

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

In the Matter of)	
)	
Implementing Kari’s Law and Section 506 of RAY BAUM’s Act)	PS Docket No. 18-261
)	
Inquiry Concerning 911 Access, Routing and Location in Enterprise Communications Services)	PS Docket No. 17-239
)	

REPLY COMMENTS



The American Cable Association (“ACA”) hereby files reply comments with the Federal Communications Commission (“Commission”) on its Notice of Proposed Rulemaking (“NPRM”) implementing Kari’s Law and Section 506 of RAY BAUM’s Act. ACA’s initial comments and this reply are both focused on NPRM proposals concerning the provision of “dispatchable location” in multi-line telephone system (“MLTS”) environments.¹

¹ *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Notice of Proposed Rulemaking, FCC 18-132 (rel. Sept. 26, 2018).

In the NPRM, the Commission proposed requiring that MLTS be “configured such that the dispatchable location of the caller is conveyed to the [Public Safety answering Point (“PSAP”)] with 911 calls.”² In its comments filed in response, ACA described practices that ACA members follow today to provide MLTS customers with 911 location capability. These practices, which ACA members generally follow even when operating in one of the many States that lack E911 requirements for MLTS,³ are much like the Registered Location process that ACA members follow in the context of interconnected VoIP.⁴ As ACA explained, its members collect location information from MLTS customers at the time of installation; ensure the information is reported to the appropriate 911 database; instruct customers how to update their location information; and ensure that any updates are reported promptly. The record indicates that other providers follow similar practices.⁵

Moreover, the record suggests that the practices used by ACA member companies and others to provide MLTS customers with 911 location capability can meet the RAY BAUM’s Act “dispatchable location” standard.⁶ For fixed MLTS used by small

² See NPRM at 67 (Proposed Rule § 9.15(b)(3)). The proposed rule would apply to “installers, operators and managers” of MLTS. As commenters observe, the extent to which a service provider embodies one or more of these roles will depend on the nature of its business relationship with an enterprise customer. See *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Comments of AT&T at 6 (filed Dec. 10, 2018) (“AT&T Comments”); Comments of USTelecom at 2 (filed Dec. 10, 2018) (“USTelecom Comments”).

³ See NPRM, ¶ 7 (“To date, 23 states have enacted legislation that requires organizations over a certain size or purchasing a new PBX/MLTS system to implement E911 on the system.”).

⁴ See *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Comments of ACA at 2-3 (filed Dec. 10, 2018) (“ACA Comments”).

⁵ See *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Comments of NCTA at 6-7 (filed Dec. 10, 2018) (“NCTA Comments”); Comments of NTCA at 3 (filed Dec. 10, 2018) (“NTCA Comments”); Comments of Verizon at 6 (filed Dec. 10, 2018) (“Verizon Comments”); AT&T Comments at 8-9.

⁶ See Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018 (“RAY

enterprises occupying small facilities, which doubtlessly comprise a substantial share of all MLTS,⁷ a registered “street address” should “adequately identify the location of [a 911 caller]” anywhere on the premises.⁸ For these MLTS customers, the provision of “dispatchable location” will be essentially the same as providing Registered Location for an interconnected VoIP customer in a single-family dwelling. In MLTS environments where more granular information—such as “room number” or “floor number”—is necessary to locate 911 callers, such information can be collected from the customer and reported in the same manner.⁹ Indeed, ACA and others note that such information is often collected from MLTS customers and reported today.¹⁰

While some commenters identify new and emerging technologies that use location information extracted from user devices to generate dispatchable location,¹¹ such technologies seem to be overkill for many MLTS customers, especially smaller enterprises with limited budgets who occupy premises of modest size. There may be some interest in these technologies among larger enterprise customers, especially ones with more complex business operations, who conclude that implementing such

BAUM’S Act”), Pub. L. No. 115-141, 132 Stat. 348, 1095, § 506(c)(2) (2018) (codified at 47 U.S.C. § 615 note) (“The term ‘dispatchable location’ means the street address of the calling party, and additional information such as room number, floor number, or similar information necessary to adequately identify the location of the calling party.”).

⁷ See AT&T Comments at 4 (“In the U.S., 99.9% of all businesses are small businesses, and nearly 80% of small businesses have fewer than ten employees.”).

⁸ See NPRM, ¶ 58 (acknowledging that there are “situations in which street address is sufficient for first responders to quickly and accurately find the calling party”).

⁹ See ACA Comments at 2-3; AT&T Comments at 8-9; NCTA Comments at 6-7; NTCA Comments at 3; Verizon Comments at 6.

¹⁰ See ACA Comments at 2-3; NTCA Comments at 3; Verizon Comments at 6.

¹¹ See *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Comments of Bandwidth (filed Dec. 10, 2018); Comments of ComTech (filed Dec. 10, 2018); Comments of Microsoft (filed Dec. 10, 2018).

technologies is less costly than providing updated dispatchable location information as such information changes in the normal course of business. At any rate, the Commission should not assume that more technologically complex methods of providing dispatchable location are superior; indeed, some commenters raise doubts about the efficacy of such technologies in existence today.¹²

Accordingly, in adopting any requirement that MLTS be configured to provide dispatchable location, the Commission can and should preserve flexibility for providers to provide dispatchable location, and MLTS customers to receive it, through different means, including in accordance with the practices followed by ACA members today. ACA supports the text of proposed rule Section 9.15(b)(3), on the condition that the Commission affirm that an MLTS is “configured” to provide dispatchable location when dispatchable location information is collected from the customer at the time of installation and properly reported; the customer is instructed how to update the information; and any updates are timely reported.¹³ A provider that follows these practices in installing, operating or managing an MLTS should be deemed to have met its obligation under the rule to “configure” the MLTS to provide dispatchable location,

¹² See AT&T Comments at 9 (“Even if available, automatic location solutions could raise network security concerns.”); *Implementing Kari’s Law and Section 506 of RAY BAUM’s Act* et al., PS Docket No. 18-261 et al., Comments of Ad Hoc Telecommunications Users Committee Comments at 13 (filed Dec. 10, 2018) (“[I]t would be premature to conclude that it is feasible for MLTS operators to satisfy the rules’ requirements based primarily on the representations of various vendors that their products have solved the problem of transmitting accurate location information. Actual experience in the marketplace by MLTS operators suggests that the solutions available today are not as simple to deploy, reasonably priced, or universally effective for solving the challenge of identifying the precise location of a highly mobile workforce as the record may indicate.”) (internal citations omitted).

¹³ ACA does not mean to suggest that the practices discussed above are the only means by which an MLTS could be “configured” to provide dispatchable location. In particular, implementing technologies that extract location information directly from user devices may be another means of “configuring” an MLTS to provide dispatchable location. ACA would support the Commission affirming this point as well.

notwithstanding any failure of the customer to supply accurate location information or to keep the information current.¹⁴

Finally, as ACA advocated in its initial comments,¹⁵ the Commission should ensure that its adoption of a dispatchable location rule for MLTS does not add complexity to providers' regulatory obligations. Tracking compliance with the patchwork of State laws that govern MLTS 911 service is already burdensome for ACA members, and the burden would only increase if additional States were to adopt such requirements. The Commission should not make matters worse by introducing a federal requirement that further complicates providers' obligations, but rather should consider ways of making these obligations more consistent nationwide. Harmonizing the nation's MLTS 911 requirements would benefit not only ACA members and other providers, but also MLTS customers that seek to procure MLTS for use in multiple States. It would also stimulate the MLTS marketplace by ensuring that there is a nationwide market for any new location technologies or capabilities.

¹⁴ ACA agrees with other commenters that a provider that installs, operates or manages an MLTS should not be held responsible for a customer's failure to supply accurate 911 location information, or for other actions or omissions of a customer that impair the provision of 911 service. See, e.g., NCTA Comments at 2, 5; USTelecom Comments at 3-4.

¹⁵ ACA Comments at 5.

ACA appreciates the opportunity to file these reply comments, and it encourages the Commission to take its comments into account as it moves forward in this proceeding.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "B Hurley", with a long horizontal flourish extending to the right.

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