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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Adoption of 911 Requirements)
for Satellite Services)

IB Docket No. 99-67
(DA 00-2826)

COMMENTS OF NENA

The National Emergency Number Association ("NENA") hereby comments in response to the referenced Public Notice, released December 15, 2000, in the captioned docket. The Notice asks two general questions: (1) "Whether it would improve public safety and promote the overall public interest to eliminate the exception allowed to MSS carriers under the wireless 911 rules and require MSS carriers to provide 911 emergency services." (2) "What the terms of [any] rules should be, including relevant implementation time frames."

Our answer to the first question is affirmative, not only as a matter of policy but because we believe the Wireless Communications and Public Safety Act of 1999 (Notice, note 7) makes the use of 9-1-1 for emergency calling in the United States a legal requirement. Section 3(a) of the 1999 Act is clear on its face when it creates a new paragraph (3) of Section 251(e) of the Communications Act, 47 U.S.C. §251(e)(3):

The Commission . . . shall designate 9-1-1 as the universal emergency telephone number *within the United States* for reporting an emergency to appropriate authorities and requesting assistance. The designation shall apply to both wireline and wireless telephone service. (emphasis supplied)¹

¹ NENA analyzed the 1999 Act in relation to VHF public coast radio licensees in "Comments of NENA on Maritel Petition," submitted November 14, 2000 in CC Docket 92-105 and incorporated here by reference.

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This is not to say, necessarily, that the requirements for Global Mobile Personal Communications by Satellite (“GMPCS”) systems must be exactly the same as those for carriers presently covered by Section 20.18 of the Rules.² It does mean, in our view, that users of GMPCS telephony in the United States must dial or signal 9-1-1 to originate emergency calls.

As to the second question about the shape of any GMPCS emergency calling rules, NENA acknowledged two years ago that a task force of interested parties, perhaps within a negotiated rulemaking context, might examine

how soon pre-operational systems could be expected to achieve ANI, ALI and routing capability, but also when and to what degree any such regulations should be imposed on already-operating systems such as AMSC.³

The Notice asks (4, n. 14) whether such an “ad hoc fact-finding committee” ought to meet and report prior to any consideration of GMPCS rules.

That may not be necessary anymore. Since 1999, GPS-assisted location technology for use in terrestrial commercial mobile radio systems has advanced, we believe, to the point where its application to GMPCS systems can be considered. Other satellite-based, non-GPS methods of caller location may be available. (Notice, note 24, describing a Doppler-based technology.)

Similarly, the creation of a national data base of Public Safety Answering Points (“PSAPs”) has proceeded apace.⁴ NENA traditionally has compiled a database of the PSAPs in the United States. Other firms similarly have compiled databases used for emergency contact information. These databases have differing degrees of accuracy, and are compiled with varying data formats for various contemplated end uses.

² NENA’s Comments of May 3, 1999 in this proceeding spoke of “Phase II-equivalent” capabilities.”

³ Reply Comments, July 21, 1999, 3.

⁴ Comments of NSARC, June 21, 1999, 3; Reply Comments of NENA, 3-4.

NENA believes that such a database set is critical to the long-term interests of 9-1-1. NENA is currently working on a campaign to encourage PSAPs to share their contact data, and to store the data in a national database registry with NENA. NENA's efforts to make this data base reliable for emergency uses are ongoing. NENA anticipates significant improvements in its data base in the first and second quarters of 2001.

Concurrently with NENA's efforts to lead the registration and accumulation of PSAP contact data, NENA anticipates partnering with a strategic mapping or PSAP routing service provider to produce a complementary PSAP jurisdictional boundary map of the United States in 2001. NENA considers the tabular PSAP registry and the related jurisdictional boundary map to be integral parts of delivering 9-1-1 and emergency communications services for mobile and non-traditional calls to 9-1-1 in the future.

We agree with the Commission's suggestion (Notice, 3) that calls from coastal waters, large inland lakes or navigable rivers might be better routed to an agency such as the Coast Guard. But the variety of destinations to which emergency calls might be sent does not preclude using 9-1-1 to originate them.

Specific issues.

Scope. As noted above, NENA believes the 1999 Act designating 9-1-1 as the universal emergency calling number may have removed the Commission's discretion to exempt maritime and aeronautical services, and that analogizing GMPCS to them (for purposes of exemption) is no longer permissible. Less important than complete uniformity of rules across services is the common use of 9-1-1 to originate emergency calls.

Basic 911 v. enhanced 9-1-1 issues. Basic 9-1-1 differs from enhanced service in not requiring automatic number identification (“ANI”) or automatic location information (“ALI”),⁵ the latter being key to “selective routing” to the “designated PSAP” serving the area from which the call originates. Carriers now covered by the enhanced 9-1-1 (“E9-1-1”) rules, Section 20.18(d) *et seq.*, initially were obliged to offer only basic service. It may be that GMPCS carriers should enjoy a similar transition from simple to more complex requirements. We believe, however, that the burden should be on these carriers to demonstrate that something equivalent to a Phase I beginning – skipping over basic 9-1-1 – is impossible. We see no reason why basic service, of the sort that cellular carriers once delivered to, say, state highway patrol offices cannot be achieved immediately.⁶

Compliance with other rules and policies. Many of the bullet points on page 6 of the Notice remain unresolved even for Section 20.18-covered carriers. On the other hand, we see little need to revisit the most recent cost recovery decision, 14 FCC Rcd 20850 (1999). GMPCS carriers are not-rate regulated, and should recover their own 9-1-1 costs unless a state or local jurisdiction, in its discretion, wishes to reimburse some or all of them. The Americans with Disabilities Act,⁷ coupled with Section 255 of the Communications Act, may make TTY access a matter of legal obligation rather than FCC or carrier discretion. Surely cooperation with the Coast Guard would be sound policy.

GMPCS 9-1-1 needs to walk and run before it can fly. There will be time enough later to look at such issues as call priority and verification of accuracy.

⁵ Notice, notes 22 and 23.

⁶ If some small number of PSAPs were classified as primary for purposes of receiving GMPCS emergency calls, and for relaying these to other calltakers or respondents closer at hand based on voice communication, this could simplify the problem.

⁷ 42 U.S.C. §12101, *et seq.*

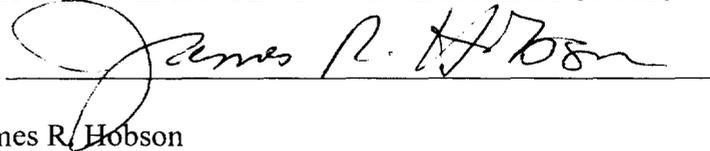
CONCLUSION

NENA is not expert in satellite communication. We take heart, however, from the steady view of the Coast Guard and NSARC that it is adaptable to 9-1-1. We also recall that much of the early pessimism expressed by cellular and PCS carriers on the accomplishment of ANI and ALI turned out to be over-stated. We are convinced that satellite carriers can and should become providers of 9-1-1 service, for moral and economic reasons.

Respectfully submitted,

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