

Standards Committee T1

Carrier Liaison Committee

Telecommunications  
Industry Forum

Ordering and Billing  
Forum

Network Interconnection  
Interoperability Forum

Industry Numbering  
Committee

Protection Engineers  
Group

Standards Committee O5

Network Reliability  
Steering Committee

Internetwork  
Interoperability Test  
Coordination Committee

Telecommunications  
Fraud Prevention  
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Generic Requirements  
Users Group

International Forum on  
ANSI-41 Standards  
Technology

Interactive Voice  
Response Forum

TTY Forum

Administrative Council for  
Terminal Attachments

IMSI Oversight Council

May 17, 2002

VIA HAND DELIVERY

Mr. Thomas J. Sugrue  
Bureau Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: *Ex Parte* Communication In the Matter of Revision of the  
Commission's Rules to Ensure Compatibility with Enhanced 911  
Emergency Calling Systems, CC Docket No. 94-102, *Report and Order*  
(April 29, 2002) ("Report and Order")

Dear Mr. Sugrue:

I am writing in my capacity as the Chair of the Emergency Services  
Interconnection Forum ("ESIF")<sup>1</sup> to convey new information to the Federal  
Communications Commission ("FCC" or "Commission") that was not  
introduced into the record during the proceeding cited above. Specifically, the  
purpose of this communication is to: (1) identify a potential solution found in  
industry standard, J-STD-036 (Annex C); (2) identify potential adverse impacts  
of the consecutive number (123-456-7890) solution currently provided for in  
the Report and Order; and (3) suggest the benefits of further analysis of the  
potential solutions and the resulting potential need for the deferral of the  
October 1, 2002 effective date specific to the consecutive number (123-456-  
7890) solution.

Again, the ESIF recognizes that the information contained within this  
correspondence was not introduced into the record during the proceedings and,  
as such, was not available during the Commission's deliberation. The ESIF  
may, if determined appropriate at the time, file an official Petition for

<sup>1</sup> The ESIF is a sponsored committee of the Alliance for Telecommunications Industry  
Solutions ("ATIS") that has been jointly convened by ATIS and the National Emergency  
Number Association ("NENA") to facilitate the identification and resolution of technical issues  
related to the interconnection of the telephony and emergency services networks. ESIF is an  
open, technical forum encouraging the voluntary participation of interested parties to identify  
and resolve recognized interconnection issues. For further information on the ESIF, its work or  
meetings, please see [www.atis.org/atis/esif/esifhome.htm](http://www.atis.org/atis/esif/esifhome.htm).

Reconsideration and Stay of the Effective Date once the Report and Order has been published in the Federal Register consistent with 47 CFR § 1.106(c)(2).

By way of background, the Commission released a Public Notice on May 18, 2000 seeking comments on the “call back capabilities for non-serviced initialized handsets” and whether the Commission should address technical solutions or educational programs.<sup>2</sup> The Public Notice was prompted by the requests of a group of Public Safety Entities led by the Texas Commission on State Emergency Communications. The group requested that the Commission revisit issues surrounding non-service initialized phones and, specifically, the requirement that calls be forwarded to Public Safety Answering Points (“PSAP”) and the inability for call-back once the connection is broken.<sup>3</sup> The Commission then released a Further Notice of Proposed Rulemaking on May 25, 2001 seeking additional comment on possible technical solutions to the call-back issue.<sup>4</sup>

On the basis of a mixed record in the above proceeding, the Commission required in the Report and Order that non-service-initialized handsets donated through carrier-sponsored programs and newly manufactured “911-only” phones be programmed with the code 123-456-7890 as the telephone number and mobile identification number.<sup>5</sup> The Report and Order further requires, subject to OMB approval, that the requirement become effective on October 1, 2002.<sup>6</sup> It is with respect to this required technical solution and effective date that the ESIF provides the following information.

First, the ESIF has identified at least one other plausible solution to the call-back issue apparently not advocated on the record. That solution is found in Annex C of J-STD-036, “Enhanced Wireless 9-1-1 Phase 2,” published in August of 2000 as a joint standard by the Telecommunications Industry Association (“TIA”), on behalf of Committee TR-45, and the Alliance for Telecommunications Industry Solutions (“ATIS”), on behalf of its sponsored Committee T1. There is agreement between the TIA TR45.2 Ad Hoc on Emergency Services and the NENA Technical Committees that Annex C contains a solution suggesting the use of a handset’s Electronic Serial Number (“ESN”) or International Mobile Station Equipment Identity

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<sup>2</sup> *Public Notice*, “Comment Sought On Request For Further Consideration of Call Back Number Issues Associated With Non-Service Initialized Wireless 911 Calls,” DA 00-1098 (rel. May 18, 2000).

<sup>3</sup> Letter to Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, dated April 28, 2000, filed by the Texas Commission on State Emergency Communications and 16 local Texas Emergency Communications Districts, the National Emergency Number Association, the Association of Public-Safety Communications Officials-International, Inc., and the National Association of State Nine-One-One Administrators.

<sup>4</sup> In the Matter of Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,” CC Docket No. 94-102, *Further Notice of Proposed Rulemaking*, RM-8143 (rel. May 25, 2001).

<sup>5</sup> Report and Order at ¶ 26.

<sup>6</sup> Report and Order at ¶ 51.

("IMEI") to create a surrogate number. The surrogate number would be "911" plus the last seven digits of the ESN or the IMEI expressed as a decimal number. The IMEI is associated with GSM phones.

During initial ESIF discussions regarding the Annex C solution, it has been suggested that this solution may serve better than the consecutive number solution currently proposed in situations where a non-initialized phone is abusively employed to make hundreds of harassing calls to a PSAP effectively shutting down the 9-1-1 system in that area. The Annex C solution would allow for the easier identification of the phone used. In addition, the Annex C solution would identify the legitimate emergency caller forced by extenuating circumstances to make multiple calls to a PSAP.

Second, the consecutive number solution of 123-456-7890 required by the Report and Order also serves as a valid International Roaming MIN ("IRM") range. The impact of the 123-456-7890 number solution for non-initialized phones is to potentially remove one million numbers from the IRM assignment pool. It is worth noting that IRMs are a finite numbering resource where the first number of a ten-digit number must be a zero (0) or a one (1)<sup>7</sup>. The IFAST is an ATIS-sponsored open industry forum that promulgates IRM assignment guidelines.<sup>8</sup> While the Commission is under no legal compulsion to consult with the IFAST, further examination of the potential solutions, including the new one introduced in this letter, may afford the IFAST an opportunity to comment on any potential impacts.

Finally, the ESIF believes that the new facts provided above establish persuasive grounds for further deliberation of the consecutive number solution provided for in the Report and Order, as well as the Annex C solution and, possibly, other surrogate number options. While the ESIF supports the timely implementation of a technical solution to the call-back problem for non-initialized phones, the ESIF recognizes that the further deliberation may require a limited deferral of the October 1, 2002 effective date. Nonetheless, the ESIF believes there are good reasons to provide industry and public safety parties, through the ESIF and otherwise, with an opportunity to further investigate the potential technical solutions.

The ESIF and its participants would welcome an opportunity to further examine the matter and, when and if appropriate, provide the Commission with further information for the record.

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<sup>7</sup> See, *International Roaming Guide*, release 1.1, dated November 2001 and, *International Roaming Mobile Identification Number (MIN) Assignment Guidelines and Procedures*, version 3.0, dated May 2001. Both documents are available at: [www.ifast.org/ifast\\_documents.htm](http://www.ifast.org/ifast_documents.htm).

<sup>8</sup> The International Forum for ANSI-41 Standards Technology ("IFAST") is an open, international, technical forum that facilitates the identification and resolution of issues to enable the interoperability of systems between countries, carriers, technologies, and standards, thereby protecting the investment made by the industry in the ANSI-41 family of standards while evolving to a seamless global network. For further information on the IFAST, its work or meetings, please see [www.atis.org/atis/ifast/ifasthome.htm](http://www.atis.org/atis/ifast/ifasthome.htm)

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Should you have any questions regarding this matter, please contact Megan Campbell, ATIS General Counsel, at 202-434-8847 or Ed Hall, ATIS Vice President of Technology Development, at 202-434-8836. Those individuals will convey information to the ESIF and coordinate any necessary Forum activities.

Sincerely,



James Nixon  
ESIF Chair  
Director of Government Affairs  
VoiceStream Wireless

cc: John Melcher, ESIF Co-Covener, NENA (jmelcher@911.org)  
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