18 months from the effective date of adoption of the rules.<sup>6</sup> Further, all CMRS providers are expected to provide an additional progress report no later than 36 months from the effective date of the adoption of these rules.<sup>7</sup> Compiling and submission of these reports alone is likely to take significantly longer than between two and ten hours.

Similarly, Section 20.18(i)(2)(iii) requires CMRS providers to certify compliance with the Commission's rules "at various benchmarks throughout implementation of improved location accuracy,"<sup>8</sup> and Section 20.18(k) requires that CMRS providers record location information for live 911 calls as well as confidence and uncertainty data, to be made available to PSAPs upon

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<sup>5</sup> Notice at 30236.

<sup>6</sup> *Id.* (citing 47 C.F.R. §§ 20.18(i)(4)(i), (ii)).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* (citing 47 C.F.R. § 20.18(i)(2)(iii)).

request.<sup>9</sup> Considering the amount and complexity of the data to be collected, it is unrealistic to expect that these actions can be performed in ten days, never mind ten hours or less.

Finally, the Notice states that the total annual burden on CMRS providers when responding to this information collection is estimated to be 143,138 hours, yet the total annual cost is listed as “N/A.”<sup>10</sup> That’s just not true. The cost, especially for small, rural carriers is not just applicable but determinative in many respects. For CCA members to provide accurate information and submit concise and timely reports synthesizing the data required to be collected, providers will need to invest a significant amount of time, money and other resources. CCA therefore requests that the Commission re-evaluate the estimated time and costs expected to be borne by providers when implementing the improved location accuracy rules and participating in the attendant information collection process.

## **II. THE COMMISSION’S DATA COLLECTION PROCESS WOULD BENEFIT FROM MORE TRANSPARENCY**

As an additional step to improve the information collection, the Commission should clarify how certain valuations contained in the Notice were calculated. For example, the Notice states that the number of expected respondents, identified as “business or other non-profit entities; and/or State, local, or tribal governments” is predicted to be 4,394, without explanation as to how this number was calculated.<sup>11</sup> It is entirely unclear how the Commission arrived at this number. To make the process more transparent, CCA urges the Commission to provide greater detail explaining how it calculated the number of respondents expected to participate in the information collection process. Second, the Notice indicates that the number of responses

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<sup>9</sup> *Id.* (citing 47 C.F.R. § 20.18(k)). Section 20.18(i)(3)(iii) likewise requires CMRS providers to retain testing and live call data for a period of two years. *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

expected to be received over a three year period is 29,028, but again fails to provide any explanation as to how this number was calculated.<sup>12</sup> CCA urges the Commission to clarify these numbers so that the Notice is consistent, transparent, and provides concrete guidelines for data submission by all stakeholders, especially CMRS providers.

### **III. THE COMMISSION SHOULD EXPRESSLY STATE WHICH INFORMATION COLLECTION REQUIREMENTS ARE MANDATORY**

Finally, CCA requests the Commission clarify which obligations set out in the Notice are discretionary and which are required. The Notice states that a respondent's general obligation to respond is "voluntary," however this language is inconsistent with mandatory responsibilities set forth in the "Needs and Uses" section of the Notice.<sup>13</sup> For example, Section 20.18(i)(2)(ii)(A) requires that CMRS providers deliver uncompensated barometric pressure data from any device capable of producing such data to PSAPs within three years of the adoption of these rules.<sup>14</sup> Similarly, Sections 20.18(j) and (k) require all CMRS providers to provide standardized confidence and uncertainty ("C/U") data for all wireless calls upon the request of a PSAP, and record information on all live 911 calls.<sup>15</sup> Despite these requirements, the Notice maintains a respondent's obligation to respond is "voluntary," ultimately leading to confusion. Indeed, provider compliance will likely be more comprehensive if these standards and obligations are clearly categorized. As such, CCA requests the Commission further clarify which obligations are required throughout the data collection process.

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<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* (citing 47 C.F.R. § 20.18(i)(2)(ii)(A)).

<sup>15</sup> *Id.* (citing 47 C.F.R. §§ 20.18(j), (k)).

## CONCLUSION

CCA recognizes the importance of enhanced location accuracy for improving emergency response. CCA crafted its *Parallel Path* to help accelerate the deployment of life-saving technologies underlying the data collection. The Commission should acknowledge, however, the significant amount of time, money and other resources that will need to be dedicated by CMRS providers to implement the new rules. To properly reflect the rules and processes adopted in the *Fourth Report and Order*, CCA respectfully requests the Commission revise the Notice and data collection estimations as set forth above.

Respectfully submitted,

/s/ Rebecca Murphy Thompson

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