

Columbia Department of Public Health, Air Quality Division, 2100 Martin Luther King Avenue, S.E., Washington, DC 20020. Please contact Catherine L. Magliocchetti at (215) 814-2174 if you wish to arrange an appointment to view the docket at the Philadelphia office.

FOR FURTHER INFORMATION CONTACT: Catherine L. Magliocchetti, (215) 814-2174, or by e-mail at magliocchetti.catherine@epa.gov.

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action, Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Enhanced Inspection and Maintenance Program, that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: May 27, 1999.

W. Michael McCabe,

Regional Administrator, Region III.

[FR Doc. 99-14594 Filed 6-10-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR PART 20

[CC Docket No. 94-102; DA 99-1049]

Compatibility of Wireless Services With Enhanced 911; Request for Comment on Wireless E911 Phase II Automatic Location Identification Requirements

AGENCY: Federal Communications Commission.

ACTION: Request for comment.

SUMMARY: This document requests comment on several issues relating to implementation of Phase II of the Commission's Enhanced 911 (E911) service rules. The Commission's E911 Rules require that covered wireless carriers deploy Automatic Location Identification (ALI) as part of E911 service beginning October 1, 2001, provided certain conditions are met. The Commission has expressed concern that the effect of this rule may not be technologically or competitively neutral for certain technologies, and expressed its willingness to consider such issues either in the E911 rulemaking or in response to requests for waivers. In response to a document released on December 24, 1998, a number of parties filed waiver requests and responsive pleadings. This document solicits comments on a variety of related issues in order to expedite decisionmaking on whether or not to promulgate Phase II

standards in light of the potential availability of handset-based technologies.

DATES: Comments are due on or before June 17, 1999, and reply comments are due on or before July 2, 1999.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 12th Street, S.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Mindy Littell, 202-418-1310, or Dan Grosh, 202-418-1310.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Public Notice in CC Docket No. 94-102, DA 99-1049, released June 1, 1999. The complete text of the Public Notice is available for inspection and copying during normal business hours in the Reference Information Center, Federal Communications Commission, Court Yard Level, 445 12th Street, SW, Washington, DC 20554, and also may be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), CY-B400, 445 12th Street, SW, Washington, DC 20554.

Synopsis of the Public Notice

1. Section 20.18(e) of the Commission's E911 rules currently require that covered wireless carriers deploy ALI as part of E911 service beginning October 1, 2001, provided certain conditions are met. This rule was adopted in the First Report and Order (61 FR 40348, August 2, 1996) and provides that covered carriers must provide the location of all 911 calls by longitude and latitude such that the accuracy for all calls is 125 meters or less using a Root Mean Square (RMS) methodology. The Commission, in a Memorandum Opinion and Order in this proceeding (63 FR 2631, January 16, 1998) (E911 Reconsideration Order), the Wireless Telecommunications Bureau (the Bureau) responded to concerns that the effect of section 20.18(e) might not be technologically and competitively neutral for some technologies that might be used to provide ALI, particularly handset-based technologies such as those using the Global Positioning Satellite (GPS) system. In addition, the Commission indicated its willingness to consider such issues either in the E911 rulemaking or in response to requests for waivers. In a Public Notice released late last year (64 FR 3478, January 22, 1999) (Waiver Public Notice), the Commission set forth guidelines and a filing schedule to assist those interested in filing waivers to section 20.18(e). The Waiver Public Notice also sought comment on the accuracy standards that should apply to handset-based solutions

as part of the Phase II requirements or as a condition of any Phase II waiver that the Commission would grant. A number of parties filed waiver requests and other pleadings in response to the Waiver Public Notice.

2. In order to expedite decisionmaking on whether or not to promulgate Phase II standards in light of the potential availability of handset-based technologies, the Bureau released another Public Notice seeking targeted comment on: (1) whether to adopt standards for handset approaches similar to those outlined in two specific proposals submitted in the proceeding; (2) how specifically to handle the issues of roaming and handset turnover; and (3) whether the Commission should clarify or modify its methodology for determining ALI accuracy under Phase II. Comments submitted in response to this Public Notice will be included in the pending wireless E911 docket, and be utilized by the Commission in its further development of policies and rules for wireless E911 deployment, as well as potentially, in its consideration of the pending waiver requests.

3. First, based on the waiver petitions filed in response to the Waiver Public Notice and the comment received on those petitions, the Public Notice is seeking targeted comment on certain standards for handset-based solutions proposed by interested parties, including two proposals filed since the end of the formal pleading cycle on the Waiver Public Notice. Under both proposals, carriers deploying a handset-based solution would be required to start providing ALI on wireless 911 calls before the October 1, 2001, deadline and to provide ALI to a greater degree of accuracy than required under the Commission's rules.

4. One proposal was filed by SnapTrack, a developer of a handset-based solution incorporating GPS technology. SnapTrack has proposed conditions under which, it argues, carriers deploying a handset-based solution should be deemed compliant with the Phase II requirements. According to SnapTrack, the Commission should deem carriers to be in compliance if they: (1) begin to deploy location-capable handsets by January 1, 2001; (2) deploy only location-capable handsets after December 31, 2001; and (3) achieve location accuracy of 90 meters using circular error probability (CEP) methodology.

5. A second proposal was filed by APCO, an association of public safety communications officials. APCO proposed that the Commission permit a carrier to implement a handset-based

solution only if it deploys ALI-capable handsets according to a specific schedule and meets firm deadlines for achieving specific levels of ALI-capable handsets among all of its subscribers. Specifically, APCO proposes that the waiver conditions should include the following: (1) carriers must begin to offer ALI-capable handsets no later than January 1, 2001; at least 80 percent of handsets being deployed on the carrier's system must be ALI-capable as of December 31, 2001; and 100 percent of handsets being deployed on the carrier's system must be ALI capable as of December 31, 2002; (2) 25 percent of all phones in use on the carrier's system must be ALI-capable by the end of 2002, 50 percent must be ALI-capable by the end of 2003; 75 percent must be ALI-capable by the end of 2004; and 100 percent must be ALI-capable by the end of 2005; (3) carriers must commit to a specific average accuracy level substantially better than the current Phase II requirement; and (4) carriers must agree to implement technologies that meet industry standards for interfacing with all carriers and PSAPs.

6. Other parties proposed similar approaches relating to early deployment and increased accuracy. For instance, with regard to location accuracy, AirTouch has suggested that the Commission approve ALI-capable handsets that provide ALI with 90-meter accuracy and 70 percent reliability as determined using CEP. Similarly, Ameritech has suggested that the Commission require handset-based solutions to meet a two-dimensional location accuracy standard of 90 meters with 67 percent confidence.

7. On the other hand, some parties have argued that any change to the Commission's rules that permits something less than 100 percent compliance by October 1, 2001, will unduly delay the availability of ALI to all Americans. These parties assert that the public interest would not be served by permitting such a phased-in implementation schedule despite any putative benefits from an earlier start date and greater degree of accuracy.

8. Because the SnapTrack and APCO submissions were filed late in the waiver proceeding, preventing some interested parties from commenting on these proposals, and because the Bureau believes that targeted comment focused on specific proposals will expedite decisionmaking, it is seeking additional comments on these proposals.

9. In response to the Waiver Public Notice, petitioners and commenters provided limited information concerning steps to minimize the problems likely to be encountered by

customers without ALI-capable handsets roaming outside of service areas that have adopted a network-based solution and into areas where a carrier has deployed a handset-based solution. One of the concerns is that, because the handsets of such "roamers" will lack the necessary equipment or software needed for the carrier's handset-based approach, the carrier may not provide ALI for all calls, as the Commission's rules require. Waiver proponents predict that roamer issues will be insubstantial and will disappear over time as a result of handset churn and the fact that manufacturers will take advantage of economies of scale and mass produce ALI-capable handsets. In addition, several parties contend that, even if a roamer cannot be located to Phase II specifications, the carrier will be able to provide the PSAP with Phase I-level location information. The Bureau requests additional information regarding the extent of roamers who may not have ALI-capable handsets and other concerns related to providing ALI for roamers without ALI-capable handsets. The Bureau also requests additional information with respect to the usefulness of Phase I location information as a back-up for wireless users without ALI-capable handsets.

10. The Bureau also requests comment on the issues of handset turnover and roaming. It noted that only one commenter specifically addressed the handling of subscribers who do not replace their handsets frequently. There is concern that this type of customer, when served by a carrier deploying a handset-based system, may not enjoy the public safety benefits of ALI for an extended period of time. One solution may be to impose an obligation upon carriers adopting a handset-based system to offer either to retrofit or to replace subscriber handsets to make them ALI-capable at the carrier's expense or, at a minimum, at a very substantial discount, if subscribers have not upgraded their handsets by a certain date. This would help ensure that customers who do not regularly upgrade their handsets will not be left without ALI following the deployment of a handset-based system in their service area. The Bureau seeks comment on the potential costs of such an approach and request suggestions on what period of time would be appropriate before the carrier would be obligated to retrofit or replace non-ALI-capable handsets of its subscribers.

11. Sprint commented that the best solution may be a combination of approaches. Specifically, Sprint favors deploying a handset-based system for new customers, along with establishing

an interim network software solution capable of providing location information that would exceed Phase I requirements for those customers with non-GPS handsets and end users of other carriers roaming into a Sprint service area. Sprint argues that this software-based network system, while not as accurate as the traditional triangulation devices previously proposed, would be substantially less expensive and would provide sufficient accuracy to meet public safety needs. Specifically, Sprint contends that, were it to adopt a handset-based approach as its principal means of implementing Phase II E911 service, it would also install a software-based network solution that could provide location information with an accuracy within 285 meters for non-ALI-capable handsets. Sprint's submission appears to present a means by which carriers adopting a handset-based system could provide ALI for all calls, as required by the rules. The Bureau requests comment on this approach and the level of location accuracy that could be provided using this software-based network system.

12. In addition, the Bureau seeks comment on the appropriate methodology for determining ALI accuracy. In the E911 Reconsideration Order, Section 20.18(e) was amended to clarify that licensees subject to the section—regardless of the ALI technology utilized—must provide to the designated PSAP the location of all 911 calls by longitude and latitude such that the accuracy for all calls is 125 meters or less using a Root Mean Square (RMS) methodology. Since the rule's amendment, the Commission has received several filings indicating that it may be necessary to reevaluate the appropriate methodology for determining ALI accuracy. Specifically, filings and presentations by Ericsson and the Wireless E9-1-1 Implementation Ad Hoc (WEIAD) group seek clarification of the accuracy requirement. These parties argue that the RMS methodology adopted by the Commission should not apply to the ALI accuracy for all E911 calls because a small number of measurements that are very inaccurate will prevent a carrier from complying with the ALI requirement even if the vast majority of ALI measurements are less than 125 meters. In response to the waiver requests, Cell-Loc commented that confusion still exists regarding the meaning of an RMS accuracy specification. SnapTrack and other proponents of handset-based solutions advocate the use of CEP in evaluating

the accuracy of those systems. TruePosition, a proponent of a network-based solution, asserts that SnapTrack has mischaracterized the accuracy standard and the degree of market penetration necessary to exceed it.

13. Because of the importance of this issue with respect to all ALI technologies, the Bureau seeks additional comment on all of these arguments and invites recommendations on the appropriate methodology for measuring ALI accuracy, consistent with the Commission's goal of providing the best ALI accuracy for all callers.

Filing Schedules and Instructions

14. Interested parties may file comments on the topics raised in this document no later than June 17, 1999; reply comments must be filed on or before July 2, 1999.

Administrative Information

15. To file formally in this proceeding, commenters must file an original and five copies of all comments and reply comments. If parties want each Commissioner to receive a personal copy of their comments, an original and ten copies must be filed. All comments should reference CC Docket No. 94-102 and should be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, TW-A325, S.W., Washington, D.C. 20554. One copy of all comments should be sent to Mindy Littell, Policy Division, Wireless Telecommunications Bureau, 445 12th Street, S.W., 3-B103, Washington, DC 20554. One copy should also be sent to: International Transcription Service, Inc. (ITS), CY-B400, 445 12th Street, SW, Washington, DC 20554.

16. Because these comments will be included in CC Docket No. 94-102, and may be considered in the context of the ongoing wireless E911 rulemaking, we believe that it is appropriate to treat this as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 CFR 1.1200, 1.1206.

Federal Communications Commission.

James D. Schlichting,

Deputy Chief, Wireless Telecommunications Bureau.

[FR Doc. 99-14930 Filed 6-10-99; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 99-214, RM-9546]

Radio Broadcasting Services; Camp Wood, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by La Radio Cristiana Network, Inc. proposing the substitution of Channel 251C3 for Channel 256A at Camp Wood, Texas, and modification of the construction permit for Station KAYG. The channel can be allotted to Camp Wood in compliance with the Commission's spacing requirements at coordinates 29-42-53 and 100-00-56. Mexican concurrence will be requested for this allotment. In accordance with Section 1.420(g) of the Commission's Rules, should another party indicate an interest in the Class C3 allotment, the modification cannot be implemented unless an equivalent class channel is also allotted to Camp Wood.

DATES: Comments must be filed on or before July 26, 1999, and reply comments on or before August 10, 1999.

ADDRESSES: Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Barry D. Wood, Paul H. Brown, Wood, Maines & Brown Chartered, 1827 Jefferson Place, NW, Washington, D.C. 20036.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-214, adopted May 26, 1999, and released June 4, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter

is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 99-14794 Filed 6-10-99; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 93-144; DA 99-974]

Comments Requested on the Construction Requirements for Commercial Wide-Area 800 MHz Licensees

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comment on the construction requirements that the Commission should impose on 800 MHz Specialized Mobile Radio commercial licensees that are part of a wide area system following the decision by the U.S. Court of Appeals for the District of Columbia to remand to the Commission for further analysis its decision to adopt construction requirements for these licensees that differ from those adopted for Economic Area 800 MHz licensees.

DATES: Comments are due to be filed by July 12, 1999, and reply comments are due by July 30, 1999.

FOR FURTHER INFORMATION CONTACT: Scott A. Mackoul or Don Johnson, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau at (202) 418-7240.

SUPPLEMENTARY INFORMATION: This document, released May 21, 1999, is available for inspection and copying during normal business hours in the FCC Reference Center, 445 Twelfth Street, SW, Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW, Washington,