

**Remarks of
Jonathan S. Adelstein
Commissioner, Federal Communications Commission**

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Thank you Greg for that kind introduction. And I really want to thank APCO for inviting me to join you today. As Greg mentioned I have made working on E911 one of my priorities while at the Commission, and it has been a real privilege to work with many of you on this important objective. You in the public safety community are on the front lines of keeping our country and our people safe. You deserve our ongoing thanks and support.

Introduction

I have been talking about E911 since even before I joined the Commission - at my confirmation hearing two years ago. At that time, I talked about how, in my Jewish tradition, the Talmud says that if you save one life, you have saved a whole world. When people look back on the work of APCO and its membership, it will be said that you saved many worlds through this effort. You will have helped so many people who are otherwise facing imminent harm or even death to be located more quickly by emergency personnel.

There is no higher calling or higher priority for us at the FCC than E911. Every day, we confront issues that can affect up to billions of dollars by major players in these industries. But unlike a lot of issues we handle that get so much attention, this literally is a matter of life or death.

I wanted to start off my remarks by sharing a story that may be familiar to some of you. It is from my home state of South Dakota and about Karen Nelson, a woman who got trapped in her pickup after it slid off a country road during a very severe snow storm. Fortunately, she had a cell phone and got a hold of 911. But this was in 1997, before enhanced 911, and she did not know where she was.

Searchers used snowmobiles and even F-16 jets equipped with heat-sensing equipment to try to find her but were initially unsuccessful. But, when a search plane flew overhead, she was able to hear it. She relayed this to the dispatcher – she would say, “it’s coming closer, closer, closer....now it’s passing, farther, farther.” She provided enough information over several passes that she was finally rescued, but only after spending 40 hours in her car. Truly, this was a primitive but innovative use of location identification technology!

Putting the Spotlight on Wireless E911

We have come a long way since then, but we still have a long way to go. That is why the work of APCO and Project Locate is so important. We cannot rest until wireless E911 is available in all of our nation's PSAPs and to all wireless phone subscribers. I was thrilled to be asked to speak at today's symposium because it's events just like this that keep the spotlight on the success – and challenges – of wireless E911 deployment.

I want to specifically commend APCO's Project Locate for its continued focus on this mission. It is highlighting the work of model communities that are tackling the complexities and challenges associated with the deployment of wireless E911. Through it, others are learning and are becoming better informed about PSAP readiness and what it takes to successfully deploy E911 in the real world.

The Project Locate Model Community Managers also deserve a great deal of our thanks. They are sharing their experiences with the APCO community and promoting the role of PSAPs in the E911 process. I encourage all of you to check out their "top tips for successful wireless deployment" on the Project Locate web site – the advice truly is invaluable.

I am also pleased that the Commission is doing its part. Since I have been at the Commission, we have made great strides in continuing to do what we can to support the rollout of E911. We are continuing to provide solid regulatory guidance and invoking our enforcement authority when appropriate. We have also greatly improved our outreach efforts. The Wireless Telecommunications Bureau has put on three very well-organized E911 Coordination Initiatives in the Commission Meeting Room. During them, we tackled important issues like the challenges of wireless E911 in rural America, and the role of state governments in successful E911 deployments. I was able to moderate a number of the panels during those different events and found the discussions incredibly worthwhile.

We have also improved our level of collaboration with legislators on Capitol Hill. A great deal of credit goes to Senator Burns, Senator Clinton, and Representatives Shimkus and Eshoo, who had the vision to launch the Congressional E911 Caucus. I have had the opportunity to participate in a number of events hosted by the Caucus and the E911 Institute and its executive director Greg Rohde. Whether speaking at The 911 Honors or providing remarks at an information briefing for congressional staff, it has truly been an honor to work with such a dedicated group of people. Events like these are critical to promoting public education on E911, and emergency communications issues in general.

Dealing with the Challenges of Wireless E911 Deployment

Frankly, I think we would all agree that the deployment of wireless E911 had a fitful start. It was based on new and unproven technologies. And it required the unprecedented cooperation of a wide range of players – wireless carriers, public safety answering points, equipment and technology vendors, local exchange carriers, state utility commissions and local governments. Looking back, though, I think many would agree the ball was dropped on occasion.

But things have really turned the corner. During the past few years, the FCC cracked down on many of the wireless carriers – and they have responded well. Some hard decisions were made – technologies were dropped and fines were levied – but we all needed and received a well-deserved kick in the pants to get back on track.

The numbers reveal the progress: over 4,000 PSAPs are now Phase I capable, and Phase II is now deployed to around 1900 PSAPs in over 38 states. Millions of GPS-enabled handsets have been sold. And some of this is the direct result of consent decrees negotiated by the Commission in earlier enforcement actions.

Of course, we cannot rest on our laurels. There are still thousands of PSAPs without Phase II or even Phase I service. The FCC can and will continue to do more work with these PSAPs, the carriers, and others in support of the E911 deployment. In my view, we can never do enough.

For example, we must continue to give guidance to our partners on state public utility commissions on cost recovery and other deployment issues. We must continue to respond to the need of PSAPs to deal with related wireless E911 issues such as unintentional 911 calls and non-initialized phones. Finally, we should continue to aggressively support the incumbent local exchange carriers' vital role in the wireless E911 process – we need to continue to convey the importance of this effort to them, as we have done over the past couple of years. In particular, we want them to support your efforts and provide the best and most useful data they technically can when routing location information to PSAPs. And if there are concerns about providing that data, they should let us know.

We will continue our oversight of wireless carriers to ensure that they are doing what they can to continue deployment efforts. As many of you know, we have put in place a number of specific obligations on carriers with regard to E911 deployment so that it is clear to everyone what is expected when it comes to “readiness” issues.

We also are working with rural wireless carriers who are facing issues with location accuracy and limited access to the latest equipment; we want to keep these carriers on the path to E911 compliance so that no one gets left behind. While the challenges of wireless E911 deployment in rural areas may be greater than in more populated areas, the benefits can be greater as well given the importance of the so-called “golden hour” – the first 60 minutes of intensive care during which it is most possible to save the life of an injured or traumatized person.

We have solicited the help of the FCC's Network Reliability and Interoperability Council, or NRIC, to look at some of the technical issues associated with E911, such as location accuracy. I know that the Emergency Service Interconnection Forum also has looked at the technical methodology for performing accuracy testing. And the Wireless Networks Issue Committee organized by the E911 Institute recently issued a comprehensive report expressing a number of concerns regarding the scope of testing and other so-called quality of service issues. It is really a must-read for everyone associated with wireless E911.

We owe everyone who dedicated their efforts to these groups, including many of you, a debt of gratitude for your work. Location information, and the accuracy of that information, will be

critical pieces of the wireless E911 puzzle going forward, particularly for emergency response dispatch decisions. I have taken a look at APCO's request from last month that the FCC issue a declaratory ruling on location testing and accuracy. Given what is at stake, I take these concerns seriously and will consider the petition very carefully. While the matter is pending, though, I strongly encourage all sides – carriers, vendors, PSAPs, and others – to stay at the table and continue to their discussions of these important issues. Each constituency needs to fully understand the needs and expectations of the other. The best solution in this case, ultimately, may be a collaborative one. We will keep an eye on the carriers. But I encourage all in this room to do their part on the issues of location accuracy and other quality of service issues.

But wireless carriers are only one cog of the wheel. Full E911 deployment has stopped rolling forward in many states because of funding or other issues. Today, you will hear a great deal about PSAPs and the important role of public safety in this process. You will hear about the challenges facing E911 deployment if PSAPs are not ready, able, or fully funded to provide the service.

While many PSAPs are in a good position to deliver service, others still have a long way to go. E911 deployment is not a simple process. It requires coordination and cooperation among the wireless carriers, the public safety community, local phone companies, technology vendors, and state legislatures and regulatory commissions. The development of wireless E911 has had a fitful history, but we have learned our lessons and overcome each road block so far. We must continue to work toward the December 2005 deadline for handset compliance and our ultimate goal of full wireless E911 deployment for all consumers and PSAPs.

VoIP – The Next Challenge

While I know our focus today is on wireless E911, I also know the next 911 challenge is on many of your minds – Voice over Internet Protocol and other similar IP-enabled services. Earlier this year, the FCC launched a rulemaking to examine policy and regulatory objectives for VoIP, and last week, we had an important meeting at the Commission during which we ruled on the jurisdiction of a specific VoIP service provided by the company Vonage.

When dealing with new technologies like VoIP, we cannot let public safety concerns slip. And at both of these FCC meetings, I tried to highlight my specific concerns with our treatment of 911 communications in making our decisions. We need to keep the spotlight on emergency communications, even as we get excited about these new technologies.

Of course, there is a big upside. Internet-based communications like VoIP may open up new emergency response and medical monitoring services that do not exist today. All indications are that IP is becoming the building block for the future of telecommunications and its use is integral to the explosion of choices for consumers.

But we must be sure that in our eagerness to embrace IP-enabled services, we do not indirectly undermine the important work industry, the public safety community and the FCC are already doing. We must continue to focus on how to enhance emergency services for the benefit of consumers and our national security through the continued rollout of E911 service.

That is why I paid particular attention to the public safety section of the VoIP Notice. The item does a good job in discussing how IP-enabled services provide an opportunity for technological improvements that may enhance the capabilities of PSAPs and first responders. But, I am concerned about consumers and their expectations for 911 with those Internet-based communications that function just like plain old telephone service. I worked hard to tighten this section of the Notice, and I look forward to working with all of you on the role of 911 in IP-enabled voice communications.

I appreciate the arguments that VoIP should be allowed to develop free of any regulatory constraints. And we certainly need to remain mindful of the privacy implications. On the other hand, we must make certain that such “hands off” treatment does not mean we are undercutting the safety of consumers. We need to carefully balance these considerations. Given how far this technology has developed already, we cannot afford to just sit back and watch. We have got to get the policy structure right from the start and find solutions together to ensure that emergency services continue to be rolled out as quickly as possible, whether circuit or IP-based. We learned our lesson in the wireless E911 world, and it would be great to get out front of the challenge when it comes to VoIP services.

I am afraid, though, that we lost an opportunity to do just that in the Vonage Order that we adopted last week. In the item, we preempt a State’s efforts to ensure the public safety of its citizens – based here largely on the linkage of the 911 requirement with a State certification. This decision might fairly be characterized as premature. A Minnesota rule addressing emergency service capabilities requires that a competitive carrier file a plan for compliance with its applicable public safety law. While Vonage contended that compliance with Minnesota’s rules did not appear readily achievable, we seem to prejudge the State’s willingness to work toward reasonable public safety solutions before Minnesota had an opportunity to even consider the Vonage plan.

Last month, I noted with great interest the announcement from Rhode Island that it worked with Vonage to become the first state with a 911 system capable of identifying the location of VoIP calls. This effort should be applauded and is an encouraging sign for the future. But while I am hopeful that similar arrangements will be forthcoming in other states, I am concerned that our approach of overriding States’ public safety efforts without clear federal direction takes us into a dangerous territory. We can’t afford to let consumers come to rely on services without the benefit of the critical safety net that they have come to expect.

Conclusion

So we’ve got a lot of challenges ahead of us – whether it is continuing our good work on wireless E911 or tackling new frontiers like VoIP. With leadership like the folks here in the room today, though, I am certain we can get the job done.

I will do what I can to make sure that the FCC will continue to lead the deployment effort for wireless E911 and for 911 services generally. But we need your leadership, as well. Given that the FCC has no jurisdiction over many of the key players in these efforts, the continued input

from so many in this room and on Capitol Hill is essential. For example, we have no ability to ensure that states don't raid funds specifically set aside for wireless E911 services. We do not have the financial resources to help those PSAPs that want Phase II service but are located in jurisdictions without a cost recovery mechanism.

We are all partners in this effort, and it is up to us – and I really mean all of us in this room and those we represent – to work together to get this done quickly and effectively.

I look forward to working in that partnership with you and the other stakeholders who share our commitment to finish the job.

Thank you for the opportunity to be with you today.