



# PUBLIC NOTICE

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**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON  
EMERGENCY ACCESS TO WI-FI ACCESS POINTS AND SPECTRUM FOR UNLICENSED  
DEVICES PURSUANT TO SECTION 301 OF RAY BAUM'S ACT OF 2018**

**PS Docket No. 20-285**

**Comment Date: October 1, 2020**

**Reply Comment Date: October 16, 2020**

By this *Public Notice*, the Public Safety and Homeland Security Bureau seeks comment on emergency access to Wi-Fi access points as directed by Congress in the RAY BAUM'S Act of 2018.<sup>1</sup> By March 23, 2021, Section 301 of RAY BAUM'S Act requires the Commission to submit to Congress and make publicly available on the Commission's website, a study on the public safety benefits and technical feasibility and cost of—

- (1) making telecommunications service provider-owned Wi-Fi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9-1-1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;
- (2) the provision by non-telecommunications service provider-owned Wi-Fi access points of public access to 9-1-1 services during times of emergency when mobile service is unavailable; and
- (3) other alternative means of providing the public with access to 9-1-1 services during times of emergency when mobile service is unavailable.<sup>2</sup>

Accordingly, we invite interested parties to provide comments to guide the Commission as it prepares the required study.

We invite commenters to identify and address the technical feasibility, cost, and public interest benefits of the following communications options during times of emergency when mobile service is unavailable: (1) making telecommunications service provider owned Wi-Fi access points, or other communications technologies operating on an unlicensed basis, available to the general public for open access to 911 services; (2) provisioning by non-telecommunications service provider-owned Wi-Fi access points; and (3) other alternative means of providing the public with access to 911 services, including over private Wi-Fi access points.

We ask commenters to address the technical and operational complexities of giving the public access for 911 services on telecommunications service provider-owned Wi-Fi access points, including

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<sup>1</sup> Repack Airwaves Yielding Better Access for Users of Modern Services (RAY BAUM'S) Act of 2018, Pub. L. 115-141, § 610, 132 Stat. 1080, 1108 (2018).

<sup>2</sup> *Id.* at §§ 301, 303 (defining the terms “mobile service,” “Wi-Fi access point,” and “times of emergency”).

provider-owned Wi-Fi access points installed at customer premises. Commenters should identify telecommunications service providers, if any, that are already providing public access to 911 services through provider-owned Wi-Fi access points or other communications technology(ies) operating on an unlicensed basis, and, if so, to what extent. Commenters should discuss the technical feasibility, costs, and public interest benefits of making Wi-Fi access points that are owned by non-service providers open and available for 911 service during times of emergency when mobile networks are unavailable. We seek specific comment on the challenges that 911 services over Wi-Fi present for small service providers and other small entities.

We seek comment on “alternative means” that could be used to provide open access to 911 services during times of emergency when mobile networks are unavailable. These may include other forms of network communication or other application layer services. Commenters should address the utility and feasibility of using Mobile Ad-hoc Networks connected to Wi-Fi access points to access 911 services during an emergency. We also seek comment on the use of the “SOS” Uniform Resource Name to facilitate access to 911 services over the web.

We seek comment on means of activating provider-owned Wi-Fi access to 911 services during “times of an emergency.” Commenters should address activation of telecommunications service provider-owned and non-telecommunications service provider-owned Wi-Fi for 911 calls. Commenters should address the criteria and the processes for triggering open Wi-Fi access for 911 calls when commercial mobile networks are unavailable, including incident specific timing (i.e., once a commercial mobile network is determined to be unavailable, how much elapsed time is needed to execute the processes for these alternative 911 access processes?). Commenters should also address the timeframes needed for providing the general public with open access to 911 services when mobile service is unavailable.

We ask commenters to discuss how open Wi-Fi access points would identify “911 services,” including voice and data services (e.g., text-to-911). For 911 calls made over Wi-Fi, we seek comment on routing 911 calls to the appropriate Public Safety Answering Point (PSAP) with the caller’s location information. What are the costs associated with making Wi-Fi access points capable of delivering location information to PSAPs? Would the public interest be served by enabling 911 calls from Wi-Fi access points without location information capabilities? What are the risks of the location being misreported if handsets would be enabled to automatically seek and try to connect to any available Wi-Fi network when 911 is dialed without users having to select a Wi-Fi network? Commenters should address 911 callback capabilities for emergency open 911 access and the technical, cost, and implementation timelines.

We seek comment on standards development and best practices needed to facilitate 911 services over open Wi-Fi, including who should develop them and required timelines. These standards can range from the use of specific codecs for non-authenticated 911 calls to traffic engineering best practices concerning Active Queue Management or other means of ensuring a minimal Quality of Service for 911 services.

We seek comment on the feasibility and cost of provisioning consumer devices to support open Wi-Fi for 911 services. Could handsets be enabled to automatically seek and try to connect to any available Wi-Fi network when 911 is dialed without users having to select a Wi-Fi network? Would such handset capability require new hardware or software, and what are the likely costs and development cycles for such technology? How would Voice over Wi-Fi support members of the public who do not have a contractual relationship with that Wi-Fi provider and its Wi-Fi access point?

We seek comment on whether power and backhaul capabilities are available that would support 911 access over Wi-Fi in times of emergency when mobile networks are unavailable. Wi-Fi hotspots require both electrical power at the site to send and receive signals and backhaul from the site to connect to the core network. During a weather emergency like a hurricane, which can cause wireless network unavailability, both power outages and downed utility pole lines carrying backhaul can also make Wi-Fi

access points unavailable. How do these factors affect the efficacy of 911 calling from Wi-Fi? How often do we see mobile network failure emergencies where Wi-Fi would nonetheless be available?

We seek comment on cybersecurity and privacy issues as well as congestion issues that could be associated with open access to Wi-Fi for 911 calls. Because such access would entail removal of password protections, commenters should address the feasibility and cost of on-demand Wi-Fi authentication deactivation, upgrading devices or Wi-Fi systems so that password requirements are dropped only during emergencies, and limiting unauthenticated Wi-Fi use only to 911 calls. We also ask commenters to provide insight on the use and impact of high definition voice codecs (*e.g.*, wideband AMR) on congestion on shared Wi-Fi access points.

*Comments and Reply Comments:* Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document.<sup>3</sup> All pleadings are to reference PS Docket No. 20-285. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Interested parties may submit comments, identified by PS Docket No. 20-285, by any of the following methods:

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.U.S.
- Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>
- During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.
- People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

*Ex Parte Rules.* This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>4</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two

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<sup>3</sup> 47 CFR §§ 1.415, 1.419.

<sup>4</sup> *See* 47 CFR §§ 1.1200(a), 1.1206.

business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Chris Fedeli, Attorney Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418-1514 or [Christopher.Fedeli@fcc.gov](mailto:Christopher.Fedeli@fcc.gov) or John A. Evanoff, Deputy Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418-0848 or [John.Evanoff@fcc.gov](mailto:John.Evanoff@fcc.gov).

By the Chief, Public Safety & Homeland Security Bureau.

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