

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
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911 Call-Forwarding Requirements for ) PS Docket No. 08-51  
Non-Service-Initialized Phones )  
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**COMMENTS OF VERIZON**

The Commission should not adopt the rule change proposed in the *NPRM*.<sup>1</sup> Prank and fraudulent 911 calls plague PSAPs in many parts of the country and undermine PSAPs’ abilities to effectively manage incoming 911 calls and serve legitimate 911 callers. This serious problem presents real challenges to the public safety community. But allowing or requiring a carrier to block 911 calls from handsets identified as non-service initialized (“NSI”) would risk blocking many legitimate 911 calls every year, including calls from service-initialized handsets in some cases. Before the Commission adopts a rule change that risks such an adverse impact on public safety, it should direct the CSRIC to recommend alternative and better-targeted practices to prevent and mitigate the impact of fraudulent 911 calls, and convene a multi-stakeholder workshop to discuss those alternatives.

**I. ABANDONING THE CURRENT RULE NOW WOULD PUT LEGITIMATE 911 CALLS AT RISK.**

The Commission should exercise caution before allowing or requiring wireless carriers to block NSI 911 calls. Many users of NSI handsets call 911 in legitimate emergencies, and

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<sup>1</sup> *911 Call-Forwarding Requirements for Non-Service-Initialized Phones*, Notice of Proposed Rulemaking, PS Docket No. 08-51, FCC 15-43 (2015) (“*NPRM*”).

blocking those calls risks preventing a significant number of those legitimate 911 calls from reaching PSAPs. Even if just a small percentage of these 911 calls are legitimate, blocking them would prevent those callers from reaching help in emergencies.

The process used to block 911 calls from handsets identified as NSI would also snare many 911 calls actually made from service-initialized handsets, as the *NPRM* acknowledges.<sup>2</sup> To block NSI 911 calls, wireless providers would apply the authentication procedures used to verify a handset's service-initialized status for non-911 calls. For non-911 calls, the carrier handling the call verifies that the handset is in service by checking device registration databases maintained at its mobile switching centers ("MSCs"). But in some situations, those authentication procedures identify service-initialized handsets as NSI for short periods of time.

For example:

- When a customer roams from its own carrier's network to another carrier's visiting network, it takes a short period of time for the visiting network to locate and authenticate the handset as service-initialized. A 911 call made from the service-initialized handset during that interim period will appear to the network as NSI.
- A similar process occurs when a customer roams from a coverage area served by a wireless provider's MSC into the same provider's adjacent MSC coverage area. Verizon has shortened the re-authorization period in those cases, but a 911 call made from the service-initialized handset during that period will appear as NSI.
- When a handset has lost its connection to a network – for example, when first powered on, or when re-connecting with a network after traveling through an area with weak signal strength – it can take a short period of time for the network to recognize the handset again as service-initialized. A 911 call from the service-initialized handset will appear as NSI until it is re-authenticated.

Wireless carriers bypass the authentication procedures for 911 calls to comply with the current rule, an approach that also enables carriers to deliver 911 calls from service-initialized handsets

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<sup>2</sup> *NPRM* ¶ 35.

in these situations. Blocking all calls to 911 from handsets identified as NSI would instead prevent 911 calls under those conditions from reaching public safety.

Wireless carriers might be able to take measures to reduce the duration or frequency of these situations, but would not be able “to ensure that such service-initialized devices could still call 911”<sup>3</sup> without significant new investment in older technologies. Carriers and network vendors have designed their services and products in reliance on the current rule for nearly 20 years. Even applying existing handset authentication processes to NSI 911 calls would take much longer than the six months proposed in the *NPRM*. Refining those processes further to try to deliver all 911 calls from service-initialized devices to PSAPs would require new technical standards and upgrades of existing network architecture. Developing and deploying those solutions would take years, not months. They also would coincide with network architecture vendors’ migration away from older technologies, making development of new solutions for those older technologies even more challenging.

## **II. THE COMMISSION SHOULD DIRECT THE CSRIC TO CONVENE MULTI-STAKEHOLDER WORKSHOPS TO CONSIDER ALTERNATIVES.**

A multi-stakeholder approach of subject matter experts, with public safety stakeholders playing the primary role with support from the wireless industry, will best address the problem of fraudulent 911 calls from NSI handsets. As the Commission explained when it first adopted the rule requiring delivery of 911 calls from NSI handsets, PSAPs “can administer their own operations and decide how to manage incoming calls.” That can include using methods “that will allow them to screen out or identify many types of fraudulent calls or those where call back

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<sup>3</sup> *Id.*

is not possible.”<sup>4</sup> The Commission thus established clear principles of responsibility and accountability in the 911 arena that remain just as valid today.

As a first step, the Commission should direct the CSRIC and multi-stakeholder workshops to consider the viability of alternatives to eliminating the current rule. These fora should address a number of different non-regulatory approaches, including:

- The feasibility of developing technical solutions in today’s innovative and diverse public safety communications ecosystem that cull fraudulent 911 calls at PSAP networks and 911 call-taker equipment. The “Good Samaritan” liability protections typically enjoyed by PSAPs should help foster innovation for these types of solutions.
- Educating consumers about the affordability and public safety benefits of purchasing service-initialized handsets. Wireless services are far more affordable now than they were in 1996, and available from a variety of service providers. And service-initialized handsets give consumers the benefit of E911 ANI/ALI and text-to-911 in areas where PSAPs offer those services.
- Developing targeted charitable programs that offer 911-only or service-initialized handsets that include E911 and callback capability, similar to programs that the wireless industry already supports for victims of domestic violence.<sup>5</sup>
- Developing audience-appropriate public information campaigns, including public service announcements, to discourage misuse of the 911 system and encourage consumers to return their old handsets to providers’ retail establishments and not give them to third parties.
- Working with state legislatures to establish or toughen criminal penalties for fraudulent 911 calls where appropriate.

These efforts would address the problem of fraudulent 911 calls in a more targeted way than the *NPRM* proposes, while allowing carriers to deliver legitimate 911 calls to PSAPs in real emergencies.

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<sup>4</sup> *Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Memorandum Opinion and Order, 12 FCC Rcd 22665, ¶ 37 (1997).

<sup>5</sup> See, e.g., HopeLine from Verizon, <http://www.verizon.com/about/hopeline> (viewed June 5, 2015).

### III. CONCLUSION.

The Commission should not adopt the proposed rule change. Eliminating the current rule now would jeopardize legitimate 911 calls made on wireless networks, including many calls from service-initialized handsets. The Commission should instead direct the CSRIC and convene workshops to consider alternate non-regulatory approaches.

Respectfully submitted,

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