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## WIRELESS TELECOMMUNICATIONS BUREAU PROVIDES GUIDANCE ON FILINGS BY SMALL AND MID-SIZED CARRIERS SEEKING RELIEF FROM WIRELESS E911 PHASE II AUTOMATIC LOCATION IDENTIFICATION RULES

CC Docket No. 94-102 /

In a Public Notice issued on October 12, 2001, the Federal Communications Commission (Commission) established a deadline of November 30, 2001 for small and mid-sized wireless carriers subject to the Commission's wireless Enhanced 911 (E911) Phase II rules for the filing of requests for relief, if necessary.<sup>1</sup> The Commission stated that it would not initiate enforcement action under the E911 Phase II rules against small and mid-sized carriers (*i.e.*, carriers other than the six major national wireless carriers) during the extended filing and evaluation period.<sup>2</sup> In this further Public Notice, the Wireless Telecommunications Bureau (Bureau) provides additional guidance to small and mid-sized carriers affected by the Commission's Public Notice.

### Standard for E911 Phase II Relief

The Commission established a standard by which requests for relief from the E911 Phase II rules would be considered in its *E911 Fourth Memorandum Opinion and Order*.<sup>3</sup> Requests for relief by small and mid-sized carriers must comply with these standards. In general, requests for Phase II relief should be specific, focused, and limited in scope, with a clear path to full compliance.<sup>4</sup> Carriers are also expected to undertake concrete steps necessary to come as close

<sup>1</sup> *Commission Establishes Schedule for E911 Phase II Requests by Small and Mid-Sized Wireless Carriers*, Public Notice, FCC 01-302 (rel. Oct. 12, 2001).

<sup>2</sup> *Id.* at 1.

<sup>3</sup> *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Fourth Memorandum Opinion and Order, 15 FCC Rcd 17442, 17457 (2000) (*E911 Fourth Memorandum Opinion and Order*).

<sup>4</sup> *Id.*

as possible to full compliance and should document their efforts aimed at compliance.<sup>5</sup>

The carrier should provide a full explanation and justification for the relief requested including all aspects of the Phase II rules from which relief is sought and the exact nature of this relief. The carrier should propose a plan for implementing Phase II that includes specific, enforceable milestones for Phase II implementation. The carrier's compliance plan should demonstrate how and when the carrier will comply with the accuracy, reliability, and timeliness requirements in the Phase II rules. The carrier should demonstrate that its proposed solution will come as close as possible to meeting the accuracy, reliability, and timeliness requirements.

In addition, to assist in monitoring compliance, the carrier should provide a description and history of its Phase I deployment, information concerning pending, valid Phase II requests, and other information that will assist the Commission and affected parties in monitoring and coordinating the deployment of E911 Phase II.

### **Filing Procedures**

Small and mid-sized carriers who wish to request Phase II relief, and have not yet done so, may file their requests for relief on or before November 30, 2001, in the same manner as they filed the reports on Phase II plans that the Commission required carriers to file on November 9, 2000 and as described below.<sup>6</sup> Carriers who have already filed waiver requests need not refile, but may file revised requests or supplemental information if they wish.<sup>7</sup> Carriers may combine requests for relief and the filing of a revised plan in a single, consolidated filing, and multiple carriers may file requests for relief and revised plans jointly. To the extent that necessary information is already contained in the carrier's initial or revised report, the carrier may incorporate that information by reference.

We encourage electronic filing of the reports, which will be placed on the Commission's E911 Web site (<http://www.fcc.gov/e911>) for ease of accessibility. We also encourage joint filings, to the extent possible. Carriers participating in the submission of joint reports (*e.g.*, carriers using a specific air interface or ALI technology) should highlight those technical issues and implementation plan elements that are common for all carriers in the group.

Electronic filings should be made using the Electronic Comment Filing System (ECFS). Reports filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, parties should include their full name, Postal Service mailing address, and the docket number of this proceeding. Parties filing electronically should also e-mail a copy of their report to [pforster@fcc.gov](mailto:pforster@fcc.gov). Parties who choose to file by paper must file an original and four copies of each filing with the

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<sup>5</sup> *Id.*

<sup>6</sup> 47 C.F.R. § 20.18(i); see *Wireless Telecommunications Bureau Provides Guidance on Carrier Reports on Implementation of Wireless E911 Phase II Automatic Location Identification*, CC Docket No. 94-102, Public Notice, DA 00-2099 (rel. Sept. 14, 2000).

<sup>7</sup> Carriers who plan to deploy a network-based ALI solution but who have not received a PSAP request, and therefore who are not subject to any Phase II obligations, need not file requests for relief during this window.

Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554 and a diskette copy to the Commission's copy contractor, Qualex International, CY-B402. In addition, parties must submit one copy to Patrick Forster, Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554. Reports will be available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554.

For further information concerning this proceeding, contact Patrick Forster or Dan Grosh, Policy Division, Wireless Telecommunications Bureau at (202) 418-1310, (202) 418-1169 (TTY).

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