
MONTANA SENATOR

CONRAD BURNS

RANKING MEMBER OF INTERIOR APPROPRIATIONS SUBCOMMITTEE

RANKING MEMBER OF TELECOMMUNICATIONS SUBCOMMITTEE

FOR IMMEDIATE RELEASE

CONTACT: ERIC BOVIM
JP DONOVAN

202/224-6830
406/252-0550

eric_bovim@burns.senate.gov
jp_donovan@burns.senate.gov

October 7, 2002

Burns Sends Letter To FCC on e-911

Criticizes carrier requests for additional waivers on implementing lifesaving technology

WASHINGTON- U.S. Sen. Conrad Burns (R-Mont.), ranking member of the Senate Communications Subcommittee, along with his colleague Sen. Inouye (D-HI) sent a letter today to the Federal Communications Commission (FCC) criticizing the slow pace of compliance with the Commission's Phase II wireless E911 rules.

"With the overwhelming use of cell phones in today's world, it is imperative that we have cell phone emergency standards that are up to par," said Burns. "Some companies have been moving forward and making changes to allow for better 911 location introduction on cell phones, but we must implement this critical technology across the board."

"Recently there have been carrier requests for additional waivers on already set obligations, and this not acceptable. We cannot allow for continued waivers to stand in the way of increased safety for cell phone carriers. We need to get on the right track and increase momentum on this issue in order to get things accomplished."

###

United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-8125

October 7, 2002

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Chairman Powell:

We write to express our increasing concern regarding the slow pace of compliance with the Commission's Phase II wireless E911 rules and the most recent carrier requests for additional waivers from these obligations.

The remarkable growth of wireless communications over the last decade has transformed wireless communications from a luxury service into a critical part of our nation's security and economy. In fact, millions of Americans now use a wireless phone as their only telephone, and thousands more choose this option every month. In recognition of consumers' increasing use of mobile phones, Congress passed the Wireless Communications and Public Safety Act of 1999 to ensure that emergency personnel would have access to information about the location of callers dialing 911 on their mobile phones.

Unfortunately, the intent of this statute has yet to be fulfilled. Of late, we are particularly concerned by requests for further waivers from the Commission's Phase II E911 rules sought by carriers using the European standard for digital wireless communications, GSM. We are concerned that such requests will only result in further delays that will frustrate the aggressive rollout of E911 services.

These developments are particularly troublesome for several reasons. First, E-OTD has shown little improvement over the last several years. In their most recent reports filed with the Commission, carriers with GSM systems state that while the technology may, one day, be used to locate emergency callers to within 100 meters, they express no confidence that the Commission's fifty-meter accuracy requirement will ever be satisfied. Moreover, the extended deployment schedule that they now propose is well beyond the existing, delayed schedule that the Commission has allowed through waivers and exceed, by years, the intent behind the Wireless Communications and Public Safety Act of 1999 to offer wireless location-based technology to all Americans.

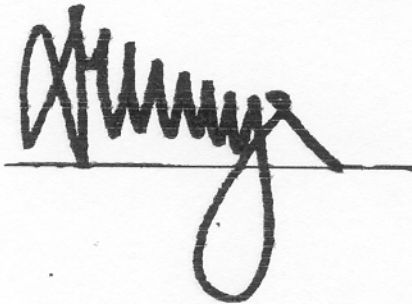
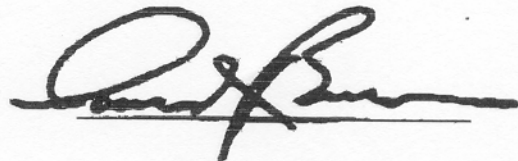
Further delay in deploying an operational GSM location solution will impact millions of customers who will be left without a wireless E911 solution. In contrast to the situation in August of 2000 when E-OTD was the only proffered location technology available, alternative location technologies have been developed over the past few years that reportedly will satisfy the FCC's accuracy requirements for GSM wireless systems.

In conclusion, permitting continued delay for certain carriers, while others implement life-saving location technology and incur the expense of doing so, is contrary to the FCC's mandates. While carriers using other digital wireless standards have begun to deploy location-based technologies that appear to meet the FCC's requirements, GSM carriers, in contrast, are still waiting for the anticipated perfection of E-OTD technology, with no promise of ever meeting the Commission's mandated accuracy standards.

The FCC's fundamental obligation to promote public safety requires that the Commission act aggressively to ensure that E911 technologies are implemented. In this regard, we appreciate your statements in prior waiver orders noting that carriers should not expect further deferral of their obligations merely because they have invested in a particular solution if an alternative and compliant location solution exists.

We expect that the Commission will move aggressively to enforce compliance with its E911 rules and hope that you will inform us of your efforts in this regard.

Sincerely,

A handwritten signature in black ink, appearing to be a woman's name, written over a horizontal line. The signature is stylized and somewhat cursive.A handwritten signature in black ink, appearing to be a man's name, written over a horizontal line. The signature is stylized and somewhat cursive.

cc: Commissioners Abernathy, Copps, and Martin