TeleCommunication Systems
Enabling Convergent Technologies®
2401 Elliott Ave, 2nd Floor
Seattle, WA 98121

February 21, 2005

Washington UTC
P.O. Box 47250
Olympia, WA 98504-7250
Attn: Carole Washburn (UT-041629)

To the Commission:

The Washington UTC has an open docket "UT-041629" Preproprosal statement of inquiry for rulemaking. The rulemaking inquiry would review WAC 480-120-450, Enhanced 911 obligations of local exchange companies, to consider amendment of the current rule, or adoption of additional rules to address the allocation of E911 implementation costs between local exchange telecommunications companies and PSAPs.

The Commission has requested comments from parties on the subject in docket UT-041629, and the second round of comments and responses to Commission questions are due February 25, 2005.

TCS is a third party provider of wireless E911 service in Washington. TCS is a potential vendor of landline E911 service, but for many years we have chafed under the LEC monopolies of the ALI database and the selective routers. With the coming of IP technology, and with the proposed modification to the WAC, we see an opportunity to finally inject competition into the E911 market.

Typically, LECs offer bundled E911 service to PSAPs to include selective routing, ALI service and CAMA trunking from the selective router to the PSAP. With IP, each of these components can be replaced with competing service. Given the way that the LECs price their unbundled services, I expect that the developing market will result in bundled IP service vs bundled traditional service. Even so, the LECs currently enjoy at least two monopolies that thwart entry into the market for competing providers.

1. The LECs maintain the data in the ALI database and claim to own it. Many PSAPs, however, believe that the data in the ALI database belongs to them. The analogy could be made to a person's medical records. We pay our doctors to maintain our health and update our medical files. When we transfer doctors, however, are we free to collect our records and transfer them also? Or do we have to pay the new doctor to repeat all of our tests and analyses and medical history? The LECs would argue that our medical records belong to the original doctor, and that we should pay our original doctor to release them to us. This is the way the LECs treat ALI data. Some LECs charge as much as $100,000 for copies of the ALI records. This presents a barrier to competition, since most PSAPs cannot afford that sort of penalty when they switch

ALI vendors and because there is no feasible way to recreate the ALI database from scratch.

Furthermore, when a PSAP does manage to escape the LEC’s ALI service (usually by purchasing a “stand-alone” ALI, the LEC charges the PSAP for ALI updates. There may be some justification for this as long as the LEC continues to provide selective routing since the router and the ALI do sometimes communicate to ascertain call routing. In situations where the PSAP has opted for competing selective routing as well as ALI service, however, some LECs continue to charge for daily ALI updates. TCS believes that the LECs should pay to update the ALI database, not the other way around. Just as CLECs have the obligation to pay for E911 service, so must the LECs.

Alternative ALI services have always been available, but this barrier to entry has inhibited other providers from offering competing options to the PSAPs.

2. The LECs also traditionally have controlled selective routing and the "last mile" connection to the PSAP. With the coming of IP, this monopoly can be broken. Now any ISP can provide high speed connectivity to a PSAP and IP routers can assume the selective routing function. TCS has already proposed this option in other states, but the local LEC has threatened to bill the PSAP for selective routing regardless of whether TCS provides that service or not. Their rationale revolves around the concept of "preselective routing". This argument maintains that the LEC central office must determine which calls go to the LEC selective router and which calls must now go to the competing selective router, thus requiring "preselective routing", a service that the PSAP must pay for. Although TCS believes that this argument is specious, we have nevertheless offered to perform the "preselective routing" ourselves at no charge. This offer has been rejected by the LEC (Sprint in Florida), who maintained that they could not relinquish the "preselective routing" function as long as there were any legacy PSAPs still using the original selective router. This then inhibits the ability of any single PSAP to opt for competing service unless all PSAPs served by a selective router opt for the same service.

I would propose WAC changes as follows:

1. LECs should be required to provide ALI records at no charge to the PSAP upon demand. Further, the LEC should pay the new ALI vendor to input new ALI records (just as CLECs currently pay the LEC to input their ALI records). TCS plans to place this fee at zero, but we believe that the LECs and CLECs should all be on the same footing when it comes to updating the ALI. Currently, the LEC not only charges the CLEC for updates to the ALI (this may vary by LEC), but also charges the PSAP for updates in those cases where the PSAP has a stand-alone ALI. If the LEC wants to provide E911 service for their customers, it should be their responsibility to update the appropriate ALI according to the same terms as any CLEC.

2. LECs should have an obligation to route 911 calls to the appropriate selective router at no charge. In many states, LECs already separate out calls for other LECs or CLECs, so the obligation to route E911 calls to one selective router or another is no big deal. Most LECs own more than one selective router, so they already must sort between them. In the event that the committee finds merit in the dubious argument for "preselective routing", then competing vendors of selective routing services should be permitted to compete for "preselective routing" responsibilities.

These changes will impact the LEC's bottom line. Hopefully, however, the resultant competition will result in better service and/or lower rates for the consumer. It will also speed the implementation of IP technology and all of its associated benefits. (IP routing and call delivery technology should not be confused with Voice over Internet Protocol (VoIP). VoIP is a service that runs on IP infrastructure, but IP infrastructure for selective routing and ALI is unrelated to VoIP. IP infrastructure is already handling much of the nation's telephone traffic with no degradation of service. IP infrastructure will improve VoIP service, but it should also improve wireline and wireless service. In any event, the IP industry should be allowed to compete on a level playing field with the legacy monopolies and let the best man win.)

TCS has broached these issues with other state E911 authorities and I would like to include Washington in what I hope will become a groundswell of changes across the country.

Thank you for your interest in this issue.

Sincerely,

Richard Dickinson
Manager, Public Safety
Telecommunication Systems
206-792-2224
ddickinson@seattle.telecomsys.com