CHIEF EXECUTIVE OFFICER
EXECUTIVE DIRECTOR
Mel Maier, CPE
maierm@apcointl.org

HEADQUARTERS
J. Rhett McMillian, Jr. Building
351 North Williamson Boulevard
Daytona Beach, FL 32114-1112
386-322-2500

EXECUTIVE OFFICES
Gregory T. Riddle Building
1426 Prince Street
Alexandria, VA 22314
571-312-4400

www.apcointl.org

May 20, 2024

Marlene Dortch
Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: Notice of *Ex Parte*, Docket Nos. GN 17-183; ET 18-295; PS 07-114; PS 15-80; ET 04-35; PS 21-479

May 16 and 20, the undersigned met with staff for Commissioners Carr, Starks, Simington, and Gomez (cc'd below). We discussed APCO's positions as stated in prior filings in the above-captioned dockets and summarized here.

6 GHz

APCO remains concerned that the expansion of unlicensed devices in the 6 GHz band presents a substantial threat of interference to public safety. Real-world testing has raised doubts over the technical assumptions underlying the Commission's decision to open the band. The 6 GHz multi-stakeholder group failed to meaningfully address interference concerns or otherwise provide value beyond consensus that incumbents should perform baseline testing of their systems in anticipation of interference. Public safety agencies lack the resources to promptly detect, identify, and eliminate interference from unlicensed devices, and viable alternatives to support mission critical communications in the event 6 GHz becomes untenable have yet to be identified.

APCO members who are responsible for operating these backbone microwave links supporting reliable public safety communications networks across the country are rightly concerned and look to the Commission for guidance. Yet the rules continue to evolve to expand unlicensed use of the band. Even simple requests from the public safety community – such as asking for clarification on whether licensees should report interference to the AFC operators' new interference reporting mechanism, the Commission's (Public Safety) Radio Frequency Service Interference Complaint Portal, directly to Enforcement Bureau personnel, or all of these, and what steps AFC operators must take following a report of interference – remain

unanswered.[1] At a minimum, the Commission should respond to incumbents' long-standing requests for testing to validate assumptions about the risk of interference, development of mechanisms to promptly identify and eliminate interference, and consideration of cost recovery mechanisms as suggested in a petition for rulemaking that remains pending.[2]

Wireless 9-1-1 Location Accuracy

The Commission's rules require wireless carriers to provide a height estimate for 9-1-1 callers expressed as a "height above ellipsoid" and, "when feasible," dispatchable location information. Few 9-1-1 emergency communications centers (ECCs) have the resources to even explore how to make use of HAE-based vertical information (assuming this information is indeed accurate), which would require at a minimum substantial costs and resources including detailed building plans. The promise of dispatchable location has substantially faded since it was heralded by the industry and identified as the gold standard for public safety in the Commission's 2015 order. Further Commission action is needed to improve the transparency and reliability of testing to evaluate location technologies and to provide stronger requirements for carriers to deploy methods, several of which are feasible today, to derive dispatchable location.

Outage Notifications

When a network outage occurs that impacts the public's ability to reach 9-1-1, ECCs can take steps to mitigate the impact of the outage to the communities they serve if they have timely and descriptive notifications. To better support ECCs, the Commission should build upon prior orders to explore lowering the currently high outage notification thresholds and requiring notifications to include visual information about outages.[3]

Next Generation 9-1-1

The public safety community has a comprehensive vision for NG9-1-1. ECCs should be able to receive calls, texts, and multimedia from members of the public and other sources, process the requests for emergency assistance, and share incident-related information with first responders and other ECCs. Public safety requires interoperability across the entire emergency communications chain.

APCO remains supportive of the Commission's proposal to require OSPs to deliver IP-based 9-1-1 traffic in the format requested and to the point(s) designated by the 9-1-1 authority.[4] As APCO has suggested, this requirement should apply to whatever types of 9-1-1 traffic an ECC is ready to receive, potentially including photos, videos, telematics, and other forms of broadband-enabled

---

[1] *See* Letter from Jeffrey S. Cohen et al., APCO International, to Marlene H. Dortch, Secretary, FCC, ET Docket 21-352 (filed Apr. 4, 2024).

[2] Petition for Rulemaking of Utilities Technology Council et al, ET Docket No. 18-295, GN Docket No. 17-183, (filed Dec. 7, 2021).

[3] The Commission directed the Public Safety and Homeland Security Bureau to gather information on the number of 9-1-1 outages that go unreported under the existing outage notification thresholds and to investigate the feasibility of including graphical information in outage notifications. *See* Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications, Improving 911 Reliability, New Part 4 of the Commission's Rules Concerning Disruptions to Communications, PS Docket Nos. 15-80, 13-75, ET Docket No. 04-35, *Second Report and Order*, FCC 22-88, at para. 23 n.86, para. 15 (2022). APCO looks forward to reviewing the information gathered by the Bureau.

[4] Comments of APCO International, PS Docket No. 21-479 (filed Aug. 9, 2023); Reply Comments of APCO International, PS Docket No. 21-479 (filed Sep. 8, 2023).

communications.

The Commission should ensure the seamless exchange of IP-based traffic between OSPs and 9-1-1 service providers, and among 9-1-1 service providers. ECCs need to be able to transfer 9-1-1 traffic and incident-related data to other ECCs as part of mutual aid, correcting misroutes, and for other purposes. While it will probably be ECCs with adjacent service areas that are most often needing to exchange information, Emergency Services IP Networks (ESInets) should be interoperable whenever they are providing connectivity between ECCs. The Commission should seek comment on a rule that would require 9-1-1 service providers to enable the ECCs they serve to exchange all forms of 9-1-1 traffic with ECCs in different states and/or served by different 9-1-1 service providers.[5]

Respectfully Submitted,

APCO INTERNATIONAL

By:

Jeffrey S. Cohen
Chief Counsel
(571) 312-4400
cohenj@apcointl.org

Mark S. Reddish
Senior Counsel
(571) 312-4400 ext. 7011
reddishm@apcointl.org

Alison P. Venable
Government Relations Counsel
(571) 312-4400 ext. 7004
venablea@apcointl.org

CC (via email):

Erin Boone[6]
Edyael Casaperalta
Matthew Hamilton
Allison Howell
Hannah Lepow
Arpan Sura
Michael Sweeney[7]

[5] *See* Letter from Jeffrey S. Cohen et al., APCO International, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 21-479 (filed Apr. 18, 2024).
[6] During our meeting with Ms. Boone, only 6 GHz was discussed.
[7] During our meeting with Mr. Sweeney, we did not discuss 6 GHz.