

November 15, 2019

Ex Parte

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Wireless E911 Location Accuracy Requirements; PS Docket No. 07-114

Dear Ms. Dortch:

On November 15, 2019, Trey Forgety of Apple Inc. and Rob Carter and I on behalf of Apple spoke via telephone with Public Safety and Homeland Security Bureau Deputy Chief David Furth regarding the draft Fifth Report and Order in the above-referenced proceeding.

Apple expressed support for the draft order's conclusion that all 911 location data—including z-axis information and associated data—should receive the same privacy and security protections. However, Apple cautioned that the draft order could inadvertently create a privacy loophole related to the use of 911 location data by third-party location technology vendors.

Apple reviewed its proposed revision to section 9.10(i)(4)(v) of the draft rules,¹ which would allow the use of location data by third parties when needed for 911 calls while protecting consumers against the use of that data for other purposes, or the use of precise location data beyond what is needed for 911 purposes. Apple further explained that even location data that is not permanently stored could undermine consumer privacy. Finally, Apple observed that the record does not support a finding that a consumer's precise location is necessary for any z-axis function—the z-axis functions described by third party vendors can be performed without such collection. Apple therefore recommended that the rules state that CMRS providers must certify “that they will not require or permit disclosure of a user's precise location to any z-axis technology vendor for purposes of complying with § 9.10(i)(2)(ii).”²

¹ See letter from Paul Margie, Counsel for Apple Inc., to Marlene H. Dortch, Secretary, FCC, PS Docket No. 07-114 at Ex. A (filed Nov. 12, 2019).

² See *id.*

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Pursuant to the Commission's rules, a copy of this notice is being filed electronically in the above-referenced docket. If you require any additional information, please contact the undersigned.

Sincerely,

/s/ Paul Margie

Paul Margie
Counsel for Apple Inc.

cc: meeting participants