

**DISSENTING STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,**

Re: *Wireless E911 Location Accuracy Requirements*, PS Docket No. 07-114.

A little over five years ago, Mary Thomas suffered a stroke in an apartment in New York City. She instantly knew something was wrong and mustered up the strength to call 911. But like a lot of stroke victims, her speech was slurred. She pulled the phone to her mouth but was unable to clearly state to the dispatcher just where she was and what had happened.

So the first responders turned to technology. The cell tower information for Mary Thomas's phone gave an address for the call. But the address was wrong. It turns out that in New York, it can be easy for public safety to get lost. So many buildings, so many floors, with apartments and offices stacked high in the sky. In fact, the first responders followed several false leads trying to track her call. All in all, they searched for eight hours before they located Mary Thomas on the right floor. The 911 dispatcher stayed with her on the phone the whole time.

This is an incredible story. But when I read about it, it stung. There are so many tall buildings in this country that reach the clouds and so many more squat ones with a few floors spread over a large area. I wondered how many 911 calls come from these locations? How many of them come from wireless phones? How many more lives could be saved if we ensured that every call included precise, dispatchable information for first responders? After all, no matter who you are and what floor you're on, when you call 911 you want public safety to find you.

I dug in. I studied the FCC rules governing 911 location accuracy and found they were behind the times. They were built for an era that assumed every call came from a traditional landline. In fact, when you call from a wired phone, public safety officials know your location with precision. But the vast majority of calls no longer come from wired phones, they come from wireless phones—and our rules were a hodgepodge of standards for indoor and outdoor use that reflected calling patterns from decades ago.

So five years ago, I wrote about Mary Thomas in an editorial. I testified about her experience and others like it before Congress. And I pressed this agency to do something to update its policies and fix its 911 rules. As a result, it adopted a new framework to improve location accuracy information for 911 calls made from wireless phones.

That brings us to this rulemaking today. It proceeds on the pathway set up a few years ago, but now specifically proposes that wireless carriers provide public safety with an indoor caller's vertical location within 3 meters. It suggests this should be accomplished in roughly the largest fifty metropolitan areas by 2023.

I don't think this is ambitious enough. In the years since this framework was put in place, technology has evolved. It has improved. Our record reflects it is possible to locate 911 callers with more precision—and I think we should be able to do it in less time all across the country.

The truth is a 3-meter policy does not provide public safety with precise floor location. As the text of the rulemaking acknowledges, it does not yield floor-level accuracy. I think that's a problem. Because what happened to Mary Thomas should not happen again. We should choose standards that without fail provide floor level accuracy. When police or firefighters show up in an emergency, the last thing they should have to do is take out a measuring tape. They need a standard that tells them precisely where you are.

I appreciate that this rulemaking has evolved since it was first put forward. It now includes a discrete question about floor levels. It also asks questions about privacy. But on the most fundamental level, it is organized around standards that unquestionably fall short of what first responders require to keep us safe. The fact is we need real precision if we want to be able to locate with floor-level accuracy every 911 call—and we need it fast. And on this score this rulemaking misses the mark. I regretfully dissent.