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June 1, 2004

The Honorable Michael Powell
The Honorable Kathleen Abernathy
The Honorable Jonathan Adelstein
The Honorable Michael Copps
The Honorable Kevin Martin
The Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Wireless Consumers Alliance Petition for Declaratory Ruling (WT Docket #99-328)
AT&T Wireless Services., Inc. Petition for Declaratory Ruling (WT Docket #99-328)

Dear Commissioners:

We ask you to reaffirm your Order regarding the completion of cellular phone calls to 911 and inform the US District Court for the Northern District of Illinois of that decision.

In 1999, the FCC ordered all cell phone manufacturers to construct and program their phones in such a way that if a cell phone operating in analog mode does not successfully deliver a 911 call to the landline telephone company within 17 seconds after the call is placed, the phone will automatically switch to a competitor's cellular system and attempt to complete the call by the strongest signal available. This was a good decision addressing a problem that was preventing wireless calls made from rural and suburban areas from being connected to 911 because cellular carriers did not complete calls from non-subscribers.

Many cell phone manufacturers have failed to comply with the FCC's requirements, and are now asking the Commission to back away from the order. It is important that the Court as well as the FCC clarify this public safety matter. The industry claims that a call should be considered "complete" at an early stage of the calling process. The industry claims that lesser standards of simply passing on the call regardless of completion complies with the FCC requirements. We disagree. The failure to connect 911 calls may be a factor in many injuries and even fatalities. An emergency 911 call that has not been delivered to the landline carrier fails to meet FCC standards of a completed call and is useless and dangerous to the public.

The Court is seeking clarification of this matter and requests your guidance. The public safety requires an immediate and specific response from you. We believe the FCC was correct in requiring cell phones to switch if a 911 call has not been delivered to the landline network within 17 seconds. We believe the FCC was correct in requiring 911 calls to be completed, not just attempted, and that this is the correct public policy.

Sincerely,

Mary Lester

Mary Lester
Executive Director
Alliance for Technology Access