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FCC Looks To Tank Pranks

Dead cellphones haunt 911 services

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In response to alarming reports concerning fraudulent 911 calls emanating from non-service initialized (NSI) phones, the FCC released a *Notice of Inquiry (NOI)* to examine the issue and explore possible solutions.

A *Petition for Notice of Inquiry (Petition)* filed by nine public safety organizations and a software development firm (Petitioners) was granted to determine whether a change in the Commission's rules is necessary to curb a staggering number of prank phone calls to 911 using NSI phones. NSI phones are those that are discarded, do not have service plans, or lack Automatic Number Identification and/or call back features that would assist call recipients in identifying callers.

As a result, according to the Petitioners, NSI phones have become a regularly-used device for 911 pranksters, many of whom are children. According to the *NOI*, these calls are growing at a staggering rate. During a three-month span in late 2006 in Tennessee alone, more than 10,000 prank calls were made to 911 from NSI devices. The Petitioners report that in December, 2006, Florida public safety answering points (PSAPs) covering approximately half the state's population reported more than 8,400 such calls in a single month.

The calls have evolved from a sporadic issue to an epidemic that is putting an undue strain on PSAP resources and diverting the attention of public safety officials. The *NOI* seeks industry feedback on the present call-blocking solution and three potential solutions proposed and highlighted by the Petitioners.

The Petitioners contend that the current call-blocking solution cannot work due to technical and legal concerns. From a technical standpoint, the Petitioners argue that not only are carriers refusing to honor requests from PSAPs to block calls, but even if one carrier blocked a call, the NSI device would simply roam until it found an alternate carrier available. The Petitioners also cite concerns about the number of towers and PSAPs that each block would apply to, the duration of each call block, and their termination.

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From a legal standpoint, the Petitioners claim that the technological developments necessary to block calls to PSAPs have not occurred because of legal liability concerns. The Petitioners state that carriers and PSAPs are concerned about being held liable should tragedy result from the block of an attempted emergency 911 call.

The three potential solutions highlighted in the Petition are:

(1) *Implementing further call-back capabilities for NSI devices* - The Commission seeks comment on whether potential solutions proposed by the National Emergency Number Association (NENA) (originally in 2005) are practicable and desirable, and if so, how they might be best implemented.

(2) *Eliminating the Commission's call-forwarding requirement for NSI devices* – In four jurisdictions examined by the Petitioners, approximately 1-3.5% or fewer of 911 calls placed by NSI phones were legitimate calls relating to actual emergencies. The Petitioners suggest that, given these overwhelming statistics, the Commission might consider revisiting its 2002 decision to pass on eliminating the 911 call forwarding requirement for NSI phones.

(3) *Requiring carriers' donation programs to provide service-initialized phones* – The Petitioners report that the Commission has encouraged but never mandated that carriers provide service-initialized phones in their donation programs. The *NOI* questions whether such a mandate is necessary and whether that might help solve the fraudulent call problem.

Comments in the proceeding are due 45 days after publication in the *Federal Register*, with Reply Comments due 30 days thereafter. As this issue goes to press, the item has not yet appeared in the *Federal Register*.