



PUBLIC NOTICE

Federal Communications Commission
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**COMMENT SOUGHT ON REQUEST FOR FURTHER CONSIDERATION OF CALL
BACK NUMBER ISSUES ASSOCIATED WITH NON-SERVICE INITIALIZED
WIRELESS 911 CALLS**

(CC Docket No. 94-102, WT Docket No. 00-80)

Comments Due: June 19, 2000
Reply Comments Due: July 5, 2000

On April 28, 2000, the Texas 911 Agencies,¹ the National Emergency Number Association (NENA), the Association of Public-Safety Communications Officials-International, Inc. (APCO) and the National Association of State Nine-One-One Administrators (NASNA) (collectively, the Public Safety Entities) filed a letter with the Federal Communications Commission (Commission) seeking further consideration of call back number issues associated with non-service initialized 911 calls.

Phase I Enhanced 911 rules require that a dialable number accompany each 911 call to enable Public Safety Answering Points ("PSAPs") dispatchers to either call back if the call is disconnected or obtain additional information.² In its *E911 First Report and Order*, the Commission recognized that it would not always be possible for carriers to provide reliable call back numbers for all wireless 911 calls.³ Thus, the Commission exempted covered carriers⁴ from

¹ The Texas 911 Agencies are comprised of the Texas Commission of State Emergency Communications (a state agency) and the following local Texas Emergency Communications Districts: Tarrant County 911 District, Bexar Metro 911 Network, Brazos County Emergency Communication District, DENCO Area 911 District, 911 Network of East Texas, Galveston County Emergency Communication District, Greater Harris County 911 Emergency Network, Henderson County 911 Communication District, Howard County 911 Communication District, Kerr Emergency 911 Network, Lubbock County Emergency Communication District, McLennan County Emergency Assistance District, Midland Emergency Communication District, Montgomery County Emergency Communication District, Potter-Randall County Emergency Communication District, and Texas Eastern 911 Network.

² 47 C.F.R. § 20.18(d).

³ In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Report and Order and Further Notice of Proposed Rulemaking*, 11 FCC Rcd 18676, 18694-96 ¶ 35, 38 (1996) (*E911 First Report and Order*).

⁴ Covered Carriers are Broadband Personal Communication Services, Cellular Radio Telephone Services, and Geographic Area Specialized Mobile Radio Services and Incumbent Wide Area SMR Licensees in the 800

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providing reliable call back numbers to PSAPs in cases where the wireless telephone is not associated with a dialable telephone number, such as those designed or offered on an originate-only rate plan or those never initialized with an underlying carrier service.⁵

The Public Safety Entities note that, increasingly, refurbished wireless telephones are being distributed by many organizations. While not challenging the benefits of these donations, the Public Safety Entities note that these distributed telephones and other 911-only non-serviced initialized telephones, may not provide valid call back emergency information even when used in areas where 911 Phase I services have been implemented. The Public Safety Entities assert that increased sales and use of these wireless telephones create a public safety concern that should be further considered. Accordingly, the Public Safety Entities request that the Commission seek additional comment concerning call back capabilities for non-serviced initialized handsets and address whether further Commission action, such as technical solutions or educational programs, is needed or appropriate.

This is a "permit but disclose" proceeding pursuant to §1.1206 of the Commission's rules. Presentations to or from Commission decision-making personnel are permissible provided that *ex parte* presentations are disclosed pursuant to 47 C.F.R. §1.1206(b).

Parties interested in filing comments may do so on or before June 19, 2000; reply comments are due on or before July 5, 2000. To file formally, parties must submit an original and four copies to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., TW-A325, Washington, D.C. 20554. In addition, parties must submit one copy to Jay Whaley, Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. The Public Safety Entities letter can be found in the following dockets: CC Docket No. 94-102 and WT Docket No. 00-80. Comments and reply comments will be available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554.

For further information concerning this proceeding, contact Jay Whaley, Policy Division, Wireless Telecommunications Bureau at (202) 418-1310.

MHz and 900 MHz bands to the extent that they offer "in-network" switching, and have the capability to hand off calls seamlessly without manual subscriber intervention and reuse of frequencies. 47 C.F.R. § 20.18(a).

⁵ In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Memorandum Opinion and Order*, 12 FCC Rcd 22665, 22718-19 ¶ 109-110 (1997) (*First Reconsideration Order*).