

Standards Committee T1

June 12, 2002

Carrier Liaison Committee

Telecommunications  
Industry Forum

VIA ELECTRONIC FILING

Ordering and Billing  
Forum

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Network Interconnection  
Interoperability Forum

Industry Numbering  
Committee

Re: *Revision of the Commission's Rules to Ensure Compatibility  
with Enhanced 911 Emergency Calling Systems, CC Docket No.  
94-102, Report and Order (April 29, 2002) ("Report and  
Order")*

Protection Engineers  
Group

Standards Committee O5

Dear Ms. Dortch:

Network Reliability  
Steering Committee

Enclosed is a Petition for Reconsideration from the Alliance for  
Telecommunications Industry Solutions ("ATIS"), on behalf of the Emergency  
Services Interconnection Forum ("ESIF"), in response to the Commission's recent  
Report and Order, in the above-captioned case.

Internetwork  
Interoperability Test  
Coordination Committee

Consistent with the Commission's Rules, I am filing one electronic copy of this  
Petition and request that you place it in the record of the proceedings. Please  
contact me at 202/434-8847 if you have any questions or comments.

Telecommunications  
Fraud Prevention  
Committee

Generic Requirements  
Users Group

Sincerely,

International Forum on  
ANSI-41 Standards  
Technology

*Megan L. Campbell*  
General Counsel

Interactive Voice  
Response Forum

Enclosure

TTY Forum

cc: Jared Carlson, Deputy Chief, Policy Division, WTB (jcarlson@fcc.gov)  
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Administrative Council for  
Terminal Attachments

IMSI Oversight Council

**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
	)	
Non-Initialized Phones	)	RM-8143
	)	

**PETITION FOR RECONSIDERATION**

The Alliance for Telecommunications Industry Solutions (“ATIS”), on behalf of the Emergency Services Interconnection Forum (“ESIF”), respectfully requests that the Commission reconsider certain aspects of its decision in the Report and Order in this proceeding released April 29, 2002 (“Order”)<sup>1</sup>. Specifically, ATIS requests that the Commission reconsider the requirements found in the new subsections (l)(1)(i) and (l)(2)(i) of Section 20.18 of the Rules regarding the use of the sequential number code, 123-456-7890, as the telephone number/mobile identification number in non-service-initialized handsets.<sup>2</sup> This Petition for Reconsideration is filed pursuant to 47 C.F.R.

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<sup>1</sup> See *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, FCC 02-120, released April 29, 2002. A summary of the Order was published in the *Federal Register*, 67 Fed. Reg. 36112-117, May 23, 2002. ATIS/ESIF is filing separately today a “Request for Stay of Effective Date” of the Order.

<sup>2</sup> The Rules state, in relevant part, “(1) Licensees subject to this section that donate a non-service-initialized handset for purposes of providing access to 911 services are required to: (i) Program 123-456-7890 as the telephone number/mobile identification number into each handset;” and “(2) Manufacturers of 911-only handsets that are manufactured on or after October 1, 2002, are required to: (i) Program each handset with 123-456-7890 as its telephone number/mobile identification number.” See 47 CFR §20.18 (l)(1)(i) and (l)(2)(i).

§1.429<sup>3</sup> and premised on the new information provided in this Petition that was not previously introduced into the record.

## **I. BACKGROUND**

### **A. The Emergency Services Interconnection Forum (ESIF)**

The ESIF is a sponsored committee of ATIS jointly convened by ATIS and the National Emergency Number Association (“NENA”) to facilitate the identification and resolution of technical issues related to the interconnection of the telephony and emergency services networks. The ESIF is an open, technical forum encouraging the voluntary participation of interested parties to identify and resolve recognized interconnection issues.<sup>4</sup>

During the inaugural meeting of the ESIF on May 7-8, 2002, the Forum participants discussed the Order. The ESIF identified concerns with the new requirement providing for the use of the sequential number code 123-456-7890 as the telephone number/mobile identification number. The Forum also identified a potential solution found in an industry standard but not introduced into the record during the proceedings. As a result,

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<sup>3</sup> 47 C.F.R. § 1.429 states, in relevant part: (b) A petition for reconsideration which relies on facts which have not previously been presented to the Commission will be granted only under the following circumstances: (3) The Commission determines that consideration of the facts relied on is required in the public interest.

<sup>4</sup> Companies and organizations participating in the inaugural ESIF meeting on May 7-8, 2002, included: Alcatel USA, APCO, AT&T, AWS, BellSouth, Cap Gemini Ernst & Young, Cingular Wireless, CommFlowResources, C.W.T.A., GPNS, Intrado, Lucent Technologies, Marconi, Mitretek, NCS, NENA, NeuStar, Nextel Corporation, Nokia, Nortel Networks, Panasonic MMCD, Qualcomm, RCC Consultants, SBC, Siemens, Singsoft Corp., Spectrum Global Services, Inc., Sprint PCS, Tarrant County 9-1-1 District, Telecommunications Systems (TCS), Telecommunications Industry Association (TIA), Triton PCS, Trueposition, Verizon, Verizon Wireless, and Voicestream,. For further information on the ESIF, its work or meetings, please see [www.atis.org/atis/esif/esifhome.htm](http://www.atis.org/atis/esif/esifhome.htm).

the ESIF reached consensus to file the appropriate documentation with the Commission providing the new information and requesting a stay of the October 1, 2002 effective date for implementation of the 123-456-7890 sequential number code. Prior to the publication of the Order in the *Federal Register* on May 23, 2002, the ESIF Chair, on behalf of the Forum, filed an *Ex Parte* Communication with the Commission detailing much of the information provided in this Petition.<sup>5</sup>

## **B. The Call-Back Problem**

The Commission released a Public Notice on May 18, 2000 seeking comments on the “call back capabilities for non-serviced initialized handsets” and whether the Commission should address technical solutions or educational programs.<sup>6</sup> The Public Notice was prompted by the requests of a group of Public Safety Entities led by the Texas Commission on State Emergency Communications. The group requested that the Commission revisit issues surrounding non-service initialized phones and, specifically, the requirement that calls be forwarded to Public Safety Answering Points (“PSAPs”) and the inability for call-back once the connection is broken.<sup>7</sup> The Commission then released

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<sup>5</sup> Letter from James Nixon, ESIF Chair, to Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, Federal Communications Commission, dated May 17, 2002.

<sup>6</sup> See *Public Notice*, “Comment Sought on Request for Further Consideration of Call Back Number Issues Associated with Non-Service Initialized Wireless 911 Calls,” DA 00-1098 (rel. May 18, 2000).

<sup>7</sup> Letter from the Texas Commission on State Emergency Communications and 16 local Texas Emergency Communications Districts, 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, Office of the Secretary, Federal Communications Commission, dated April 28, 2000.

a Further Notice of Proposed Rulemaking on May 25, 2001 seeking additional comment on possible technical solutions to the call-back issue.<sup>8</sup>

## II. DISCUSSION

In the Order, the Commission required that non-service-initialized handsets donated through carrier-sponsored programs and newly manufactured “911-only” phones be programmed with the sequential number code 123-456-7890 as the telephone number/mobile identification number. The Order further requires, subject to OMB approval, that the requirement become effective on October 1, 2002.

The ESIF, which as noted above convened its inaugural meeting after the time for filing comments in this proceeding had passed, has identified at least one other plausible solution to the call-back issue apparently not introduced into the record during the comment cycle. That solution is found in Annex C of J-STD-036, “Enhanced Wireless 9-1-1 Phase 2,” published in August of 2000 as a joint standard by the Telecommunications Industry Association (“TIA”), on behalf of Committee TR-45, and ATIS, on behalf of its sponsored Committee T1. There is agreement between the TIA TR-45.2 Ad Hoc on Emergency Services and the NENA Technical Committees that Annex C contains a solution suggesting the use of a handset’s Electronic Serial Number (“ESN”) or International Mobile Station Equipment Identity (“IMEI”) to create a surrogate number.

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<sup>8</sup> *Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Further Notice of Proposed Rulemaking, RM-8143 (rel. May 25, 2001).

The surrogate number would be “911” plus the last seven digits of the ESN or the IMEI expressed as a decimal number. The IMEI is associated with GSM phones.

The Annex C solution has several benefits over the currently proposed consecutive number code (123-456-7890) where the Annex C solution would allow for easier identification of the specific phone used. For example, in situations where a non-initialized phone is used abusively and repeatedly to make harassing calls to a PSAP, the phone could be identified and the PSAP could take the appropriate steps to prevent adverse impacts on the 9-1-1 system in that area.<sup>9</sup> Likewise, the Annex C solution would allow for the identification of legitimate emergency callers forced by extenuating circumstances to make multiple calls to the PSAP.

The ESIF also identified an adverse impact of the currently proposed solution, again, apparently not discussed or introduced into the record. The consecutive number solution of 123-456-7890 also serves as a valid International Roaming MIN (Mobile Identification Number) (“IRM”) range. The impact of the 123-456-7890 consecutive number code requirement is to potentially remove one million numbers from the IRM assignment pool.

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<sup>9</sup> By contrast, a PSAP call taker seeing the digits 123-456-7890 on repeated calls does not know whether the calls are coming from the same phone or multiple phones – except by identifying a common voice. Harassers could defeat, and have defeated, this ID by disguising their voices or using confederates.

IRMs are a finite numbering resource where the first number of a ten-digit number must be a zero (0) or a one (1).<sup>10</sup>

### **III. JUSTIFICATION FOR REQUEST**

The Commission's rules allow for the grant of a Petition for Reconsideration where the Commission determines that the consideration of the information, not previously presented, is in the public interest.<sup>11</sup> Clearly, in this case, where the ESIF has identified potential problems that could affect a PSAP's ability to distinguish abusive calls to the 9-1-1 system from legitimate calls and to take steps to keep those abusive calls from impacting the system, there are compelling reasons to explore the alternative solution cited by the ESIF. In addition, the potential impact on the IRM assignment pool also serves as a compelling reason that deserves, at a minimum, acknowledgement and discussion on the record.

### **IV. CONCLUSION**

For the foregoing reasons, ATIS, on behalf of the ESIF, respectfully requests that the Commission grant its Petition for Reconsideration and allow for further consideration of its decision regarding the use of the sequential number code, 123-456-7890, as the

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<sup>10</sup> See *International Roaming Guide*, release 1.1, dated November 2001, and *International Roaming Mobile Identification Number (MIN) Assignment Guidelines and Procedures*, version 3.0, dated May 2001. The International Forum for ANSI-41 Standards Technology ("IFAST") is an open, international, technical forum that facilitates the identification and resolution of issues to enable the interoperability of systems between countries, carriers, technologies, and standards, thereby protecting the investment made by the industry in the ANSI-41 family of standards while evolving to a seamless global network. For further information on the IFAST, its work or meetings, please see [www.atis.org/atis/ifast/ifasthome.htm](http://www.atis.org/atis/ifast/ifasthome.htm).

<sup>11</sup> Note 2.

telephone number/mobile identification number in non-service-initialized phones on the basis of the new information provided.

Respectfully submitted by,

ATIS on behalf of the ESIF

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June 12, 2002