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Federal Communications Commission
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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).

FOR IMMEDIATE RELEASE:

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**FCC AND AT&T WIRELESS ENTER INTO \$2,000,000
CONSENT DECREE REGARDING E911 RULES**

Washington, D.C. – The Commission has adopted an Order approving a consent decree resolving possible violations of the enhanced 911 (E911) Phase II rules by AT&T Wireless Services, Inc. (AT&T Wireless). As part of the consent decree, AT&T Wireless has committed to a timeline for deployment of its network-based location technology within its Global System for Mobile Communications/General Packet Radio Service network (GSM network). Under the decree, AT&T Wireless will deploy a Phase II compliant technology at a minimum of 1,000 cell sites on its GSM network by January 31, 2003; 2,000 cell sites by March 31, 2003; 4,000 cell sites by June 30, 2003; 6,000 cell sites by December 31, 2003; and 8,000 cell sites by June 30, 2004. For Public Safety Answering Points (PSAPs) that filed valid requests for Phase II service on or before September 30, 2002, AT&T Wireless will provide Phase II service to 100% of those PSAPs' coverage areas or populations by November 30, 2003; for PSAPs that filed valid requests for Phase II service after September 30, 2002, but on or before April 30, 2003, AT&T Wireless will provide Phase II service to 50% of those PSAPs' coverage areas and population by November 30, 2003, and to 100% of those PSAPs' coverage areas and population by June 30, 2004. In addition, AT&T Wireless has agreed to make a voluntary contribution to the U.S. Treasury in the amount of \$2,000,000.

It will also submit Quarterly Reports to the Commission on its progress and compliance with the terms and conditions of the consent decree and the E911 Phase II rules. Further, should it fail to meet the deployment benchmarks set forth in the consent decree, AT&T Wireless will make automatic payments to the U.S. Treasury of \$450,000 for the first missed benchmark, \$900,000 for the second missed benchmark, and \$1.8 million for any subsequently missed benchmarks.

On October 2, 2001, the Commission granted AT&T Wireless a temporary, conditional waiver of the E911 Phase II rules for its GSM network. The Commission granted AT&T Wireless a waiver only of the Phase II location accuracy requirements, not the requirements for deployment of location-capable handsets and provision of Phase II service to PSAPs. After receiving reports that AT&T Wireless was not in compliance with the handset deployment requirements, the Enforcement Bureau commenced an investigation. Based on this investigation, the Commission issued a Notice of Apparent Liability (NAL) on May 20, 2002. The NAL cited AT&T Wireless for apparent violations of the E911 Phase II rules (Section 20.18 of the

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Commission's Rules) and for failing to notify the Commission within 30 days that information in its E911 waiver request was no longer substantially accurate and complete (Section 1.65 of the Commission's Rules). The consent decree resolves the apparent violations addressed in the NAL, as well as other issues related to AT&T Wireless's deployment of E911 technology in its GSM network.

Action by the Commission on October 8, 2002 by Order (FCC 02-283). Chairman Powell, Commissioners Abernathy, Copps and Martin.

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