



Federal Communications Commission
Washington, D.C. 20554

May 19, 2011

DA 11-920

Small Entity Compliance Guide

Wireless E911 Location Accuracy Requirements

Report and Order
FCC 10-176
PS Docket No. 07-114

This Guide is prepared in accordance with the requirements of Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the new rules adopted in the above-referenced FCC rulemaking docket(s). This Guide is not intended to replace the rules and, therefore, final authority rests solely with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. This Guide may, perhaps, not apply in a particular situation based upon the circumstances, and the FCC retains the discretion to adopt approaches on a case-by-case basis that may differ from this Guide, where appropriate. Any decisions regarding a particular small entity will be based on the statute and regulations.

In any civil or administrative action against a small entity for a violation of rules, the content of the Small Entity Compliance Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation; the FCC will consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The FCC may decide to revise this Guide without public notice to reflect changes in the FCC's approach to implementing a rule, or to clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to the FCC's Consumer Center:

1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax: 202-418-0232
fccinfo@fcc.gov

Objectives of the Proceeding

1. The Federal Communications Commission (FCC) has developed wireless Enhanced 911 (E911) rules to improve the accuracy and reliability of wireless 911 calls and to provide public safety and emergency response personnel with location information so they can locate and provide assistance to wireless callers more effectively.
2. It was the objective of the *Second Report and Order* to improve the ability of public safety personnel to have accurate information regarding the location of a wireless caller. Without precise location information, public safety's ability to provide critical services in a timely fashion becomes far more difficult, if not impossible. Accordingly, the *Second Report and Order* requires wireless carriers to take steps to provide more precise automatic location information in connection with 911 emergency calls to Public Safety Answering Points (PSAPs) in areas where they have not done so in the past. As a result of this order, emergency responders will be able to reach the site of an emergency more quickly and efficiently.
3. The *Second Report and Order* amended Section 20.18(h) of the Commission's rules to require wireless licensees subject to Section 20.18(h) to satisfy the Commission's location accuracy standards at either a county-based or PSAP-based geographic level. Additionally, the *Second Report and Order* adopted interim benchmarks and timelines, set forth in paragraphs 4-5 below, for carriers to meet these new requirements. Finally, the *Second Report and Order* required wireless carriers to provide confidence and uncertainty data on a per call basis upon PSAP request, regardless of whether a carrier employs handset-based or network-based location technology.

Rules that the Commission Amended

4. The *Second Report and Order* amended Section 20.18(h) of the Commission's rules to require wireless licensees subject to Section 20.18(h) (CMRS providers, excluding mobile satellite service operators) to satisfy these standards at either a county-based or PSAP-based geographic level.
5. The *Second Report and Order* also amended Section 20.18(h) to establish new compliance benchmarks. Carriers using network-based technologies must comply with a location accuracy standard of 100 meters for 67 percent of calls in 60 percent of counties or PSAP service areas one year from the effective date of the *Second Report and Order*; in 70 percent of counties or PSAP service areas three years from the *Second Report and Order*; and in 100 percent of counties or PSAP service areas within five years of the effective date of the *Second Report and Order*. Additionally, network-based technologies must meet a 300 meter/90 percent accuracy standard in 60 percent of counties or PSAP service areas within three years of the effective date of the *Second Report and Order*; in 70 percent of counties or PSAP service areas within five years of the *Second Report and Order*; and in 85 percent of counties or PSAP service areas within eight years of the *Second Report and Order*. Accuracy data from both network-based solutions and handset-based technologies may be blended with one another to measure compliance.
6. The *Second Report and Order* also adopted rules requiring handset-based technologies to meet the 50 meters/67 percent standard and 150 meters/80 percent

standard two years from the effective date of the *Second Report and Order*, allowing carriers to exclude up to 15 percent of counties or PSAP service areas from the 150 meter requirement based upon heavy forestation. Handset-based technologies must meet the 50 meters/67 percent standard and 150 meters/90 percent standard within eight years of the *Second Report and Order*, allowing for 15 percent exclusions in heavily forested areas.

7. To improve the ability of public safety personnel to assess the accuracy of the location information they receive, the *Second Report and Order* required wireless carriers to provide confidence and uncertainty data on a per call basis upon PSAP request. If a SSP (an entity responsible for transporting confidence and uncertainty data between wireless carriers and PSAPs, including LECs, CLECs, owners of E911 networks, and emergency service providers, any of which is termed “System Service Provider,” or “SSP”) does not pass confidence and uncertainty data to PSAPs, the SSP has the burden of proving to the Commission that it is technically infeasible for it to provide such data.
8. The rule became effective January 18, 2011, except for §§ 20.18(h)(1)(vi), 20.18(h)(2)(iii), and 20.18(h)(3), which contained information collection requirements subject to OMB approval. OMB approved the information collection on March 30, 2011. The amendments to 47 CFR 20.18(h)(1)(vi), (h)(2)(iii), and (h)(3) published at 75 FR 70604, November 18, 2010, became effective on April 28, 2011.

Recordkeeping Requirements

- Carriers must provide confidence and uncertainty data on a per call basis upon PSAP request beginning two years after the effective date of the order. Confidence and uncertainty data must be submitted to the requesting PSAP.
- Carriers must submit a list of specific counties or portions of counties where they utilize exclusions within 90 days following approval from the Office of Management and Budget for the related information collection. The *Order* requires carriers to submit their lists electronically into the docket of this proceeding, PS Docket No. 07-114, and the *Order* also requires carriers to send copies to NENA, APCO, and NASNA in paper or electronic form.

Weblink and Citations

Wireless E911 Location Accuracy Requirements, PS Docket 07-114, *Second Report and Order*, FCC 10-176, 25 FCC Rcd 18909 (2010). http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-10-176A1.pdf.