MINUTES OF THE SENATE COMMERCE COMMITTEE.

The meeting was called to order by Chairperson Karin Brownlee at 8:30 a.m. on February 13, 2003 in Room 123-S of the Capitol.

All members were present except:

Senator Kerr, absent

Committee staff present:

April Holman, Legislative Research Deb Hollon, Legislative Research Mitch Rice, Revisor of Statutes Norman Furse, Revisor of Statutes Jodie Anspaugh, Secretary

Conferees appearing before the committee: April Holman, Legislative Research

Amy Yarkoni, Cingular

Others attending:

See attached list.

Chairperson Brownlee opened the hearings on SB 153 and 180. She hopes the committee will be able to come to a resolution on Enhanced 911 this year. April Holman from Legislative Research gave an overview of the two bills. She read various portions of each bill and explained that the Association of Counties originally requested SB 153 and the wireless industry originally requested SB 180. Ms. Holman distributed a State Wireless Funding Table, current as of November 2001, that explains how other states are funding their E911 programs. (Attachment 1) She answered questions from her testimony regarding possible federal monies available and additional employees for the KCC. She said she will prepare a sideby-side comparison of the two bills.

Amy Yarkoni, Director of External Affairs for Cingular Wireless, testified in support of SB 180 on behalf of Alltel, AT&T Wireless, Cingular, Sprint PCS, T-Mobile, Verizon, and Western Wireless. (Attachment 2) These carriers combined provide wireless service to an estimated 90% of Kansas wireless customers. Some of the states around Kansas have a 50 cent fee for E911, and Ms. Yarkoni believes this is sufficient. She is not aware of any available federal funding for E911. The companies Ms. Yarkoni testified on behalf of agree to a 50 cent customer surcharge, public safety and wireless carrier cost recovery, neutral program administration, efficient and required deployment, limitations on liability, and no technology mandate. Ms. Yarkoni distributed a packet of information to the committee, CC Docket No. 94-102 from the Federal Communications Commission, a Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems. (Attachment 3) Ms. Yarkoni answered questions, and confirmed that no matter what is done, they will not have basic service for many people until the towers are built. There will be dead zones, even in 20 years. Ms. Yarkoni said she cannot share what a wireless carrier's legitimate costs are because that information is proprietary.

Chairperson Brownlee announced that the committee will meet at 8:15 a.m. tomorrow morning.

The meeting was adjourned at 9:30 a.m.

The next meeting is scheduled for February 14, 2003 at 8:15 a.m. in Room 123-S.

SENATE COMMERCE COMMITTEE GUEST LIST

DATE: Thursday, Feb. 13, 2003

NAME	REPRESENTING
Erik Sartorius	City of Overland Park
Danielle No	Johnson County
Avsa (Durand	11
Keun Barone	Hen Gw Firm
Sandia Braden	Cinqular
any Garkoni	Cenquelar
Mike Murray	Sprint
Jin Sullinger	KCSTAR
Judy Melu	Ks. ann of Courtie
John Peterson	Ky Governmetal Consulting
Kobert Lambay	Sedenick Courty Public Safety
Diane Gæge	Sedquick Country Evner. Communication
Mike Peppon	Gog. Rel Sentwicky Conh
Waller Way	Johnson County Sheriff
Lay Alwengost	KMCA "
BRAD SHOWREN	KANSAS FARM BURFAU
Tob Jayroe	SBC.
Doug Smith	KLPG
Amber Kjelsha	Sen. Bungardt
KEVIN M. WAIKEL	AMERICAN HEART ASSOCIATION
Fran Force	Coffey County Farm Bureau City of Olathe
Don Scifert	
Hephanie Buchanan	DOB

SENATE COMMERCE COMMITTEE GUEST LIST

GUEST LIST 3
DATE: Thursday Feb. 2003

NAME	REPRESENTING
Dennis Hun booker	10
Call a Smarall	Kansas Furm Bureau Kansas Falm Berspau
The annual of the second	,
Dan Leary	T-Mobile
Carolyn States	Kansas Farm Bureau
Debhie Duites	Kansas Farm Bureau
DINA FISK	VERIZON WIRELESS
Nelson Krueger	Western Wireless
Denny Burgess	westar.
Whitner Damen	City of Topera / Coffer Co.
/	, , , , , , , , , , , , , , , , , , , ,

State Wireless Funding Table As of November 2001											
State	Wireless Funding	Single Fund	Wireless Funding Amt. (\$)	Comments	Portion to Public Safety?	PS Amount	PS Purpose	Portion to Wireless Carrier?	WC Amount	WC Purpose	Legislation Type
Alabama	YES	YES	0.70	NA	YES	56%	Upgrading equipment & operating costs for E911	YES	44%	E911 cost recovery	Governing Statute
Alaska	YES	NO	0.50; 0.75	Municipalities with pop. >100K; Municipalities with pop.<100K	YES	Undetermined	E911 operations	YES	Undetermined	E911 cost recovery	HB 186
	VEC	YES	0.37	\$0.28 (7-1-06 thru 6-30-07); \$0.20 (7-1-07)	YES	Undetermined	E911 operations	YES	Undetermined	E911 cost recovery	HB 2625
Arizona Arkansas	YES	YES	0.50	(/-1-0/) NA	YES	38%	E911 operations	YES	58%	E911 implementation	HB 309
California	YES	NO	0.72	Could increase to \$0.75	YES	Undetermined	Specifics undetermined	NO	NA	NA	HB 1263
Colorado	YES	NO	0.70	Will not exceed current surcharge.	YES	Undetermined	ALI/ANI services	YES	Undetermined	Cost recovery for equipment	Governing Statute
C	YES	YES	0.25	Surcharge per access line; sliding scale down to \$0.06 per line if over 100.	YES	Undetermined	E911 expenses	YES	Undetermined	E911 expenses	Governing Statute
Connecticut Delaware	YES	YES	0.25	NA	YES	Undetermined	E911 operations	YES	Undetermined	E911 implementation	HB 283
District of Columbia	YES	NO	0.56	NA NA	Undetermined	Undetermined	Undetermined	Undetermined	Undetermined	Undetermined	Undetermined
Florida	YES	YES	0.50	NA	YES	44%	Full cost recovery - E911 expenses	YES	54%	Full cost recovery - E911 expenses	Governing Statute
Georgia	YES	NO	1.00	Lower surcharge will be issues - \$1.00 or amount charged to wireline.	YES	Undetermined	Phase 1 cost recovery	YES	30%	Phase 1 cost recovery	Governing Statute
Hawaii	NO	NA NA	NA NA	NA NA	NA	NA	NA	NA NA	NA	NA	NA
Idaho	NO	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Illinois	YES	YES	0.75	NA	YES	67%	E911 maintenance and upgrade costs	YES	33%	E911 cost recovery	Governing Statute
Indiana	YES	YES	0.65	NA	YES	54%	E911 cost recovery	YES	39%	E911 cost recovery	Governing Statute
lowa	YES	YES	0.50	NA	NO	NA	NA	YES	100%	E911 cost recovery	Governing Statute
Kansas	NO	NA	NA	Proposed legislation did not pass.	NA	NA	NA	NA	NA	NA	HB 2034
Kentucky	YES	YES	0.70	NA	YES	50%	Upgrading equipment & operating costs for E911	YES	50%	Upgrading equipment & operating costs for E911	HB 99
Louisiana	YES	NO	0.85	Will not exceed current surcharge.	YES	Undetermined	Specifics undetermined	YES	Undetermined	Specifics undetermined	HB 426
Maine	YES	YES	0.32	NA	YES	Undetermined	E911 staffing & operating costs	NO	NA	NA	Governing Statute
Maryland	YES	YES	0.60	NA	YES	Undetermined	E911 system costs	NO	NA	NA	Governing Statute
Massachusetts	NO	NA	0.30	Proposed legislation is pending.	NA	NA	NA	NA	NA	NA	Senate Bill 1920
Michigan	YES	YES	0.55	NA .	YES	48%	Specifics undetermined	YES	48%	Specifics undetermined	Governing Statute
Minnesota	YES	YES	0.27	Includes range of \$0.08 and \$0.30 plus \$0.10 interim fee per month.	YES	50%	E911 cost recovery	YES	12%	E911 cost recovery	Governing Statute
Mississippi	YES	YES	1.00	NA	YES	70%	E911 operations	YES	30%	E911 implementation	Governing Statute
Missouri	NO	NA	NA	Proposed legislation did not pass.	NA	NA	NA	NA	NA	NA	HB 826
Montana	YES	NO	0.50	Split between basic and enhanced 911.	YES	Undetermined	Specifics undetermined	YES	50%	E911 implementation	Governing Statute

Updated as of: 05/13/2002 Gretchen Crider

	T	1	1				Specifics		T		Legislative Bill
Nebraska	YES	YES	0.50	Will not exceed current surcharge.	Undetermined	Undetermined	undetermined	YES	Undetermined	Specifics undetermined	585
				Affects counties with less than			Personnel costs		T		
		1	1	40K, but more than 100k in		1975 AC 10 10 10	related to E911	100022000			
Nevada	YES	NO	0.25	population.	YES	Undetermined	implementation.	YES	Undetermined	E911 implementation	Senate Bill 569
tes 1000 Ann	C versioner	20000					Specifics				Governing
New Hampshire	YES	NO	0.42	NA NA	Undetermined	Undetermined	undetermined	YES	Undetermined	E911 implementation	Statute
							Specifics undetermined	VEC	Undetermined	E911 implementation	Governing Statute
New Jersey	YES	YES	Not stated in statute	Annual appropriation	Undetermined YES	Undetermined	E911 operations	YES YES	Undetermined	E911 implementation	HB 339
New Mexico	YES	YES	0.51	NA NA	YES	Undetermined	E911 operations	155	Undetermined	E911 Implementation	110 333
New York	YES	NO	0.70	All surcharge moneys are earmarked for payment of state police costs related to the statewide operation of cellular 911.	NO	NA NA	NA	Undetermined	Undetermined	Specifics undetermined	Governing Statute
						weren			2703077		Governing
North Carolina	YES	YES	0.80	NA	YES	40%	E911 operations	YES	60%	E911 implementation	Statute
	200000	63976	50000		1921 19010 1997 28	200 200 200 200	Specifics				D D
North Dakota	YES	NO	1.00	Will not exceed current surcharge.	Undetermined	Undetermined	undetermined	YES	Undetermined	E911 implementation	Senate Bill 2067 NA
Ohio	NO	NA	NA	NA	NA	NA	NA Services	NA	NA	NA	Governing
	VE0		0.50	Until contributions equals \$5	I la data mala a d	Undetermined	Specifics undetermined	YES	Undetermined	E911 implementation	Statute
Oklahoma	YES	NO	0.50	million.	Undetermined	Undetermined	Specifics	159	Undetermined	E911 implementation	Governing
0	YES	YES	0.75	NA NA	Undetermined	Undetermined	undetermined	YES	35%	E911 implementation	Statute
Oregon Pennsylvania	NO	YES	0.50	Proposed legislation is pending.	NA	NA	NA	NA NA	NA NA	NA NA	Senate Bill 884
Pennsylvania	NO	IES	0.50	Proposed legislation is pending.	110	144	Specifics	147	1		Governing
Rhode Island	YES	YES	0.47	NA NA	Undetermined	Undetermined	undetermined	YES	Undetermined	E911 implementation	Statute
141040 1010110	1.20	1.00					Personnel costs				
							related to E911				Governing
South Carolina	YES	YES	0.55	NA	YES	39%	implementation.	YES	57%	E911 implementation	Statute
											Governing
South Dakota	YES	NO	0.75	NA	YES	Undetermined	E911 operations	NO	NA	NA	Statute
							Specifics	YES	Market and and	E911 implementation	Governing Statute
Tennessee	YES	YES	1.00	NA NA	Undetermined	Undetermined	undetermined	YES	Undetermined	E911 Implementation	Governing
T	VEO	YES	0.50	NA NA	Undetermined	Undetermined	Specifics undetermined	YES	Undetermined	E911 implementation	Statute
Texas	YES	TES	0.50	INA	Ondetermined	Ondetermined	Specifics	IES	Oridetermined	L311 Implementation	Governing
Utah	YES	NO	0.53	NA I	Undetermined	Undetermined	undetermined	YES	Undetermined	E911 implementation	Statute
Otali	120	110	0.00	911 system financed through	Ondotominou	- CALCOLO AND			-		Governing
Vermont	NO	YES	NA NA	annual legislative appropriation.	YES	Undetermined	E911 operations	NO	NA	NA	Statute
Volition		1.20	1	анная годинато арргария							Governing
Virginia	YES	YES	0.75	NA	YES	Undetermined	E911 operations	YES	Undetermined	E911 implementation	Statute
											Governing
Washington	YES	YES	0.25	NA	YES	Undetermined	E911 operations	NO	NA	NA	Statute
						Pro rata share					Governing
West Virginia	YES	NO	0.94	NA	YES	of proceeds.	E911 operations	YES	Undetermined	E911 implementation	Statute
Wisconsin	NO	NA	NA	NA	NA	NA	NA	NA	NA NA	NA	NA
Wyoming	NO	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Emergency Telephone Systems (Enhanced 911) Senate Bill 180

Testimony by Amy Yarkoni on behalf of: Alltel, ATT Wireless, Cingular Wireless, Sprint PCS, T-Mobile, Verizon and Western Wireless

Submitted to the Senate Commerce Committee Thursday, February 13, 2003

Thank you, Senator Brownlee, for this opportunity to appear before your Committee in support of Senate Bill 180. My name is Amy Yarkoni and I am the Director of External Affairs for Cingular Wireless LLC. I appear before you today representing the views of Alltel, AT&T Wireless, Cingular, Sprint PCS, T-Mobile, Verizon and Western Wireless.

These carriers combined provide wireless services to an estimated 90% of Kansas wireless customers.

These carriers agree that ALL wireless customers deserve to have Wireless Enhanced 911 as soon as possible. Combined, we have had the experience of deploying enhanced 911 to thousands of public safety answering points throughout the United States. We continue to deploy enhanced 911 to allow our customers to be safe whenever and wherever they use our phones. It is vital that the Kansas Legislature and Governor Sebelius enact legislation to facilitate the delivery of wireless enhanced 911 as soon as possible.

The carriers I represent today agree to the following principles regarding wireless enhanced 911 legislation:

- Minimal Customer Surcharge \$.50 Cents
- Public Safety and Wireless Carrier Cost Recovery
- Neutral Program Administration
- Efficient and Required Deployment
- Limitations on Liability
- No Technology Mandate

We believe the groundwork has been laid within Senate Bill 180 to provide both the funds and the administrative mechanism to speed deployment of wireless enhanced 911. We will continue to work with any and all interested parties towards the deployment of wireless enhanced 911. We look forward to the day when all Kansas wireless customers are able to use such an invaluable service.

Background

When a wireless 9-1-1 call is placed the operator at the 9-1-1 Public Safety Answering Point does not know where the caller is located.

In 1996 the Federal Communications Commission mandated the implementation and deployment of enhanced 9-1-1 service in two phases to enable wireless callers to have the same benefits as wire line callers.

Under Phase I, 9-1-1 systems must deliver the phone number of the wireless handset from which an emergency call originates and the location of the base station carrying the call to the 9-1-1 operator.

Phase II requires that the 9-1-1 system locate handsets within a radius of 125 meters 67% of the time. Phase II requirements become effective October 1, 2001.

(FC) Federal Communications Commission

The FCC Acknowledges Receipt of Comments From ... Cingular Wireless LLC ...and Thank You for Your Comments

Your Confirmation Number is: '200323663351'

Date Received: Feb 3 2003

Docket: 94-102

Number of Files Transmitted: 1

File Name	2,50	File Size (bytes)
REPORT	Adobe Acrobat PDF	463697

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updated 02/11/02

Senate Commerce Committee

Attachment 3 -1

Before the Federal Communications Commission Washington, DC 20554

In the Matter of)	
)	
Revision of the Commission's Rules to Ensure)	CC Docket No. 94-102
Compatibility with Enhanced 911 Emergency)	FRN 00004-9792-33
Calling Systems)	

To: Chief, Enforcement Bureau

Chief, Wireless Telecommunications Bureau

CINGULAR WIRELESS LLC FIFTH QUARTERLY E911 IMPLEMENTATION REPORT FOR GSM NETWORKS

Cingular Wireless LLC ("Cingular"), by its attorneys and pursuant to the October 12, 2001 *Order* in this proceeding, hereby submits its Fifth Quarterly E911 Implementation Report concerning the status of its Phase I and Phase II E911 implementation efforts in its GSM markets. The instant Report is limited to updating information that has changed since the filing of Cingular's Fourth Quarterly E911 Implementation Report for GSM Networks ("Fourth Report") on November 1, 2002, and supplemented on December 13, 2002 ("Supplement").

I. PHASE I AND PHASE II PSAP REQUESTS

Cingular continues to make progress in its efforts to deploy Phase I location capability services. To date, Cingular has received 1,043 PSAP requests for Phase I service. Of those requests, 1008 (96.6%) are in service/in progress² and 35 (3.4%) are on hold. Reasons for

¹ Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems; Request for Waiver by Cingular Wireless LLC, CC Docket No. 94-102, Order, 16 F.C.C.R. 18305 (2001), recon. pending ("Order").

 $^{^2}$ Of the 1008 requests that are in service/in progress, 880 (84.4%) are in service and 128 (12.3%) are in progress.

placing requests on hold include, *inter alia*, the ongoing negotiation of service agreements and miscellaneous reasons for delay attributable to the particular PSAP. While 13 "on hold" requests were resolved during the fourth quarter of 2002, it is unlikely that any of the remaining 35 will be resolved in the foreseeable future. As noted in Cingular's Fourth Report, most of the "on hold" requests were received over two years ago, and some were received as many as five years ago. Rather than challenge the validity of these requests, Cingular is working with the PSAPs to resolve outstanding issues. Specific details regarding Phase I requests for Cingular's GSM and TDMA markets, including the specific reasons underlying each request pending for more than six months, is included in Attachment B to this Report.

To date, Cingular has received 273 requests for Phase II service on its GSM networks. Many of these requests were received in GSM overlay markets where Cingular has begun offering GSM service only recently. Thus, they predate Cingular's offering of GSM service. Cingular has provided specific details regarding the validity of the requests for Phase II service, including which of those requests relate to GSM overlay markets, in Attachment C to this Report.

By carefully reviewing the information included in responses to Cingular's PSAP Profile form³, Cingular has classified each request for Phase II service as valid, invalid, or pending. The

³ Cingular developed this form to assist in determining PSAP readiness and to facilitate Phase II planning. The form requests the information deemed relevant by the *City of Richardson Order* for determining the validity of a request for Phase II service. *See Petition of City of Richardson, Texas*, CC Docket No. 94-102, *Order*, 16 F.C.C.R. 18982 (2001). *See* Attachment A. Even where it appears on the face of the form that a PSAP request is valid, Cingular's experience with Phase II deployment on its TDMA networks indicates that this is often not the case. Cingular has discovered that many PSAPs who appeared to have valid requests were unable to successfully complete end-to-end testing of Cingular's Phase II solution because of readiness problems, including a lack of upgraded PSAP customer premises equipment ("CPE") and improper connectivity between the PSAP's ALI database and its CPE. Thus, although Cingular was capable of supplying Phase II location information, many PSAPs were unable to

pending category includes those requests which require follow-up because the PSAP Profile form either has not been completed and returned, or does not fully demonstrate PSAP readiness. Cingular continues to work with PSAPs whose requests have been classified as pending in order to verify the validity of the requests. Since the last report, however, several PSAPs have rescinded their requests.

II. STATUS OF PHASE II DEPLOYMENT AND TESTING

As discussed in its Fourth Report and Supplement, Cingular completed a field trial of TruePosition's network-based Uplink Time Difference of Arrival ("U-TDOA") solution in Wilmington, Delaware. The trial took place on October 23-24, 2002, and included 17 sites that covered an approximately 20 square mile suburban area. Test calls, totaling more than 1500, were made from both a moving vehicle and more than 125 separate stationary locations. The collected data revealed that 67% were located within 47.1 meters and 95% were located within 112.2 meters – well within the Commission's accuracy limits for network-based solutions. A Based on these successful test results, Cingular has decided to deploy U-TDOA as its E911 Phase II solution, rather than E-OTD.

receive the information. See Cingular Wireless LLC, Third Quarterly E911 Implementation Report for TDMA, AMPS and TDMA/AMPS Networks, filed on February 3, 2003.

⁴ 47 C.F.R. § 20.18(h). These results were obtained on an unloaded system; however, degradation as a result of system loading is expected to be partially or fully offset by ongoing improvements in data collection and processing algorithms.

Respectfully submitted,

CINGULAR WIRELESS LLC

By: _____/s/

J. R. Carbonell Carol L. Tacker David G. Richards 5565 Glenridge Connector Suite 1700 Atlanta, GA 30342 (404) 236-5543

Its Attorneys

February 3, 2003

Attachment A

E911 PHASE II PSAP PROFILE

3-6



WIRELESS E911 PHASE II PSAP PROFILE

Please complete one	profile for	each PSAP included in the	he Phase II requ	est under this 911 authority
1. Name of 911 Auth	ority (ex: Orle	ans Parish Comm. District or Fult	on County 911)	2. Number of PSAPs under this Authority
3. Contact Information	n for 911 Au	uthority		
Name/Title:		states states to the ₹1.	Phone:	
Street:			Fax:	
City, State, Zip:			E-mail:	
4. Name of PSAP (ex	: Fulton County	y 911 or Hall County Sheriff's Offic	ce)	
5. Contact Information	n for PSAP	Director/Manager		
Name/Title:		»-	Phone:	
Street:			Fax:	
City, State, Zip:			E-mail:	
6. Is PSAP currently	receiving Pl	nase I service (call back numb	per and address of cell	I tower)?
Yes	No			
If YES, then via NCA	S?			
7. Type of customer	premise eau	uipment or phone system (e	ex: Positron Lifeline or	Motorola Centralink 2000)
				,
8. What equipment v	vill PSAP us	e to translate lat/long coord	dinates into locati	on / address?
		6		
9. Has the mapping	equipment /	software been installed an	d tested?	
Yes	No	If no, order date:		Due date:
	Pleas	se provide copy of order or cor	respondence	
	ested necess	sary facilities from the LEC	to enable the PS	AP to receive Phase II data
including upgrade to	ALI databa	se and PAM interface with	re-query capabilit	y?
Yes	No			
If yes, then provide cop	y of request			
11. Is a funding med	hanism in p	lace for the PSAP to recove	er costs associate	ed with Phase II implementation?
Yes	No			
If YES, please attack	n description	n of funding mechanism.		
12. Comments / Not	es:			
Signature:			Date:	

Attachment B

8-5

PSAP PHASE I REQUESTS

5	-
_	1
C)

		Phase I		Phase I	Phase I	Phase I Request		Phase I
	Phase I	Service	Phase I Turn	Request	Request on	completed in 6	1	Responsible
Jurisdiction	Code	Requested	up date	WIP	hold	mo window	Phase I Status	Party
Allen Co	5						Licensed but no sites	rurty
Atchison Co	6						No request	
Butler Co	6						No request	
Chautauqua Co	6						No request	
Cherokee Co	6						No request	
Crawford Co	6						No request	
Doniphan Co	5						Licensed but no sites	_
Douglas Co	6					}	No request	
Jackson Co	5						Licensed but no sites	
Jefferson Co	6						No request	
Labette Co	6						No request	
MARC - 6 counties	1	08/02/01	12/31/02				Live where PSAP is ready	Jurisdiction, LEC
Montgomery Co	6						No request	Julisaiction, LEC
Neosho Co	5						Licensed but no sites	
Osage Co	6						No request	
Sedgewick Co	1	07/25/01	06/25/02				110 request	
Shawnee Co	6						No request	
Wilson Co	6						No request	_
Totals	18	2	2	0	0	0		