

STATEMENT OF NATIONAL EMERGENCY NUMBER ASSOCIATION (NENA)
AND ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS-
INTERNATIONAL (APCO) REGARDING VOIP E9-1-1 REGULATION

November 7, 2005

On November 2, the Senate Commerce Committee adopted S.1063, the “IP-Enabled Voice Communications and Public Safety Act of 2005” which includes many beneficial provisions for public safety. We were pleased to work with the Committee staff on several aspects of this important legislation, and greatly appreciate their responsiveness to the needs of the public safety community on many issues. We look forward to continue working with the Committee on report language to clarify that S.1063 does not, and is not intended to, prevent the FCC from enforcing its current rules.

We continue to strongly support the FCC’s VoIP E9-1-1 Order and the need for the FCC to maintain its authority to enforce the rules adopted therein, including the November 28 compliance deadlines. Therefore we oppose the current request of several VoIP providers seeking a stay of the Commission’s rules. Additionally, we believe that the Commission must be able to prevent a VoIP provider from offering new services in areas in which it is unable to comply with the current regulations.

We also believe that clarification of S.1063 is necessary to confirm our understanding that the Commission will retain the discretion to grant or deny petitions for waiver based upon its determination as to whether there is a sufficient showing under the relevant waiver standard. Technical and operational feasibility may be permissible considerations, but so also is the demonstration of a clear path to full compliance.

In addition, we remain concerned with language added to the bill at mark-up that could restrict the ability of the FCC to adopt rules that require a specific “technology standard.” As we learned from the wireless experience, the lack of a nationally standardized approach to E9-1-1 deployment can lead to unnecessary delays. One of the roles of the Commission should be to encourage and, in some cases, require the use of national standards. A lack of such standards will surely result in confusion and additional cost for PSAPs.

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