

Michael J. Mahn, Attorney  
711 Signal Mountain Boulevard, PMB 316  
Chattanooga, Tennessee 37405

May 16, 2008

Re: FCC Docket 08-51

To Whom It May Concern:

I, the undersigned Michael J. Mahn, serve as legal counsel to various 9-1-1 Emergency Communication Districts (ECDs)<sup>1</sup> in the State of Tennessee. Each public entity has been created pursuant to state legislation<sup>2</sup> and operates in accordance therewith. The purpose, authority, and mission of each is defined therein and may be fairly and generally summarized as providing the life-saving enhanced 911 service (E-911) to the citizens of their Districts.

The delivery of the E-911 service has been adversely impacted by the inappropriate and often abusive use of non-initialized phones (NIP). Documentation of this misuse has been confirmed by the Tennessee Emergency Communications Board (TECB). This documentation is incorporated herein by reference.

We suggest that notice be taken of the rapidly growing and broad access to wireless communications (and the E-911 system) that now exists, which access is greatly more pervasive in contrast to earlier years when NIP access was considered necessary, thus removing the justification for such.

We appreciate that the FCC will seek to evaluate the competing public interests involved. We respectfully ask that the general welfare, safety, and security of the community be given precedence over the random and individual benefit that may accrue to the user of a NIP, which incidental benefit should not be given equal weight when balanced against the overriding issues of public safety.

---

<sup>1</sup> The ECDs of the counties of Bedford, Bledsoe, Bradley, Cannon, Cheatham, Coffee, Cumberland, Franklin, Grundy, Hamilton, Jackson, Meigs, Morgan, Overton-Pickett, Polk, Rhea, Robertson, Scott, Sequatchie, Van Buren, and Warren; and the City of LaFollette.

<sup>2</sup> Tennessee Code, Title 7, Chapter 86.

Respectfully submitted,  
[Michael J. Mahn](#)  
MICHAEL J. MAHN  
Legal Counsel for Named ECDs

711 Signal Mountain Road, PMB 316  
Chattanooga, Tennessee 37405  
Phone: 423.280.3005  
FAX: 423.370-1332  
[mjmahn@aol.com](mailto:mjmahn@aol.com)