

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

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Revision of the Commission's )  
Rules to Ensure Compatibility )  
with Enhanced 911 Emergency )  
Calling Systems )

CC Docket No. 94-102

WT Docket No. 00-80

**COMMENTS OF AT&T WIRELESS SERVICES, INC.**

AT&T Wireless Services, Inc. ("AT&T"), by its attorneys, hereby responds to the Commission's Notice requesting comments on call back number issues associated with non-service initialized wireless 911 calls.<sup>1/</sup> The Public Safety Entities have requested that the Commission reconsider this issue in light of the distribution of refurbished wireless telephones by certain non-profit organizations, and the increased sales and use of 911-only non-service initialized telephones.<sup>2/</sup> The Public Safety Entities assert that the use of these 911-only non-service initialized telephones, which may not provide valid call back emergency information even when used in areas where 911 Phase I services have been implemented, is creating public safety concerns.

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<sup>1/</sup> See Public Notice, 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 (rel. May 18, 2000) ("Notice").

<sup>2/</sup> Letter from Rupaco T. Gonzalez, Jr. and Richard A. Muscat on behalf of the Texas 9-1-1 Agencies, the National Emergency Number Association, the Association of Public-Safety Communications Officials-International, Inc., and the National Association of State Nine-One-One Administrators, to Magalie Roman Salas, Secretary, Federal Communications Commission 2-3 (April 28, 2000) ("Public Safety Entities Letter").

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List A B C D E

The Public Safety Entities provide no grounds for reconsideration of the Commission's decision not to require call back numbers for non-service initialized phones. Only a handful of refurbished phones are being distributed by civic and charitable organizations, and the for-profit marketing of 911-only phones likewise has placed only a relatively few handsets in circulation. The substantial cost of ensuring that these phones provide reliable call back numbers -- if it is technically feasible at all -- would far outweigh the meager benefits of such an effort. The commercial availability of 911-only phones is an unintended consequence of the Commission's rules requiring wireless carriers to forward all 911 calls without respect to their call validation processes,<sup>3/</sup> notwithstanding the fact that non-service initialized phones do not provide reliable call back numbers.<sup>4/</sup> The most reasonable solution to the marketing of such phones would be for the Commission to reverse its existing policy requiring carriers to forward all 911 calls, but that would deprive some consumers of the ability to contact an emergency service provider.

In particular, the distribution of non-service initialized wireless handsets by civic and charitable organizations provides immense benefits to the recipients, even if such phones do not provide call back number capability. The Commission should not take any action that will discourage organizations and wireless carriers from providing refurbished phones to those who

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<sup>3/</sup> See 47 C.F.R. § 20.18(b); Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Memorandum Opinion and Order, 12 FCC Rcd 22665, at ¶¶ 33, 108 (1997) ("Reconsideration Order"). In fact, some retailers of 911-only phones use the Commission's rules requiring wireless carriers to transmit all 911 calls even if the consumer does not subscribe to wireless service as a promotional tool. See "Mobile 911" <[http://www.mobile911.com/all\\_about/faq.asp](http://www.mobile911.com/all_about/faq.asp)> (attached hereto as Exhibit 1)

<sup>4/</sup> See, e.g., Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 18676, 18696 ¶¶ 37-38 (1996); Reconsideration Order at ¶¶ 109-110.

need access to emergency services but can least afford to purchase a wireless handset or service by raising the costs of providing such phones.

Requiring wireless carriers to provide call back number information for every 911 call is not a reasonable response to the issue of non-service initialized phones. The costs of such a solution would be astronomical. Locating customers and delivering calls is among the most complex aspects of operating a wireless network.<sup>5/</sup> For example, AT&T's system for locating customers and delivering calls to them requires that two unique identifiers, the Mobile Identification Number ("MIN") assigned by the subscriber's carrier and the Electronic Serial Number ("ESN") programmed into the handset by the manufacturer, be present in both the handset and the Home Location Register ("HLR").<sup>6/</sup> Non-service initialized handsets do not provide a valid call back number because they do not have a unique MIN and the network cannot track the location of multiple handsets with the same MIN.<sup>7/</sup> Other handsets may not provide valid call back number information for different but related reasons -- because the phone is programmed with an invalid MIN, because the ESNs in the handset and the HLR do not match, because the phone has been temporarily or permanently disconnected from the HLR, or because the phone is restricted from receiving incoming calls.<sup>8/</sup>

In order to provide a call back number for all wireless 911 callers, AT&T would likely have to design a parallel call-delivery system.<sup>9/</sup> This system would require major changes to the

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<sup>5/</sup> Declaration of John Snapp at ¶ 2 ("Snapp Declaration") (attached hereto as Exhibit 2).

<sup>6/</sup> Id. at ¶ 3.

<sup>7/</sup> Id.

<sup>8/</sup> Id. at ¶ 4.

<sup>9/</sup> Id. at ¶ 5.

way mobile switching centers receive and process calls from many classes of phones, and it would be very difficult for these call back numbers to work across switch boundaries. Because most major markets have multiple mobile switching centers, there are a large number of switch borders that a phone might cross. Any system that allows restricted phones to receive calls also presents a significant fraud risk. The network costs for designing and building such a system could reach millions of dollars and would most likely exceed the network costs of implementing Phase I and Phase II E-911 combined and approach the network costs associated with implementing CALEA.<sup>10/</sup> The costs of requiring carriers to construct alternative delivery systems that provide a valid call back number for non-service initialized phones would far outweigh the benefits, given the limited number of such phones.

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<sup>10/</sup> Id.

## CONCLUSION

The Commission carefully considered the costs and benefits of requiring carriers to forward all 911 calls, even though non-service initialized phones do not provide reliable call back numbers. The Public Safety Entities have not provided any grounds to modify the Commission's decision not to require call back numbers for non-service initialized phones. Mandating alternative delivery mechanisms would impose a staggering and disproportionate financial burden on carriers, given the relatively few non-initialized phones in the marketplace. It would also discourage parties from making emergency wireless phones available for distribution by civic and charitable organizations. The Commission should continue to exempt covered carriers from providing reliable call back numbers to PSAPs when the wireless handset is not associated with call back number capability.

Respectfully submitted,

AT&T WIRELESS SERVICES, INC.

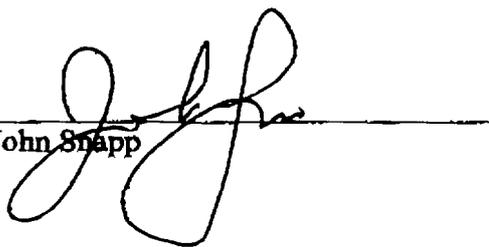
  
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Of Counsel

June 19, 2000

John Snapp

A handwritten signature in black ink, appearing to read 'John Snapp', is written over a horizontal line. The signature is stylized and cursive.

Executed on June 19, 2000

DCDOCS 173253.1(3P) (01/18/00)

**CERTIFICATE OF SERVICE**

I, Andrea Willis, hereby certify that on this 19th day of June 2000, I caused copies of the foregoing "Comments of AT&T Corp." to be sent to the following by either first class mail, postage prepaid, or by hand delivery (\*):

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Andrea Willis



MAGNAVOX

## Frequently Asked Questions

- Will I be able to speak directly to a live 911 operator?
- So what exactly is an emergency anyway?
- Wait a second, can't a cell phone call 911, too?
- Are there really no monthly service fees or contracts to sign?
- Does Magnavox Mobile911 work everywhere?
- How will the 911 operator know where I am?
- How loud is 95 decibels?
- How do I keep Magnavox Mobile911 charged?
- Where can I get Magnavox Mobile911?
- How big is Magnavox Mobile911?
- How do I contact Magnavox Mobile911?
- Will I be able to speak to the 911 operator while the alarm is going off?
- What happens if I am not completely satisfied?
- I understand that some carriers will not forward 911 calls unless you are one of their customers. Is this true?

### **Will I be able to speak directly to a 911 operator?**

Yes, just press the large 911 button and you'll be instantly connected to a live 911 operator.

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### **So what exactly is an emergency anyway?**

An emergency is when immediate police, fire department, or medical assistance is necessary to protect life or property.

If an emergency situation arises — a crime, a fire, a serious injury or illness — ask yourself whether police, fire department, or medical assistance is needed right now to protect life or property. If YES, then immediately dial 911 and advise the 911 operator of what has happened or is happening.

Call 911 whenever you believe there is an emergency. If you are not sure it's a real

emergency, dial 911 and the 911 operator will make the final determination.

If the 911 system receives several calls at the same time, emergency services handle these multiple call on a priority basis. The most serious emergency will be handled first.

No money is needed for calling 911 from a pay phone. If there is an emergency, you can just pick up a pay phone, wait for a dial tone, and dial 911 without depositing a coin.

### **WHEN CALLING 911**

- Stay calm. Give your name, location, and the nature of the emergency.
- Listen carefully to the 911 operator.
- Answer the 911 operator's questions as accurately as possible. Speak clearly and slowly.
- Do exactly as the 911 operator tells you during the course of the call.
- Never hang up on the 911 operator until you are told to do so. If you hang up and redial, your call will go to the end of the line of people waiting for service.

### **NON-EMERGENCY SITUATIONS**

Do not dial 911 for non-emergency situations. For non-emergency situations such as noisy neighbors or stolen hub caps, use your police department's regular phone number, never 911.

Never tell a 911 operator that a situation is more serious than it really is. It is against the law to intentionally and knowingly give false information to the police or emergency services. Abuse of 911 may delay someone else's access to emergency assistance.

*Crime Prevention Tips From: National Crime Prevention Council, 1700 K Street, NW, Second Floor, Washington, DC 20006-3817.*

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**Wait a second, can't a cell phone call 911, too?**

Well, yes. In fact, Magnavox Mobile911 isn't intended to compete with a cell phone. Its

sole purpose is to help people react to trouble quickly and easily. Cell phones simply aren't designed for that. If you're in an emergency situation, the last thing you want to do is fumble with a small key pad to press the power button, then punch in the number, followed, in some cases, by your PIN number, and hit "Send." With Magnavox Mobile911, it's as simple — and quick — as pressing a single button. It runs on four long-lasting AAA alkaline batteries, so it never needs recharging. Plus, it is equipped with an ear-splitting 95-decibel alarm — alerting others for attention or help.

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**Are there really no monthly service fees or contracts to sign?**

None. The only cost to you is the initial purchase cost. After that, all you have to do is check the four long-lasting AAA alkaline batteries once a year. Because Magnavox Mobile911 is designed to call only 911, that means there are:

- no roaming charges
- no complicated calling plans
- no service fees of any kind

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**Does Magnavox Mobile911 work everywhere?**

The 911 Emergency Network currently covers 93% of the U.S. population. So anywhere an analog cell phone works, Magnavox Mobile911 will too. And you can always check to see whether you're in an area with available analog cellular service simply by pressing Mobile911's Signal Test Button.

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**How will the 911 operator know where I am ?**

Magnavox Mobile911 has two-way voice capability which 911 call centers require. Like all cellular phones, Mobile911 does not automatically provide 911 operators with your location. It's important to tell the

operator your location when you call 911.

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### **How loud is 95 decibels?**

This is an important question. Many studies have shown that when a person is in trouble, the best thing to do is make noise — loud noise. Our built-in alarm is the equivalent of a car alarm.

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### **How do I keep Magnavox Mobile911 charged?**

You don't. Magnavox Mobile911 runs on four long-lasting AAA alkaline batteries. That means you can take it anywhere and never have to worry about it being ready or charged when you need it to be. We recommend that you replace the Duracell batteries once a year, as you would with your smoke detectors. [BACK TO TOP](#)

### **Where can I get Magnavox Mobile911?**

Ordering one is easy. Just use the secure online ordering form or call us at 1-888-849-6884, and we'll send one out to you right away. And if for any reason you're not satisfied with your Magnavox Mobile911, we'll gladly accept it back and issue you a full refund within 30 days. No questions asked.

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### **How big is Magnavox Mobile911?**

Smaller and lighter than most cell phones, the Magnavox Mobile911 weighs only five ounces and fits easily into the palm of your hand. It also comes with a convenient belt clip.

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### **How do I contact Magnavox Mobile911?**

We're always eager to hear what customers have to say about our products, so we've

have to say about our products, so we've made getting in touch with us a breeze. Either call 1-888-849-6884, 24 hours a day, 7 days a week. Or e-mail us anytime at [info@mobile911.com](mailto:info@mobile911.com).

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**Will I be able to speak to the 911 operator while the alarm is going off?**

The alarm automatically disengages once the 911 button has been pressed. The alarm can be activated again after the 911 call has ended.

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**What happens if I am not completely satisfied with my Magnavox Mobile911?**

The Magnavox Mobile911 comes with a 30-day money back guarantee. If you are not completely satisfied, return it for a full refund. No questions asked.

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**I understand that some carriers will not forward 911 calls unless you are one of their customers. Is this true?**

This is not true. The FCC rules require wireless carriers to transmit all 911 calls without engaging in billing or validation procedures. Calls from subscribers and non-subscribers alike must be forwarded, without delay, to the appropriate public safety operator, pursuant to an FCC order issued on December 1, 1997 (in CC Docket No. 94-102). The FCC has stated that assuring prompt delivery of all 911 calls promotes safety of life and property. Most carriers in the country have met these requirements, however, some may still be in the process of bringing their call processing systems into compliance. If you identify an area where calls are delayed or where a carrier is not passing 911 calls directly to the public safety operator, please contact SecureAlert at 1-888-799-9276 and we will help to remedy the situation.

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Comments or Questions? [info@mobile911.com](mailto:info@mobile911.com)



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## **DECLARATION OF JOHN SNAPP**

1. My name is John Snapp. I am employed as Senior Member Technical Team with AT&T Wireless Services, Inc. ("AT&T"). In this position, I am responsible for industry standards, network design and the implementation of E9-1-1 Phase I and II for the AT&T Wireless network.

2. Locating customers and delivering calls to them are two of the most complex aspects of operating a wireless network.

3. AT&T's system for locating customers and delivering calls to them requires that two unique identifiers, the Mobile Identification Number ("MIN") and the Electronic Serial Number ("ESN"), be present in both the handset and the Home Location Register ("HLR"). The MIN is a unique ten digit number (usually the area code and telephone number) assigned to the customer's handset by AT&T when the customer subscribes to the AT&T service. The MIN identifies the home carrier (AT&T) and the subscriber. The ESN is a 32-bit number programmed onto an electronic chip by the handset manufacturer. The ESN uniquely identifies the handset and its manufacturer. The HLR is a mobile location database that contains the customer's permanent database record. Within the HLR, the MIN and ESN are matched up to uniquely identify a mobile in the network. When a mobile is turned on, it transmits its ESN and MIN to the local cellular system from which it is receiving a signal. This system, based on the MIN that it receives, sends a message (registration) to the customer's HLR with this MIN and ESN. The HLR verifies the MIN/ESN pair and updates its database with the current mobile switching center ("MSC") that the mobile is connected to. The HLR then sends a message back to the serving MSC indicating that that mobile is valid. When a mobile is called, the HLR, knowing what MSC this mobile is connected to, notifies that MSC that this specific mobile has

an incoming call. The MSC pages the mobile based on the MIN and if the mobile is there, the mobile responds with its MIN and ESN. If the mobile responds properly, the call will be connected. The current cellular systems (HLRs and MSCs) are designed to track only one MIN/ESN pair. If the same MIN is programmed into more than one handset, the network can only track one of the handsets. This is one of the major problems with non-initialized or non-activated handsets. Typically they do not have a unique MIN and the network cannot track the location of multiple handsets with the same MIN.

4. Handsets do not provide a valid call back number if the phone is programmed with an invalid MIN (non-initialized phones), if the ESNs in the handset and the HLR do not match (an authentication issue), if the phone has been temporarily or permanently disconnected from the HLR (for example for non-payment), or if the phone is restricted from receiving incoming calls. Handsets falling into one of these categories constitute the vast number of handsets in circulation that do not provide a call back number.

5. In order to provide a valid call back number for every wireless 911 caller, AT&T would have to design and build a parallel call delivery system. This system would require major changes to the way mobile switching centers ("MSCs") receive and process calls from many classes of phones. It would be very difficult for these call back numbers to work across switch boundaries. Because most major markets have multiple MSCs, there are a large number of switch borders that the mobile might cross. Any system that allows restricted phones to receive calls also presents a significant fraud risk. The network costs for designing and building such a system could reach millions of dollars, and would most likely exceed the network costs of implementing Phase I and Phase II E-911 combined and approach the network costs associated with implementing CALEA.