



# NEWS

**Federal Communications Commission**  
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**Washington, D. C. 20554**

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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## **FOR IMMEDIATE RELEASE:**

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### **FCC PROPOSES TO FINE AT&T WIRELESS SERVICES, INC. \$2.2 MILLION FOR E911 VIOLATIONS**

Washington, D.C. – Today, the Federal Communications Commission released a Notice of Apparent Liability proposing that AT&T Wireless Services, Inc. (“AT&T Wireless”) be held liable for a \$2.2 million fine. This action follows an Enforcement Bureau investigation into whether AT&T Wireless violated the Enhanced 911 (“E911”) Phase II rules with respect to its Global System for Mobile Communications/General Packet Radio Service network (“GSM network”).

On April 4, 2001, AT&T Wireless filed a request for waiver of the E911 Phase II rules in which it proposed to build a new GSM network and implement a hybrid handset- and network-based location technology across this network. In its waiver request, AT&T Wireless stated that it would provide location capable handsets to all GSM subscribers so that the GSM network would be capable of providing Phase II service from the date of deployment. Thus, AT&T Wireless limited its request to only a waiver of the Phase II accuracy requirements, not to the underlying rules themselves. On October 2, 2001, the Commission granted AT&T Wireless a temporary, conditional waiver of the location accuracy requirements, relying in part on AT&T Wireless’s statement that it did not need a broader waiver.

After receiving reports that AT&T Wireless had, contrary to its statements in connection with its waiver request, already begun to deploy its GSM network without location-capable handsets, the Enforcement Bureau commenced an investigation into AT&T Wireless’s compliance with the E911 rules. Based on this investigation, the Commission finds that:

1. AT&T Wireless appears to have violated Section 20.18(g)(1)(i) of the Commission’s Rules by failing to begin selling and activating location-capable handsets by October 1, 2001 without requesting a waiver and after telling the Commission that it did not need such a waiver. The Commission proposes a \$500,000 fine for this apparent violation.
2. AT&T Wireless appears to have violated Section 20.18(g)(2) of the Commission’s Rules by failing to implement any network or infrastructure upgrades necessary to provide E911 Phase II service and to begin providing Phase II service within six months of a valid request by a designated Public Safety Answering Point or by October 1, 2001, whichever is later, without requesting a waiver and after telling the Commission that it did not need such a waiver. For this apparent violation, the Commission proposes a \$500,000 fine.

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3. AT&T Wireless appears to have violated Section 1.65 of the Commission's Rules by failing to notify the Commission within 30 days that information in its E911 waiver request was no longer substantially accurate and complete. Specifically, AT&T Wireless never informed the Commission that, contrary to statements in connection with its pending waiver request, it had in fact begun deploying its GSM network without location-capable handsets. In addition, AT&T Wireless appears to have violated the October 2, 2001 Commission order granting it a waiver of the E911 rules for its GSM network by failing to make a supplementary filing notifying the Commission that it was not going to comply with the Phase II deployment schedule requirements. The Commission proposes a \$1.2 million fine for these apparent violations.

Action by the Commission on May 9, 2002 by Notice of Apparent Liability for Forfeiture (FCC 02-142). Chairman Powell, Commissioners Abernathy, Copps and Martin.

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