

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Implementing Kari’s Law and Section 506 of RAY BAUM’S Act	)	PS Docket No. 18-261
	)	
Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems	)	PS Docket No. 17-239
	)	

**COMMENTS OF APCO INTERNATIONAL**

The Association of Public-Safety Communications Officials-International, Inc. (APCO)<sup>1</sup> submits the following comments in response to the Commission’s Notice of Proposed Rulemaking in the above-captioned proceeding.<sup>2</sup>

APCO applauds the Commission for taking steps to ensure that members of the public can successfully dial 9-1-1 to request emergency services and that 9-1-1 Emergency Communications Centers (ECCs) can quickly and accurately locate 9-1-1 callers. As discussed below, APCO supports direct dial and on-site notifications for multi-line telephone systems (MLTS), requiring dispatchable location information for 9-1-1 calls regardless of technological platform, and ensuring comprehensive and straightforward 9-1-1 rules.

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<sup>1</sup> Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 31,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including 9-1-1 Emergency Communications Centers (ECCs), emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies.

<sup>2</sup> In the Matter of Implementing Kari’s Law and Section 506 of RAY BAUM’S Act, Inquiry Concerning Access, Routing, and Location in Enterprise Communications Systems, PS Docket Nos. 18-261, 17-239, *Notice of Proposed Rulemaking*, FCC 18-132 (rel. Sept. 26, 2018) (“NPRM”).

I. APCO Supports Direct Dial and On-site Notification Requirements for MLTS

The Commission proposes direct dialing and on-site notification requirements for MLTS that track the obligations in Kari's Law.<sup>3</sup> As APCO has noted previously, direct access to 9-1-1 is fundamental.<sup>4</sup> When seconds matter, a member of the public will expect, and should be able to simply dial "9-1-1" to get help during an emergency.

The Commission proposes to require that on-site notification at a minimum include the following information: (1) the fact that a 9-1-1 call has been made; (2) a valid callback number; and (3) the information about the caller's location that the MLTS conveys to the PSAP with the call to 9-1-1.<sup>5</sup> APCO supports these proposals provided that, as proposed, notification does not delay conveying the call to the appropriate ECC.<sup>6</sup>

The Commission proposes a compliance date two years from the date of the law's enactment, meaning that the proposed direct dialing and notification requirements would apply to MLTS that are manufactured, imported, offered for first sale or lease, first sold or leased, or installed after February 16, 2020.<sup>7</sup> The Commission also contemplates rules for MLTS that grandfather all MLTS prior to this date and thus continue to excuse them from providing direct access to 9-1-1 in perpetuity.<sup>8</sup> Notwithstanding the effective date and prospective nature of Kari's Law, the Commission should encourage MLTS stakeholders to exceed the generous statutory requirements. As then-Commissioner Pai noted in 2014 when he launched a personal

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<sup>3</sup> *See id.* at III. A.

<sup>4</sup> Comments of APCO, PS Docket No. 17-239, at 1-2 (filed Nov. 15, 2017). In addition to the direct dial and location capabilities discussed here, the Commission should consider adopting rules that require location-based routing and callback capabilities for all MLTS, as described in APCO's response to the NOI, and all other means of contacting 9-1-1. *See id.* at 4.

<sup>5</sup> NPRM at para. 22.

<sup>6</sup> *See id.* at para. 23.

<sup>7</sup> *Id.* at paras. 39-40.

<sup>8</sup> *Id.* at para. 41.

inquiry into enabling direct dial for 9-1-1, “The technology to make that happen already exists.”<sup>9</sup> APCO believes the Commission should consider further action to ensure that all MLTS, not only those first offered for sale or lease or installed after February 16, 2020, have a direct dial capability. The sooner MLTS stakeholders ensure that whenever someone calls 9-1-1 they connect with emergency personnel, the more lives will be saved.

II. The Commission Should Expand the Use of Dispatchable Location and Preserve it as the Gold Standard for Public Safety

Dispatchable location is well understood by public safety communications professionals to mean information sufficient for guiding first responders to the right door to kick down. The Commission should take all actions necessary to ensure that a dispatchable location is delivered with every 9-1-1 call regardless of technological platform, strictly limit any exceptions to the dispatchable location requirements, and maintain a clear expectation that dispatchable location will continue to serve as the gold standard for public safety.

A. Require Dispatchable Location with Every 9-1-1 Call Regardless of Technological Platform

The Commission proposes to require dispatchable location information for 9-1-1 calls from a variety of technological platforms, including MLTS, fixed telephony providers, interconnected Voice over Internet Protocol (VoIP) providers, and Internet-based Telecommunications Relay Services (TRS),<sup>10</sup> and seeks to refresh the record on delivering location information with text messages to 9-1-1.<sup>11</sup> A dispatchable location should be conveyed with every 9-1-1 call, regardless of the technological platform used.

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<sup>9</sup> Statement of FCC Commissioner Ajit Pai on the Importance of Connecting Americans to Emergency Personnel Whenever They Dial 911, FCC, *News Release* (Jan. 13, 2014).

<sup>10</sup> NPRM at para. 2.

<sup>11</sup> *Id.* at para. 71.

APCO supports the Commission’s proposal of February 16, 2020, as a compliance date for requiring dispatchable location from MLTS and other technological platforms.<sup>12</sup> As the Commission suggests, a uniform compliance date will promote efficiency and encourage the development of common dispatchable solutions that can support multiple platforms.<sup>13</sup> Notably, the wireless industry has reiterated its commitment – for an inherently more challenging platform – to delivering dispatchable location information to ECCs on a comparable timeline to the 2020 proposal for these other technological platforms.<sup>14</sup>

With respect to text-to-911, an enhanced location requirement is long overdue. Requiring dispatchable location information with all text-based methods would be appropriate, either under the current wireless location accuracy benchmarks or a separate deadline for MLTS and other platforms. As APCO has pointed out, accurate, reliable, and usable location information is essential for the long-term effectiveness of text-to-911.<sup>15</sup> Further, the Commission’s recent action on Real-Time Text makes it all the more necessary to extend the dispatchable location requirement to text-to-911 to ensure consistent capabilities for comparable communications options.<sup>16</sup>

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<sup>12</sup> *Id.* at para. 87.

<sup>13</sup> *Id.*

<sup>14</sup> See Ex Parte Letter of CTIA, PS Docket No. 07-114, at 1 (filed Oct. 1, 2018) (“CTIA and the nationwide wireless providers remain committed to deliver the most accurate, actionable location information, including vertical information, to help our public safety partners respond to wireless 9-1-1 calls.”).

<sup>15</sup> Comments of APCO, PS Docket Nos. 11-153, 10-255, at 2 (filed Oct. 16, 2014).

<sup>16</sup> See Transition to Real-Time Text Technology, Petition for Rulemaking to Update the Commission’s Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology, CG Docket No. 16-145, GN Docket No. 15-178, *Report and Order and Further Notice of Proposed Rulemaking*, 31 FCC Rcd 13568, at para. 50 (2016) (noting that “Under the Commission’s rules, wireless CMRS providers supporting TTY calling to 911 must ensure that location information is provided in accordance with the applicable requirements of section 20.18. Given the importance of this feature, RTT 911 calls should be subject to the same location information requirements as TTY 911 calls.”).

B. Alternatives to Dispatchable Location Should Only be Permitted in Exceptional Circumstances

The Commission seeks comment on whether to exempt certain MLTS from the dispatchable location requirement,<sup>17</sup> whether an MLTS handling calls initiated by remote (e.g., off-site) users should be required to convey the remote user's location information,<sup>18</sup> and whether to permit fallback to Registered Locations in certain circumstances.<sup>19</sup> Given the importance of actionable location information for 9-1-1, the Commission should ensure a dispatchable location is delivered with 9-1-1 calls without exception. APCO would prefer that the Commission rely on its waiver framework to manage non-compliance rather than grandfather or otherwise exempt certain systems. To the extent that calls from MLTS or other technological platforms may be delivered without dispatchable location information in certain circumstances, the industry should ensure users are notified of the limitations. When systems are unable to deliver a dispatchable location, the provider should also ensure public safety telecommunicators are easily made aware that the location information may be inaccurate or unreliable.<sup>20</sup>

The Commission proposes to allow alternatives such as x/y/z coordinates to dispatchable location for MLTS.<sup>21</sup> A dispatchable location is much preferred over x/y/z coordinates, as evidenced by Congress' decision to specify "dispatchable location" in the RAY BAUM'S Act and the Commission's own recognition that "dispatchable location represents the 'gold standard' for first responders."<sup>22</sup> Nonetheless, as the Commission recognized when adopting rules for wireless 9-1-1 location accuracy, x/y/z coordinates can serve as a useful backstop to dispatchable

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<sup>17</sup> NPRM at para. 62.

<sup>18</sup> *Id.* at para. 61.

<sup>19</sup> *Id.* at paras. 77, 81.

<sup>20</sup> For example, in the case of Registered Location or other location information that relies on user input, the automatic location information provided to ECCs can be outdated or intentionally spoofed for swatting incidents.

<sup>21</sup> NPRM at para. 64.

<sup>22</sup> Wireless Location Accuracy Requirements, PS Docket No. 07-114, *Fourth Report and Order*, 30 FCC Rcd 1259, at para. 63 (2015).

location.<sup>23</sup> If the Commission permits x/y/z coordinates as a backstop to dispatchable location for MLTS or other technological platforms, the information must be actionable, with the vertical component delivered as a specific floor number.

C. Maintain Public Safety’s Expectation that “Dispatchable Location” Indicates the Door to Kick Down

The Commission proposes to construe the definitions of dispatchable location in the wireless rules and in RAY BAUM’S Act as functionally identical, and seeks comment on whether to require validation of dispatchable location information associated with MLTS similar to wireless calls.<sup>24</sup> APCO supports these proposals. When expanding the dispatchable location requirement to other technological platforms, it would also be helpful to mirror the requirement in the wireless rules that the location information be corroborated to the extent possible against other location information prior to delivery to the ECC.<sup>25</sup> This could be especially valuable when a device is typically fixed but has been moved by the user, or other situations in which location information might be inaccurate.

The Commission seeks comment on whether the rules should further define “additional information” that may be necessary in an MLTS context to “adequately identify the location of the calling party.”<sup>26</sup> APCO cautions against modifying or supplementing the definition of dispatchable location, which would risk inadvertently diluting an inherently comprehensive definition. For example, assumptions that the street address alone would serve as a dispatchable location for the smallest enterprises may not hold true for every location. Similarly, the

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<sup>23</sup> See *id.* at para. 162.

<sup>24</sup> NPRM at paras. 56-57.

<sup>25</sup> See 47 C.F.R. § 20.18(i)(1)(i).

<sup>26</sup> NPRM at para. 58.

definition should not be informed by incorporating elements of the more lax standard for “Emergency Response Location.”<sup>27</sup> Dispatchable location is and should remain different.

### III. Ensuring Comprehensive and Straightforward 9-1-1 Rules

The Commission proposes to expand the scope of, and to consolidate, simplify, and streamline its 9-1-1 rules.<sup>28</sup> The Commission notes that “the individual services that enable 911 calls are functional parts of a single system” and “the system will become increasingly integrated as technology evolves.”<sup>29</sup> The 9-1-1 rules must be comprehensive and straightforward to meet the public’s expectations and the needs of emergency responders. Across technological platforms, critical 9-1-1 capabilities such as location information should be as consistent as possible, for the benefit of both the caller and the public safety telecommunicator receiving the call.

APCO supports the Commission’s efforts to make the 9-1-1 rules more streamlined and modern. In addition to organizational changes, the revised rules should support a more modern view of 9-1-1 by replacing the term “Public Safety Answering Point” with “Emergency Communications Center.” This would better encompass the nature of public safety communications centers. The concept of an “answering point” is outdated and unrepresentative of the critical work performed, particularly as 9-1-1 centers have leveraged new technologies and taken on more responsibilities for managing emergency incidents.

The Commission should also consider more substantive changes. Consumers are using new technological platforms to communicate that may not currently be required to provide comparable capabilities for 9-1-1 calls, or be subject to the rules at all. These subtle regulatory

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<sup>27</sup> See *id.* at para. 58, n. 99 (describing model legislation to define Emergency Response Locations).

<sup>28</sup> See *id.* at paras. 84, 104.

<sup>29</sup> *Id.* at para. 103.

distinctions can leave consumers and public safety telecommunicators confused about why seemingly similar methods of calling 9-1-1 include drastically different location information, or are not uniformly able to contact 9-1-1. The Commission should seek to prevent subtle technology distinctions from impacting communications with 9-1-1. This means ensuring consistency in capabilities such as the location information conveyed with the call, as well as the ability to access 9-1-1 from communications platforms that for consumers may appear functionally identical.<sup>30</sup> The Commission should monitor trends in consumer communications and consider further expanding the scope of the 9-1-1 rules to ensure public expectations with regard to 9-1-1 will be met.

Respectfully submitted,

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<sup>30</sup> APCO looks forward to reviewing the comments in this proceeding that address expanding the scope of the Commission's 9-1-1 rules. A number of popular and emerging communications services do not permit contacting 9-1-1, which may not be consistent with consumer expectations, and would further need to incorporate routing, callback number, and dispatchable location capabilities.