

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for a Notice of Inquiry Regarding 911)	PS Docket No. 08-51
Call-Forwarding Requirements and Carriers')	
Blocking Options for Non-Initialized Phones)	

**COMMENTS OF THE NATIONAL ASSOCIATION
OF TELECOMMUNICATIONS OFFICERS AND ADVISORS
IN RESPONSE TO THE NOTICE OF INQUIRY**

I. INTRODUCTION

The National Association of Telecommunications Officers and Advisors (“NATOA”) submits these comments in response to the Notice of Inquiry (“NOI”), released April 23, 2008, in the above-captioned proceeding.

NATOA’s membership includes local government officials and staff members from across the nation whose responsibility is to develop and administer communications policy and the provision of services for the nation’s local governments.

II. THE NOTICE OF INQUIRY

Non-service initialized (“NSI”) devices have no associated name and address and, as a result, it is difficult for public safety entities to determine who is responsible for making 911 calls on such devices. This is particularly troublesome when such devices are used for making fraudulent calls. Indeed, the Commission itself recognized that

handsets without a code identification could be used to facilitate “hoax and false alarm calls.”¹

In response to a Petition for a Notice of Inquiry filed on behalf of nine public safety organizations and a software development firm,² the Commission initiated this NOI, seeking comment on three areas of concern: “(1) the nature and extent of fraudulent 911 calls made from NSI devices; (2) concerns with blocking NSI phones used to make fraudulent calls, and suggestions for making this a more viable option for carriers; and (3) other possible solutions to the problem of fraudulent 911 calls from NSI handsets.”³

A. Extent of Fraudulent 911 Calls from NSI Devices

For the most part, Petitioners reply on data from limited areas of four states, from late 2006, to support their position that fraudulent calls from NSI devices are a significant problem for Public Safety Answering Points (“PSAPs”). We agree with the Commission that more data, including “more recent and expansive survey evidence for the same and other jurisdictions,” is needed. Indeed, considering the wide use of NSI phones, especially by the elderly and other vulnerable populations, it is imperative that the Commission have a sound, factual record before taking any action that may negatively impact the ability of these populations to make use of such devices.

NATOA shares the concerns of public safety entities. Our members, like the vast majority of public safety employees nationwide, work for local governments, and we

¹ *In the Matter of Petition for a Notice of Inquiry Regarding 911 Call-Forwarding Requirements and Carriers’ Blocking Options for Non-Initialized Phones*, Notice of Inquiry, PS Docket No. 08-51 (rel. Apr.11, 2008) (“NOI”) at ¶ 3.

² Petitioners include the Tennessee Emergency Communications Board, the National Association of State 911 Administrators, the Michigan State 911 Office, the New Jersey State 911 Commission, the Snohomish County Enhanced 911 Office, the National Emergency Number Association, the Association of Public-Safety Communications Officials International, the State of Montana 911 Program, the Washington State E911 Program, and Openwave Systems, Inc.

³ NOI at ¶ 10.

know full well the potential financial and personnel burdens that such calls may impose on 911 call centers. But it is imperative that the Commission obtain additional concrete, factual information from public safety entities nationwide in order to determine the true scope of the problem. NATOA also hopes that consumer groups, especially those representing the interests of at-risk populations, respond to the NOI. It would be especially beneficial to understand to what extent these populations use NSI devices. It is only after the scope and severity of the problem is better understood that the Commission should consider taking any action.

B. Consumer Education Initiatives

It appears that many of the complained of fraudulent 911 calls made from NSI devices are initiated by children. It appears these calls are made on discarded phones given to them by their parents, oftentimes to be used as toys. It is very probable that adult consumers are unaware of the fact that such phones are still capable of making 911 calls. As such, mobile phone subscribers should be provided with appropriate information regarding this issue whenever purchasing a device. Such a requirement would impose little or no burden on equipment providers, but could result in a noticeable benefit to 911 centers.

III. CONCLUSION

With the explosive growth in mobile phone use, it is only natural that there would be a corresponding increase in fraudulent 911 calls made from NSI devices.

Unfortunately, no amount of public education will completely solve the problem of irresponsible individuals misusing various communications media. From the boy who cried wolf to Bart Simpson's crank calls to phony fire alarms set off in schools across the

country, public safety entities will be forced to deal with the reality that some in our society will abuse the 911 system to the detriment of others. But it is imperative that the Commission hear from all affected parties before taking any action to address this issue and that any action taken must carefully weigh the legitimate concerns of our public safety entities against those whose lives could very well depend on the continued use of NSI devices.

Respectfully submitted,

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June 2, 2008