

**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 Services)	PS Docket No. 17-239
)	

COMMENTS



The American Cable Association (“ACA”) hereby files comments with the Federal Communications Commission (“Commission”) on the Notice of Proposed Rulemaking (“NPRM”) in the above-captioned proceedings.¹ The NPRM seeks comment on the implementation of 911 provisions set forth in Kari’s Law and Section 506 of RAY BAUM’s Act. ACA’s comments focus on NPRM proposals concerning the provision of “dispatchable location” with 911 calls originating from multi-line telephone systems (“MLTS”).

¹ See *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Notice of Proposed Rulemaking, FCC 18-132 (rel. Sept. 26, 2018).

ACA members are providers of interconnected VoIP and other voice services, and many serve enterprise customers in connection with their use of MLTS. ACA members serve these customers through a variety of arrangements. In some cases, an ACA member provides TDM or SIP trunking to an enterprise customer that manages and operates its own premises-based MLTS. For other customers that use premises-based MLTS, an ACA member may play a more active role in managing or operating the system. ACA member companies also provide “hosted” MLTS solutions that require only minimal installation of equipment on the customer premises and that the service provider may manage or operate without active involvement from the customer.

Today, ACA member companies compile 911 location information for their interconnected VoIP customers as required by law.² Consistent with the requirement of Section 9.5(d)(1), they “[o]btain from each customer, prior to the initiation of service, the physical location at which the service will first be utilized.”³ They then report it, often with the assistance of third-party 911 service providers such as Bandwidth or Momentum Telecom. The information collected from the customer and reported includes street address and may in some cases include more granular information, such as the floor or room number associated with a given telephone number.

Although not always required by state law, ACA members typically collect and report location information for their MLTS enterprise customers as well. The practices that these ACA members follow for these business customers generally conform with those they follow for their interconnected VoIP customers, pursuant to Section 9.5. That

² See 47 C.F.R. § 9.5. ACA members comply with applicable state law governing E911 service for fixed telephony.

³ See 47 C.F.R. § 9.5(d)(1).

is, they inform their MTLS customers that they need 911 location information for the physical location at which the service will first be utilized for each business phone number. The information obtained is then reported by the ACA member. Some ACA members report information more granular than street address that they receive from their MLTS customers, just as they do in some cases for interconnected VoIP or other single-line voice customers.

In addition to the initial reporting, ACA members instruct their MLTS enterprise customers to notify them promptly of changes to the location associated with an MLTS telephone number, a necessary step to ensure that location information for the number is kept current. Some member companies report that their contracts for enterprise voice services include terms and conditions explaining that the performance of E911 service depends on the accuracy of the location information the customer provides. Some contracts may require customers expressly to accept the risk that E911 service may not function effectively to the extent the customer fails to supply and maintain accurate location information for its MLTS. Upon receipt of updated location information from an MLTS enterprise customer, ACA members promptly report this new information.

In RAY BAUM's Act, Congress directs the Commission "to consider adopting rules to ensure that dispatchable location is conveyed with a 9-1-1 call... including with calls from multi-line telephone systems."⁴ In turn, the Commission proposes establishing a dispatchable location requirement for MLTS 911 calls. Should the Commission adopt such a rule, ACA encourages it take steps to codify the best practices of the industry, and to avoid imposing unnecessary burdens on service

⁴ See RAY BAUM's Act, § 506(a).

providers, including ACA members, that serve MLTS customers. First, the Commission should ensure that any dispatchable location requirement acknowledges the vital role enterprise customers must play in furnishing adequate location information.⁵ After all, the customer is best positioned to identify the information that would be most helpful to first responders seeking to locate a caller that places a 911 call using its MLTS.

Enterprise customers are also best positioned to track location information for their MLTS and timely communicate any changes to this information. To promote the provision of location information more granular than street address, service providers should inform their customers that they can supply more information than just street addresses. Where the customer provides more granular information—either for the first time or as an update—the provider should be expected to report the information promptly.

Next, as the Commission acknowledges, not all existing MLTS may be technically capable of providing dispatchable location in compliance with any rule the Commission may adopt.⁶ ACA thus supports the Commission’s proposal that any dispatchable location requirement adopted for MLTS “include compliance date provisions that track the provisions of Kari’s Law.”⁷ The Commission aptly notes that “a uniform compliance date will promote efficiency by enabling MLTS manufacturers to implement dispatchable location upgrades on the same timeline as any upgrades

⁵ See *id.*, ¶ 60 (observing that “potential dispatchable location solutions for MLTS include solutions that require the customer to identify their own location”).

⁶ See NPRM, ¶ 62.

⁷ See *id.*; see also Kari’s Law, § 2(b) (providing that the substantive provisions of Kari’s Law “shall apply with respect to a multi-line telephone system that is manufactured, imported, offered for first sale or lease, first sold or leased, or installed after” February 16, 2020).

needed to comply with the direct dial and notification requirements of Kari's Law."⁸

Moreover, Kari's Law contains evidence that Congress did not intend for its new 911 statutes to be implemented in a manner that requires costly upgrades to MLTS.⁹ That said, ACA expects that granular location information will continue to be collected, as it is today, for many MLTS that are exempt from any dispatchable location requirement the Commission may adopt.

Finally, ACA notes that a Commission rule requiring dispatchable location for MLTS and other 911-calling platforms could overlap with laws currently in effect in the states. Tracking compliance with different states' 911 laws already creates significant burdens for providers that operate in multiple states. Introducing a federal law would complicate the picture even further, and would be particularly burdensome for smaller providers with fewer resources to navigate overlapping federal and state regimes. If the Commission moves forward with dispatchable location requirements, ACA encourages it to do so in a manner that avoids increasing the complexity of providers' obligations in this area.

⁸ See NPRM, ¶ 87.

⁹ See 47 U.S.C. § 623(c) (exempting from on the on-site notification requirement an MLTS that cannot be configured to provide the notification "without an upgrade to the software or hardware of the system").

ACA appreciates the opportunity to comment on the NPRM, and it encourages the Commission to take its comments into account as it moves forward in this proceeding.

Respectfully submitted,



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