



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News media information 202 / 418-0500
TTY 202 / 418-2555
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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NEWS MEDIA CONTACT:
Meribeth McCarrick at (202) 418-0654

FCC TAKES STEPS TO IMPROVE THE ABILITY OF PUBLIC SAFETY AGENCIES TO ASSIST WIRELESS CALLERS USING NON-SERVICE-INITIALIZED PHONES

Washington, D.C. – The Federal Communications Commission (FCC) has adopted a *Report and Order* that takes further steps to improve the ability of public safety answering points (PSAPs) to respond quickly and efficiently to calls for emergency assistance made from a wireless mobile telephone. Specifically, the Commission addressed issues associated with the inability of a PSAP to call back a 911 caller who is disconnected when that caller is using a non-service-initialized (or non-initialized) wireless telephone.

Non-initialized wireless telephones are phones that are not registered for service with any Commercial Mobile Radio Service (CMRS) carrier. Because carriers generally assign a dialable number to a handset only when a customer enters into a service contract, a non-initialized phone lacks a dialable telephone number. Examples of these types of phones include “911-only” phones as well as unsubscribed cellular phones distributed by donation programs to at-need individuals, such as victims of domestic violence.

Specifics of Today’s Action:

The Commission took the following actions in the adopted *Report and Order*:

- determined that at this time it is still technically infeasible to require carriers, and manufacturers of 911-only phones, to develop and implement technical solutions that would provide PSAPs with a call-back number for calls from non-initialized phones;
- required that non-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,” to alert a PSAP that the 911 call is being made from a wireless phone that lacks call-back capability;
- required that non-initialized phones be labeled to alert the user to the lack of call-back capability. Carriers and manufacturers must design a prominently displayed and clearly worded label and affix it to each donated or manufactured non-initialized handset. The label should be designed and affixed to withstand the length of service expected for a non-initialized phone. The label should effectively alert the caller that the phone can only be used to dial 911, that the 911 operator will not be able to call the user back, and that the user should convey the exact location of the emergency as soon as possible;
- required that public education programs be instituted by carriers and manufacturers to more fully inform users of the limitations of non-initialized phones. Part of their programs must include a notice, in addition to the label affixed to the phone, which is provided at the time the phone is transferred to the user. The notice should give a more detailed explanation than the label affixed to the phone of the limitations of non-initialized handsets, including distinctions between service-initialized phones and non-initialized phones. Education programs may also

include training for carrier employees to also orally advise users of donated non-initialized phones of their limitations. Manufacturers of 911-only phones may set up consumer information “hotlines,” where trained employees can respond to any consumer questions. Information regarding non-initialized phones can also be posted on corporate websites.

The Commission noted that these important steps will alert the parties involved in a wireless 911 call of the need for quick information as to the caller’s exact location. This will help increase the likelihood that emergency services can be dispatched quickly to save lives.

Background on the Issue:

The FCC’s *E911 First Memorandum Opinion and Order* issued in 1997 required CMRS carriers to forward all 911 calls to PSAPs regardless of their service-subscription status. At that time, the Commission acknowledged that call-back capability may not be available for handsets not presently serviced by a wireless carrier, such as those that have never been service-initialized, or those for which the subscription to wireless service has lapsed. Therefore, the Commission limited the carriers’ obligation in such cases to delivering 911 calls to PSAPs, but stated that it would revisit the issue at a later stage.

Two new developments have occurred since the Commission adopted its original Enhanced 911 rules. The first is the institution of several laudable donation programs, where older, unused, and unsubscribed cellular phones are collected by various groups (both carrier and non-carrier) and distributed to at-need individuals, such as victims of domestic violence and other crimes, the elderly, and the infirm. The second is the development and sale of a new type of mobile phone, “911-only” phones, which are manufactured with only the capability of dialing 911, and which cannot receive calls.

In April 2000, several public safety entities asked the Commission to revisit the call-back number issue to determine if additional FCC action is needed. The public safety agencies wanted to seek solutions for situations where non-service-initialized wireless telephones may not provide PSAPs with valid call-back number information, even when wireless Enhanced 911 Phase I service has been implemented in an area. In May 2000 the Commission initiated a proceeding to revisit the call-back issue and this adopted Report and Order represents the FCC’s determination on the additional actions to be taken.

Action by the Commission April 17, 2002, by Report and Order (FCC 02-120). Chairman Powell, Commissioners Abernathy, Copps and Martin with Commissioner Copps issuing a separate statement.

FCC Contact: Patrick Webre (202) 418-7953 or pwebre@fcc.gov

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