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## **E-911 Benchmarks Ratcheted Up** **Phase II compliance to be based on PSAP levels**

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The FCC has set new Enhanced 911 (E-911) compliance benchmarks for wireless cellular carriers that require full implementation by September, 2012. These new requirements are designed to spur further implementation of phase II E-911. The new compliance metrics have predictably been criticized by wireless carriers and cheered by public safety interests.

The Commission's latest order significantly tightens carriers' E-911 obligations. In phase I of E-911 implementation, carriers would provide public safety answering points (PSAPs) a subscriber's callback number and the cell from which the call originated. Phase II of the E-911 implementation plan called for cellular carriers to provide PSAPs with the specific geographic location of a 911 caller within several hundred meters. For providers employing a GPS-based solution, the required accuracy was within 50 meters for 65% of their customers and 150-300 meters for 95% of their customers. For providers employing a network-based (*i.e.*, triangulation) approach, the required accuracy was 100 meters for 65% of their customers and 300 meters for 95% of their customers.

The catch was that, prior to the FCC's latest order, compliance with phase II could be measured over a geographic region of the carrier's own selection. This would permit a carrier with virtually 100% accuracy in urban areas to average that performance against poorer accuracy in rural areas, thus still meeting the 95% accuracy benchmarks. But as Chairman Martin observed, a carrier's E-911 performance in Manhattan is of little use to public safety officials in Buffalo.

Under the new rule, carriers will not be able to boost their averages to meet the phase II benchmarks for compliance by aggregating areas with low-percentage results and areas with high-percentage results. Carriers must now demonstrate phase II compliance by meeting the accuracy standards at the PSAP level, as opposed to averaging over a state or region.

The Commission also instituted a timeline for compliance and reporting requirements. By September 11, 2010 carriers must meet their accuracy requirements for at least 75% of the phase II-ready PSAPs within the carriers' coverage areas, and 100% of the PSAPs within their coverage areas by September 11, 2012. Additionally, carriers must file annual progress reports beginning September 11, 2008.

The Commission did not mandate a specific new technological approach, as requested by some commenters. Further, the FCC limited the phase II reporting to areas served by phase II-ready PSAPs. Some PSAPs are struggling to find funding to upgrade their systems to receive phase II data and, therefore, would not be included.