ORIGINAL

RECEIVED

JAN - 9 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems	)	CC Docket No. 94-102
	)	RM-8143

DOCKET FILE COPY ORIGINAL

COMMENTS OF
COMSAT CORPORATION

COMSAT Corporation, through its COMSAT Mobile Communications division ("COMSAT"), the designated U.S. Signatory to the International Maritime Satellite Organization ("Inmarsat"), submits these comments in the above-captioned proceeding.

The Commission issued its Notice of Proposed Rule Making ("NPRM"), in part, to seek to ensure that customers of wireless services have the same level of access to 911 emergency calling services as wireline customers.[1] As a global provider of wireless services, COMSAT has from the beginning advocated the value of mobile radio services for the provision of emergency and distress communications. COMSAT, therefore, has a strong interest in the Commission's proposed rules.

I. COMSAT's Services

As U.S. Signatory to Inmarsat, COMSAT provides an evolving range of international mobile satellite services ("MSS") to its maritime, aeronautical and land mobile customers, which are

[1] In the Matter of Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, RM-8143, "Notice of Proposed Rule Making," FCC 94-237 (released October 19, 1994)("NPRM") at para. 37.

No. of Copies rec'd 0+5
List ABCDE

transitioning from analog to digital services with an accompanying decrease in terminal size. COMSAT's existing real-time voice services include Inmarsat-A, -B, and -M.[2] Inmarsat-A service is Inmarsat's analog voice service which allows for toll quality voice, telex, data, compressed video and facsimile communications throughout the world. Inmarsat-B is the digital successor to Inmarsat-A, offering comparable reliability and quality for voice, facsimile and telex. Inmarsat-M, another digital service, uses compact, inexpensive terminals to offer voice services, initially. Inmarsat-M is especially attractive when the customer has neither the space nor the economic justification for a large Inmarsat-A/B installation.

Inmarsat is currently developing two new digital services: the Inmarsat "Mini-M" and "P". Mini-M service is similar to the existing Inmarsat-M service described above, but will use even smaller and lower cost laptop-size terminals. The Mini-M service, which is planned to be commercially available in 1996, is designed to employ the spectrum-efficient spot-beams on the Inmarsat third-generation satellites. The "P" is a proposed "handheld" service to be offered by the year 2000. The P, unlike the geostationary-satellite-based Inmarsat-A, -B, -M and the planned Mini-M will require a new constellation of satellites in intermediate circular orbit, and will be provided through an

---

[2] COMSAT also provides Inmarsat-C, which is a digital, low-speed, store-and forward, data-only service, but the FCC's NPRM proposes to impose the enhanced 911 compatibility requirements on real-time voice services only. See NPRM at para. 38.

Affiliate that will be independent of the Inmarsat organization.

II. The FCC's Proposed Rules Should Not Apply to COMSAT's Existing Services

The FCC's proposed rules would require all providers of wireless services to ensure that their systems are compatible with the enhanced 911 emergency calling features that are currently available to users of the wireline telephone network. However, COMSAT believes that the existing services listed above should be excluded from the FCC's rules.

A. Maritime

COMSAT's maritime customers located in international waters are not subject to the FCC's proposed enhanced 911 rules. However, COMSAT also provides Inmarsat services to domestic and international customers within U.S. jurisdictional waters, where the FCC's proposed compatibility rules could arguably apply. Regardless of a ship's location, COMSAT's provision of maritime services should be excluded from the FCC's proposed rules, because the existing Inmarsat-A, and -B terminals meet the requirements of the Global Maritime Distress and Safety System ("GMDSS"), and thus are already equipped to route emergency calls from maritime users to the appropriate rescue agencies, consistently with internationally-agreed procedures.[3]

The Inmarsat-A and -B maritime terminals operate within GMDSS requirements, established by the International Maritime

[3] The question of accepting the Inmarsat-M as part of GMDSS is under consideration in the International Maritime Organization ("IMO").

Organization ("IMO"). For example, when an emergency posing grave and imminent danger arises aboard a ship carrying a GMDSS-conforming terminal, a distress button on the terminal is used to transmit a distress alert to the appropriate rescue coordinating center ("RCC") in the United States. The RCC then forwards the message to the proper Coast Guard Station for response. These distress alert messages preempt all non-emergency transmissions, and are transmitted without charge, as mandated by the SOLAS Convention and the Communications Act of 1934.

Because COMSAT's maritime customers already rely on the internationally approved systems and procedures of the GMDSS to route distress and safety messages, the FCC's enhanced 911 rules are unnecessary and undesirable for maritime users of Inmarsat terminals, even when they are located in U.S. waters. In the maritime context, the Commission's proposed rules would only impose additional and duplicative requirements for the transmission of emergency calls. Further, the FCC's proposed rules would cause confusion among maritime users uncertain where and when to use the distress button, versus dialling "911". Excluding COMSAT's maritime services, therefore, will avoid the confusion and the additional costs that would result from the FCC's imposition of an overlapping emergency call-routing system.

B. Aeronautical and Land Mobile

Although COMSAT provides mobile satellite communications on a global basis, the FCC's domestic MSS policy will prevent COMSAT from serving aeronautical and land mobile customers within the

United States, generally, once the first American Mobile Satellite Corporation ("AMSC") satellite is operational. Until COMSAT is allowed unrestricted access to serve its customers within the U.S. market, the Commission's enhanced 911 rules should not apply to these Inmarsat services.

In authorizing American Mobile Satellite Corporation ("AMSC") to construct and operate the U.S. MSS system, the FCC determined that it would license only one provider of aeronautical and land mobile services within the domestic United States.[4] The FCC has since ruled that all providers of interim domestic services must transition their customers to AMSC within 180 days of launch of AMSC's first satellite.[5] Under these policies, COMSAT is presently permitted to provide domestic aeronautical and land mobile service only as authorized by the FCC on a case-by-case basis. Because these customers represent a very small portion of COMSAT's global market, and because present policies require COMSAT to transition domestic customers to AMSC once its first satellite is launched -- currently scheduled for March, 1995 -- it would be unreasonable and unduly burdensome to impose the FCC's enhanced 911 compatibility rules for this limited use of Inmarsat services.

---

[4] See Memorandum Opinion, Order and Authorization, 4 FCC Rcd 6041 (1989); Final Decision on Remand, 7 FCC Rcd 266 (1992), aff'd sub nom Aeronautical Radio, Inc. v. FCC, 983 F.2d 275 (D.C. Cir. 1993).

[5] AMSC, et al., 8 FCC Rcd 6310 (1993), modifying AMSC, et al., 7 FCC Rcd 942 (1992); Aeronautical Radio, Inc., 7 FCC Rcd 1006 (1992).

If the FCC were to impose its enhanced 911 compatibility rules on COMSAT's existing domestic services, it would significantly increase the cost to customers for equipment and service without providing appreciable benefits. COMSAT would need to modify the system's Land Earth Stations ("LESs") to comply with the FCC's routing and caller information requirements, which would involve significant expense and lead-time. Ultimately, these costs would have to be passed on to COMSAT's customers through higher rates. In addition, most of the Inmarsat terminals currently in use are not equipped to provide the position location information that the FCC's rules would require. These terminals would need to be retrofitted to add a Global Positioning System ("GPS") function, or a similar technology adding expense and causing substantial inconvenience for existing customers.

Moreover, compatibility of Inmarsat's existing terminals with enhanced 911 features is not necessary to meet the FCC's objectives. In its NPRM, the FCC expresses concern that wireless customers, who are placing 911 emergency calls in increasing numbers, expect the same level of service that is available from wireline carriers.[6] COMSAT's existing U.S. customers neither expect, nor require, access to enhanced 911 services through their Inmarsat terminals.

Domestic users of COMSAT's service are national and international news organizations, U.S. government, state and

---

[6] See NPRM at para. 37.

local agencies, and international businesses. National and international relief organizations also account for a large percentage of domestic Inmarsat land mobile usage. These agencies, such as the International Red Cross and FEMA, operate disaster and relief efforts worldwide, and count on the availability and reliability of Inmarsat service in situations where other means of communications are unavailable. These international groups are familiar with the capabilities of their Inmarsat terminals and have established procedures for their use in emergencies. These customers do not expect to access the domestic 911 system through their Inmarsat terminals.

COMSAT's customers are sophisticated users of mobile radio services, who pay between $11,000 and $35,000 for their Inmarsat terminals. Because of the relatively higher satellite tariffs, customers use their Inmarsat terminals within the United States for discrete and limited purposes, unlike cellular and PCS customers who may rely on their wireless telephones for all of their mobile communications needs. Special dialling requirements also put COMSAT customers on notice that the Inmarsat system does not provide enhanced 911 features. In order to place a call from an Inmarsat terminal, the customer must first dial the number of the LES they wish to connect through. COMSAT routes the call through the LES to the public switched telephone network ("PSTN"), and the call is then completed through the PSTN. In an emergency, a caller using any of Inmarsat's existing real-time voice services within the United States can reach an Land Earth

Station operator 24 hours a day, who can assist in directing the call. As a result of these special dialing requirements, COMSAT's customers are unlikely to expect 911 access from their specialized Inmarsat terminals, and, in any event, are aware of the availability of the LES operator for help in emergencies.

III. The Imposition of Domestic 911 Compatibility Requirements on Global Systems Raises Significant Concerns Which the FCC Should Consider Before Making a Decision

With respect to COMSAT's future service offerings, specifically the Mini-M and the Inmarsat-P services, it is not yet clear whether these services will be provided in a large scale in the domestic market. Nonetheless, the FCC's proposal to impose its detailed 911 compatibility standards on global systems like Inmarsat raises additional questions beyond the scope of this rulemaking.

For example, a decision to mandate that emergency calls placed over international satellite systems comply with domestic standards would establish an unfortunate precedent, and could lead other jurisdictions to impose similar unique requirements for operation within their borders. Such unique and varying requirements would be extremely burdensome to service providers hoping to operate in the worldwide market, and would ultimately increase the cost of these services to users.

In any event, the FCC must consider whether and how it will limit its enhanced 911 compatibility rules to "domestic" users of wireless services, especially in light of the international scope of most mobile satellite service providers. Complications arise

when trying to apply the proposed standards to messages originating from foreign ships, aircraft and business travellers within U.S. waters, airspace or on land.

The FCC should coordinate its efforts with respect to emergency messages with international regulatory bodies such as the International Telecommunication Union. Through such international fora, the FCC can push for adopting uniform procedures and protocols for the handling and routing of emergency messages.

IV. Conclusion

In summary, COMSAT believes that its existing services should be exempted from the FCC's proposed enhanced 911 compatibility requirements. COMSAT's maritime terminals are GMDSS-certified and equipped to route distress and safety messages to the appropriate rescue agencies in accordance with internationally agreed procedures. COMSAT's current domestic authority to serve aeronautical and land mobile customers, which is limited in both scope and duration, does not warrant imposition of the FCC's proposed rules. These customers neither need, nor expect, access to enhanced 911 emergency calling features.

Lastly, COMSAT believes that it the FCC's proposal to impose its domestic emergency calling requirements on global providers of wireless services raises significant issues that are beyond the scope of this proceeding. Such a decision could result in conflicting requirements, unnecessary costs, and user confusion.

COMSAT believes that international coordination is essential to allow users to enjoy the benefits of standardized emergency calling features without having to suffer the potential costs.

Respectfully submitted,

COMSAT CORPORATION

Alicia A. McGlinchey

Alicia A. McGlinchey

COMSAT Mobile Communications
22300 COMSAT Drive
Clarksburg, MD 20871
Its Attorney

January 9, 1995