



# NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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## **FCC EXPANDS E911 RULES**

### ***Adds Services, Opens Second Notice on Mobile Satellite Services and Multi-Line Telephone Systems, and Directs Network Reliability and Interoperability Council to Study Technical Issues***

Washington, D.C. – Today, the Federal Communications Commission (FCC) adopted an Order and Second Further Notice of Proposed Rulemaking revising the scope of its Enhanced 911 (E911) rules and clarifying which technologies and services will be required to transmit E911 location information to public safety answering points (PSAPs). Phase I of E911 requires carriers, upon the request by a local PSAP, to report the telephone number of a wireless 911 caller and the location of the antenna that received the call. E911 Phase II requires wireless carriers to provide the precise location of a 911 caller within 50 to 100 meters. The FCC established a four-year Phase II deployment schedule for carriers, beginning in October 2001 and to be completed by December 31, 2005.

In today's Order, the FCC considered and addressed the E911 obligations of the following telecommunications services: mobile satellite services (MSS); telematics services, which are services provided by in-vehicle communications systems; multi-line telephone systems (MLTS) that allow multi-line businesses and multi-tenant buildings to eliminate the need for an external line for each telephone within their operation using private branch exchanges (PBXs); resold wireless services, including pre-paid services; and disposable wireless phones.

The FCC analyzed the E911 obligations of these services and technologies based on the four criteria listed below. The FCC found that if the service or technology met these criteria, it should be subject to E911 or similar requirements.

- 1) Does the service or device offer real-time, two-way voice service that is interconnected to the public switched telephone network (PSTN)?
- 2) Do the customers using the service have a reasonable expectation of access to basic 911 and E911 services?
- 3) Does the service compete with traditional mobile wireless or local wireline telephone services?
- 4) Is it technically and operationally feasible for the service or device to support E911 capabilities?

Based on these criteria, the FCC concluded that the following services should be subject to its E911 requirements: certain telematics services and resold cellular and broadband PCS mobile wireless

services, including mobile pre-paid calling cards. MSS carriers that provide interconnected voice service are required to establish call centers for the purpose of answering 911 calls and forwarding such calls to an appropriate PSAP. The FCC also directed the Network Reliability and Interoperability Council (NRIC) to study several technical issues associated with enhanced 911 implementation for satellite systems. In the Second Further Notice, the FCC seeks comment on two subjects pertaining to MSS. First, the FCC asks whether transition periods are necessary for MSS providers with an ancillary terrestrial component (ATC) to comply with the terrestrial wireless E911 requirements. Second, the FCC seeks comment on proposed reporting and recordkeeping requirements in connection with implementation of the emergency call center rule.

Regarding telematics services, the FCC decided that only those providers that offer interconnected commercial wireless voice services, in addition to standard telematics services such as navigational and roadside assistance, would be subject to the FCC's E911 requirements. These providers may have E911 obligations under the reseller rules adopted today, depending on the nature of the relationship the telematics provider has with the underlying licensee. Telematics providers that offer only standard telematics services and link their customers only to an internal call center can typically provide customers with access to emergency services when they dial the provider's call center.

Today's Order establishes that resellers of wireless services offered over cellular and broadband PCS spectrum are obligated to provide E911 services to their customers under the FCC's E911 requirements. The FCC recognizes that resellers do not control the underlying networks they use to provide their services and therefore requires resellers to provide E911 services only to the extent that the underlying licensee has met its E911 obligations. Because today's Order establishes that the scope of the FCC's E911 rules now includes wireless resellers as well as licensees, the FCC believes it is unnecessary to adopt separate requirements for disposable wireless phones and devices. Licensees and resellers that offer these devices are obligated to ensure that they are capable of delivering E911 location information.

This Order also addresses the E911 compatibility of multi-line telephone systems or "MLTS." Multi-line telephone systems allow businesses and multi-tenant residential building owners to provide service to their users more efficiently, by eliminating the need for an external line for each individual telephone within their operation. Given the particular requirements of E911 over multi-line telephone systems, the Order concludes that for now state and local governments are in a better position to devise rules to ensure that E911 is effectively deployed over MLTS in their jurisdictions. Accordingly, the Order does not adopt national regulations at this time. Rather, the Order encourages states to use the Model Legislation proposed by leading public safety organizations as a valuable tool in adopting E911 regulations. The Order indicates that states are expected to act expeditiously in this area and that the Commission will release a public notice in a year to examine the progress that states have made. In addition, the Commission seeks comment, through the Second Further Notice, on additional MLTS E911 capability issues, should federal action be necessary. Finally, the Order directs the NRIC to address this issue.

Action by the Commission, November 13, 2003, by Report and Order and Second Further Notice of Proposed Rulemaking (FCC 03-290). Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein, with Chairman Powell and Commissioners Abernathy, Copps, Martin, and Adelstein issuing separate statements.

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