

**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 WT Docket No. 00-80
)	

**COMMENTS OF THE WIRELESS CONSUMERS ALLIANCE, INC.
RE THE REQUEST FOR FURTHER CONSIDERATION
OF CALL BACK NUMBER ISSUES**

On May 18, 2000, the Commission requested comments concerning the request of certain parties (The Texas 9-1-1 Agencies, 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 called "Public Safety Entities") for further consideration of "call back number issues" associated with non-service initialized 911 calls. This request is set forth in a letter dated April 28, 2000, which recites paragraphs 109 and 110 of the *E911 First Memorandum Opinion and Order*.¹ Those paragraphs discuss the debate concerning the

¹ Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, RM-8143, Report and Order and Further Notice of Proposed Rulemaking, 12 FCC Rcd 22665 (1997).

feasibility of the call back method proposed by the Alliance² and the Commission asked for a “status report on this issue as part of their scheduled annual report to us.”³

The Public Safety Entities, CTIA, PCIA and the Alliance thereafter formed the Wireless E 9-1-1 Implementation Ad Hoc (“WEIAD”) to study the issues and report back to the Commission as directed. A WEIAD Callback Technical Workshop met on January 6 & 7, 1998, to define the problem and consider the possible solutions. It was agreed that the call back solution proposed by the Alliance was feasible and the issue was then whether or not the PSAPs were willing to pay for this capability. At that time, it was estimated that call back was only used one half of one percent of the time and NENA, APCO & NASNA did not believe that the cost of implementing call back justified the benefits.

The Call back Working Group recommended:

“1. Determine the percentage (with a reasonable degree of confidence) of 9-1-1 calls originating on wireless networks that cannot be called back and, if possible, categorize this subset according to the following reasons: (a) no roamer agreement, (b) lapsed subscriber, and (c) uninitialized mobile stations.

2. Based on the above stated determinations, if the percentage of situations where there is no call-back capability is already low (possibly under 2%), there may be little or no justification for further actions. Alternatively, if the estimated percentage is substantially higher, additional efforts to expeditiously identify and implement practical solutions may be warranted.

3. CTIA and PCIA initiate a ‘best effort’ initiative for the development and implementation of a nationwide (possibly North American) mechanism for the processing of technologically-compatible 9-1-1 calls originating on wireless systems.”

These recommendations are attached at “Appendix B” to the report of the WEIAD group filed with the Commission on January 30, 1998 in docket 94-102. The WEIAD agreed

² The Wireless Consumers Alliance is the successor to the Ad Hoc Alliance for Public Access to 911 (“Alliance”) mentioned in this paragraph.

that the wireless industry and the Public Safety groups were “to provide data or validating information concerning the approximate percentage of 9-1-1 calls (that originate on wireless systems) where call back capability would be needed or warranted.” Such data or information has never been provided, perhaps because the WEIAD dissolved over the refusal of CTIA to structure the process along guidelines proposed by APCO, which were supported by other members of the WEIAD.

The Public Safety Entities note that refurbished wireless phones are now being distributed to groups at risk. Attached to their April 28 letter are copies of news articles which describe some of these programs. Programs sponsored by the wireless industry and others take old wireless phones and “reprogram[.] them to dial 911 or a crisis hotline at the touch of a button.” “The phones will be sent to Motorola to be refurbished and programmed to dial emergency numbers.” Nothing is said about including one of the 911 call processing methods required by the Commission for phones manufactured after February 13, 2000 in such reprogramming. Nothing is said about the effect of programming a phone with a star number to call 9-1-1 if that phone is taken from the home area. These are issues which significantly impact the ability of at risk people to contact 9-1-1 in an emergency and should be considered in any review of the use of refurbished phones.

We agree with the Public Safety Entities that it is time to consider the impact of the distribution of refurbished wireless phones to at risk individuals who will rely on such phones for help in an emergency. Many, if not most, of these at risk people will be located in areas where wireless coverage is unreliable and we suggest that the Commission require that one of the approved 911 Call Completion Methods approved by

³ *E911 First Memorandum Opinion and Order*, ¶ 110.

the Commission be added during the reprogramming process. Furthermore, we suggest that the Commission require all such phones to have the unrestricted ability to dial 9-1-1 instead of *9-1-1 or some other single emergency number. We also suggest that such phones be programmed to require called party disconnect when 9-1-1 is dialed. All of these safety features can be incorporated with minimal expense and effort.

Finally, we believe that the Commission should require the Public Safety Entities and the Wireless Industry to provide data or validating information concerning the approximate percentage of 9-1-1 calls where call back capability would be needed or warranted as recommended by the WEIAD and direct the parties to resume their reports to the Commission as directed by the Commission in 94-102.

Respectfully Submitted,

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June 19, 2000