

McCook Police Department
526 West B. Street, McCook, Nebraska 69001
Isaac S. Brown, Chief of Police
308-345-3450

November 13, 2013

Nebraska Public Service Commission
300 The Atrium, 1200 N Street
Lincoln, NE 68509

RE: Comments on the wireless tower testing standards and procedures pursuant to the Enhanced Wireless Services Act, Application No. 911-055/PI-182

Commission Members,

I appreciate the opportunity to bring to light what I believe to be serious shortfalls in the current tower testing standards and certification standards for wireless carriers as Phase II capable carriers. What appear to be gaps or loopholes in current standards allow wireless carriers to be certified and advertise that they are Phase II capable when, in reality, at best they offer limited or partial Phase II service. Public Safety Answering Points (PSAP's) are placed in situations where they cannot locate callers in an emergency sufficiently to send first responders to the public and the public is misled and/or endangered by a false sense of security in the ability of emergency responders to help them in times of crisis.

In some instances, current tower testing standards have allowed wireless carriers to be certified as Phase II capable when the carriers are unable to accurately locate phones in the majority of the county area. Testing standards must require that wireless carriers establish as a part of the tower testing standards that they have sufficient tower coverage to accurately locate phones in all, or nearly all (more than 95%) of the physical area of that county before being certified as Phase II capable in the county. Testing standards that allow wireless carriers to average the accuracy of caller locations or otherwise manipulate tower testing standards to become certified as Phase II capable without having the ability to locate phones throughout the entire county serves no useful purpose for PSAP's or citizens dependant on those PSAP's to deliver emergency services. The placement of equipment capable of providing Phase II phone locations on a limited number of towers that offer only partial Phase II service in a county is, at best, valueless. In many instances partial Phase II capabilities create situations that endanger the public more than that of having no wireless 911 service by delivering false or grossly inaccurate locations to PSAP's. Allowing wireless carriers to meet tower testing standards when they cannot accurately locate phones in all, or nearly all, of the total area of counties is of no value and is a disservice to PSAP's and the citizens of their counties.

I urge the Nebraska Public Service Commission to mandate that wireless carriers meet tower testing standards that accurately locate their subscribers' phones in all, or nearly all, of the physical area of individual counties prior to certifying those wireless carriers as Phase II capable carriers and prior to allowing those wireless carriers to advertise that they have Phase II capability. Standards, particularly including national standards, are often not sufficient to assure the safety of citizens in states having large rural populations. One size definitely does not fit all. Federal standards and statutes are predominantly crafted with that fact in mind and allow for more restrictive, but not less restrictive, standards. Tower testing standards and Phase II certification standards are instances when deviating from the federal standards as necessary are needed in order to protect the public interest and safety.

Respectfully submitted,

Isaac S. Brown
McCook Police Department
McCook, Nebraska 69001

