

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementing Kari's Law and Section 506 of RAY BAUM'S Act	)	PS Docket No. 18-261
	)	
Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems	)	PS Docket No. 17-239
	)	

**Comments of the  
National Association of State 911 Administrators**

The National Association of State 911 Administrators (NASNA)<sup>1</sup> is pleased to offer comments on the 26 September 2018 Notice of Proposed Rulemaking concerning Implementing Kari's Law and Section 506 of RAY BAUM'S Act.<sup>2</sup>

**Direct Dialing**

*Applicability and Obligations.* NASNA supports the Commission's proposal to require dialing for persons engaged in the business of manufacturing, importing, selling, or leasing MLTS, as well as persons engaged in the business of installing, managing, or operating MLTS. While much has been accomplished as the result of voluntary efforts, rules will underscore the importance of direct dialing from MLTS and the obligation of all parties to ensure it.

**Notification**

*Applicability and Obligations.* NASNA supports the Commission's proposal to require notification when a 911 call has been made from an MLTS. The proposal provides flexibility for the notification to be transmitted to an on-site location or to another person or organization regardless of location. We agree that it will benefit the caller, the MLTS enterprise management and staff, first responders.

*Required Information and Purpose.* The Commission proposes that the notification include certain basic information: (1) the fact that a 911 call has been made, (2) a valid callback number, and (3) the information about the caller's location that the MLTS conveys to the PSAP with the call to 911. With regard to this latter item, the NPRM further proposes the same dispatchable location sent to PSAPs be sent also to the enterprise's notification center. NASNA agrees that this make sense. The NPRM asks

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<sup>1</sup> NASNA represents state 911 programs in the field of emergency communications. NASNA provides state 911 leaders' unique expertise to national trade associations, public policymakers, the private sector, and emergency communications professionals at all levels of government as they address complex issues surrounding the evolution of emergency communications.

<sup>2</sup> Individual members may provide separate comments to the Commission that agree with, amplify, differ from, or are in addition to the comments offered by NASNA on this matter.

whether the Commission should allow enterprises the flexibility to customize notification as they see fit rather than specifying the content. NASNA thinks that the Commission absolutely should establish minimum content. If MLTS enterprises want to include more information, they can certainly do so, but they should be required to meet minimum requirements.

The NPRM also asks whether there are situations in which the callback or location information conveyed to the PSAP need not be included with an on-site notification. Rather than attempt to identify all possible circumstances that would warrant some sort of variance, we argue that it would be cleaner and simpler just to require that what is sent to PSAPs be sent also to the notification center.

*Notification Timing and Destination Points.* NASNA agrees with the Commission's proposal to require that MLTS covered by Kari's Law be configured so that notification is contemporaneous with the 911 call and does not delay the placement of the call to 911.

Where on-site notification to a "central location" is provided, it absolutely should be to a location that is normally staffed or where on-site staff are likely to hear or see the notification. To do otherwise would undermine the purpose of the notification requirement. Where notification is provided to a "person or organization regardless of location," that location should likewise be one that is either typically staffed or where the staff are likely to hear or see the notification when it comes in. The Commission asks whether, in the case of off-site notification, the person or organization should be one that is authorized to provide first responders with access to the caller's location. To do otherwise would negate the purpose of the notification requirement, which is to get help to the caller. If the person receiving the notification lacks authority to facilitate the response, the net effect would be as though no notification had been provided at all. None of this would establish a new requirement for staffing and monitoring. It would simply require that the notification, however it is accomplished, e.g., a visual alert, an audible alarm, a text message, should be done in such a way that it is likely to be seen or heard by existing staff.

The Commission also seeks comment on how the notification requirements should be applied to small enterprises. NASNA cannot speak to the cost to small businesses, but the benefits are the same as for larger enterprises. They should know that a 911 call was made from their MLTS so they are not surprised when responders arrive and so they can assist if needed, including canceling the response if it turns out that 911 was dialed in error.

## **Definitions**

*Multi-line Telephone System.* NASNA agrees with the Commission's proposed definition.

*Pre-configured and configured.* NASNA agrees with the Commission's proposed definitions. The Commission asked whether its proposed definitions for "pre-configuring" an MLTS and "configuring" sufficiently clear. We think they are: "pre-configuring" is the default way the system is set up at the factory; "configuring" is what is done post-sale to meet the MLTS customer's specific needs.

*Improvement to the hardware or software of the system.* NASNA's generally agrees with the Commission's approach to this definition, but would want to ensure that any improvements to MLTS hardware or software that an enterprise makes in the future must provide direct dialing and notification capabilities, and the same dispatchable location information that would be received by a PSAP.

*A person engaged in the business of manufacturing, importing, selling, or leasing an MLTS.* NASNA agrees that this language from Kari's Law is self-explanatory and that no definition is needed.

*A person engaged in the business of installing an MLTS.* NASNA agrees with the Commission's proposed definition.

*A person engaged in the business of managing an MLTS.* We agree with the Commission's proposed definition, but are concerned with the exception. We interpret what is written in this section of the NPRM as meaning that an MLTS owner who contracts with a third party to manage the MLTS is not responsible for compliance. We think that an MLTS owner still has an obligation to hold its third-party service provider(s) responsible for ensuring compliance.

*A person engaged in the business of operating an MLTS.* NASNA agrees with the Commission's proposed definition.

The Commission also asked whether there are circumstances in which its proposed definitions of MLTS "manager" or "operator" should extend to enterprise owners. As noted in the NPRM, some MLTS owners purchase, operate, and maintain their own MLTS, and others have contractual arrangements with third-party providers. NASNA thinks the rules for MLTS "manager" and "operator" should encompass both situations. A simple statement to that effect should suffice.

With regard to transitional rules regarding the 911 capabilities of grandfathered MLTS, NASNA believes that the Commission should require MLTS owners to place a sticker near or on non-compliant MLTS devices that provides instruction on how to call 911. This is necessary to avoid situations such as the one that gave rise to Kari's Law in the first place.

*Enforcement.* NASNA agrees with the Commission's approach, which is to follow the framework set forth by the statute. The types of entities called out in the law are the ones that should be subject to enforcement action.

*Complaint Mechanisms and Other Issues.* NASNA agrees that the Commission should use its existing complaint mechanisms for the filing of complaints for potential violations of Kari's Law, such as the Public Safety and Homeland Security Bureau's Public Safety Support Center or the Commission's Consumer Complaint Center.

## **RAY BAUM'S Act**

### **Dispatchable Location for MLTS and Other 911-Capable Communications Services**

RAY BAUM'S Act directs the Commission to consider rules requiring dispatchable location for all 911 calls "regardless of the technological platform used." The NPRM asks whether it should adopt dispatchable location requirements for MLTS and other 911-capable services. In addition to MLTS, four types of communications services are currently required under Commission rules to provide 911 to their customers: (1) fixed telephony, (2) mobile telecommunications, (3) interconnected VoIP service, and (4) Internet-based Telecommunications Relay Services (TRS). In addition to these, the NPRM seeks to examine whether the Commission should adopt dispatchable location rules for other 911-capable services that are not currently subject to 911 rules, such as SMS text-to-911. In its comments below, NASNA speaks to MLTS, but not to the technical feasibility or cost of requiring other types of telephony services to provide dispatchable location except to say that technological advancements have degraded

automatic location. If dispatchable location can be achieved for the various kinds of services mentioned in the NPRM and the benefits outweigh the costs, then it should be done.

MLTS. The Commission proposes to prohibit the manufacture, import, sale, or leasing of MLTS in the United States unless the system is pre-configured to convey the dispatchable location of the caller to the PSAP along with the 911 voice call. Similarly, the Commission proposes to prohibit the installation, management, or operation of MLTS in the United States unless the system is configured to send the dispatchable location of the caller to the PSAP with the voice call. The prohibitions would apply to the same entities subject to Kari's Law. NASNA agrees with these proposals.

The Commission asks whether it should require dispatchable location information associated with MLTS 911 calls to be validated. The answer is yes. MLTS installations are at fixed locations and the same MSAG or GIS-based MSAG validation should be used as for any other fixed service. In this regard, the Commission asks if there is any reason why street address validation would be more difficult or costly for MLTS than for mobile E911. Street address validation should not be more difficult or costly for MLTS than for any other fixed telephony service in most instances, although we acknowledge that it may be incrementally costlier in complex MLTS environments. Nevertheless, a valid location is essential to achieving the purpose of Kari's Law and RAY BAUM'S Act. With regard to how granular the location information should be, the Commission correctly states that street address would be adequate for small enterprises. There will be situations in which street address is not sufficient, and more granular location information is needed. These situations are anticipated in the NENA Model MLTS Legislation<sup>3</sup> and are addressed in several state statutes. The Commission could incorporate these principles into its rules.

Regarding the impact of delays in emergency response due to a lack of location information, delay has consequences. While it may not be possible to quantify those impacts in a scientific way, the whole purpose of E911 location information was and is to speed up the response to an emergency. In the legacy landline environment, E911 has been hugely successful.

We note that routing of MLTS 911 calls to the appropriate 911 center is equally as important as having good, dispatchable location information. The call has to get to the right place with the right information in order to meet the statutory objective.

### **Consolidating the Commission's 911 Rules**

The Commission proposes to consolidate all of its existing 911 rules (except for the Part 4 rules governing network outages) into a single rule part; to simplify and streamline the rules; to eliminate corresponding duplicative rules in other rule parts. NASNA believes that rule consolidation will help everyone who needs to refer to or comply with them. We thank the Commission for seizing the opportunity.

In conclusion, we appreciate the opportunity to offer the perspective of state 911 administrators for your consideration.

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<sup>3</sup> NENA MLTS Model Legislation, [https://c.ymcdn.com/sites/www.nena.org/resource/collection/C3D071C2-FACD-41CB-A09C-354888272EF8/MLTS\\_2015.pdf](https://c.ymcdn.com/sites/www.nena.org/resource/collection/C3D071C2-FACD-41CB-A09C-354888272EF8/MLTS_2015.pdf) (Last accessed 12/07/2018)

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Respectfully submitted,

A handwritten signature in cursive script that reads "Evelyn Bailey".

Evelyn Bailey  
Executive Director  
National Association of State 911 Administrators  
380 Blake Hill Road  
East Calais, Vermont 05650-8180  
(844) 381-3635