



CELLULAR TELECOMMUNICATIONS & INTERNET ASSOCIATION

Wireless Phase II E-911 Implementation

January 8, 2002





OVERVIEW

- THE RICHARDSON ORDER IS INCONSISTENT WITH THE INTENT OF SECTION 20.18(J) OF THE COMMISSION'S RULES.
- THE RICHARDSON ORDER NEEDS ADDITIONAL CLARIFICATION.
- THE FCC'S ENFORCEMENT POLICY FOR CARRIERS REQUESTING FURTHER WAIVER RELIEF IS TOO RIGID.



THE RICHARDSON ORDER



Under the revised rules, a PSAP request is deemed valid if the PSAP demonstrates:

- It has a mechanism in place for cost recovery of facilities and equipment necessary to receive and utilize E-911 data elements;
- It has ordered and will be capable of using the necessary equipment to receive and utilize data within 6 months; and,
- It has made a timely request to the appropriate LEC for ALI database upgrades for Phase II.



THE NEW RULE IS INCONSISTENT WITH THE INTENT OF SECTION 20.18



- Originally, Section 20.18(j) of the Commission’s Rules required that a PSAP be capable of “receiving and utilizing” Phase II service when it placed an order with a carrier.
- The purpose of the rule was to ensure that resources were not expended unnecessarily.
- Under the revised rules, carriers would be forced to expend resources to supply Phase II information before knowing whether a PSAP is ready to use it.



TOLLING

- Under the revised rules, PSAPs do not have a substantial burden in developing and providing supporting documentation illustrating readiness.
- The Commission itself has recognized that none of the parties, including carriers, should spend resources unnecessarily.
- Accordingly, the Commission should toll the 6-month implementation period while a PSAP assembles supporting documentation.



ADDITIONAL CLARIFICATIONS

- **Interface Standard:** The J-STD-036 standard is the best solution. Where no standard is chosen, implementation schedule changes should be allowed to accommodate for customized solutions.
- **ALI Database upgrades:** Automatic Identification Location database upgrades will be completed within 6 months of the request.
- **Dispute Resolution:** Establish an expedited process for resolving disputes.



THE FCC'S ENFORCEMENT POLICY FOR CARRIERS REQUESTING FURTHER WAIVER RELIEF IS TOO RIGID



- **FCC's Recent Order:** If a carrier cannot comply with its implementation schedule it be will be deemed non-compliant.
- **Strict Liability:** Enforcement proceedings amount to a “strict liability” determination.
- **Unfair Penalties:** Carriers will be subject to penalties and economic sanctions even where the failure to comply with the implementation schedule is outside of carrier control, *i.e.*, unavailable Phase II-compliant equipment or software.

