



January 13, 2015

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

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

Dear Ms. Dortch:

On Friday, January 9, 2015, Laura Moy of New America's Open Technology Institute, and Harold Feld and Jodie Griffin of Public Knowledge (collectively, "consumer advocates"), met with Admiral David Simpson, Bureau Chief, and David Furth, Deputy Bureau Chief, of the Public Safety and Homeland Security Bureau in the above-captioned matter.

Consumer advocates expressed concern that the proposed rules to improve E911 location accuracy did not include specific privacy-related provisions, and that the proposed roadmap from CTIA, APCO, and NENA raised a number of significant privacy concerns. As consumer advocates explained in comments filed with the Bureau on December 15, the roadmap proposes the creation of a National Emergency Address Database ("NEAD") without explaining how that database would be hosted and protected, describes the deployment of "beacon" technology that could be vulnerable to exploitation by third parties, and raises questions about whether and how existing FCC privacy regulations will apply to new location technologies.<sup>1</sup>

Consumer advocates stated that it is important for the Commission to consider and resolve privacy concerns regarding location information at this

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<sup>1</sup> See Comments of Public Knowledge et al., *Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114 (Dec. 15, 2014), available at <http://apps.fcc.gov/ecfs/document/view?id=60001009740>.

stage, before the new E911 system is designed and implemented. If carriers understand now what privacy and security protections must be built into the E911 system, they can design the system to incorporate those protections from the ground up. Not only must the Commission provide clear guidance with respect to privacy expectations at every point along the E911 design process, but privacy advocates and other representatives of the public should be included at every point as well.

Consumer advocates argued that if the Commission cannot conclusively resolve all privacy concerns at this point in the E911 process, it should commit to issuing a Further Notice of Proposed Rulemaking on privacy questions that arise in the E911 context to address those concerns in the near future. Consumer advocates explained that the Commission can rely on a number of sources of authority to pass new privacy regulations, including the § 201(b) just and reasonable standard, its § 222 authority governing CPNI, its §§ 303(b) and (r) authority to set service rules, its § 338 satellite privacy authority, and its § 551 cable privacy authority.

Specifically with respect to the proposed NEAD, consumer advocates emphasized that the NEAD must never be shared with third parties, and must be carefully protected against any use that is not a direct E911 request.

Consumer advocates emphasized their continued attention to privacy concerns arising in the E911 context, and asked that any additional implementation plans—whether privacy-specific or otherwise—be released on public notice for privacy advocates and other members of the public to examine.

Respectfully submitted,

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