FCC Proposes Aggressive Location Accuracy Requirements for Indoor 911 Calls Despite Concerns

February 20, 2014

At its open meeting on February 20, the FCC adopted a Notice of Proposed Rulemaking ("NPRM") to improve the accuracy of caller location information provided to public safety officials for all wireless calls to 911, including indoor calls. The Commission noted that over 70 percent of 911 calls are placed from wireless phones, with those calls increasingly coming from indoor locations. Last month, Commissioner Rosenworcel characterized the lack of reliable location information as "an unacceptable gap." Today's action moves forward on the issue, despite carriers' concerns (and those of some Commissioners) that the technologies are not sufficiently ready.

Thus far, the FCC has only released a public notice summarizing the action. Based on the presentation to the Commissioners, the NPRM proposes to establish a set of location accuracy requirements specifically for wireless calls originating from indoor locations. The Commission's proposals are technology neutral, and would allow the wireless carriers to determine which technology they would deploy to meet the standards. However, the Commission proposes accuracy standards for both the horizontal axis (X.Y coordinates) and the vertical axis (Z coordinate). As described in the presentation, the Commission proposes to require a horizontal accuracy of less than 50 meters for 2/3 of calls within 2 years and 80% of calls within 5 years. For vertical accuracy – *i.e.*, floor level accuracy – the Commission proposes to require an accuracy of 3 meters or less for 2/3 of calls within 3 years and 80% of calls within 5 years.

These standards would be implemented on a nationwide basis, per county or per PSAP. The Commission proposes to test the compliance of technologies with these standards through an independent test bed, much like the test bed established by the Commission's advisory committee, CSRIC.

Two Commissioners, Pai and O'Rielly, expressed concern with the Commission's implementation deadlines. Both pointed to the experience with Phase II location accuracy for outdoor wireless calls as examples that the Commission may be moving too aggressively. In addition, Commissioner O'Rielly asked that the Commission also address privacy implications of having such detailed location information available at all times.

Finally, the Commission addressed complaints by PSAPs that location data required under existing rules is not being transmitted. The Commission has proposed whether to establish a minimum time period within which wireless carriers must provide a "first fix" of location. It also asks whether to standardize confidence data and to require PSAP best practices, including "re-bidding" for location data.

The NPRM is part of an increased focus on 911 quality and reliability issues in the wake of massive

911 outages such as the one following the June 2012 Derecho. Other FCC actions relating to 911 issues include the Text to 911 Order, which required wireless service providers to send “automatic ‘bounce-back’ text message in situations where a consumer attempts to send a text message to 911 in a location where text-to-911 is not available,” and the 911 Reliability Order, which required 911 service providers to adopt best practices to ensure reliable 911 service and report outages to public safety answering points in a timely manner. These actions demonstrate the FCC’s continued emphasis on developing policies that ensure reliable access to 911. Judging from the Commissioners' statements, this focus is not likely to dissipate any time soon.

Kelley Drye Telecommunications paralegal Jennifer Rodden contributed to this post.