

required to provide access to emergency services. The Commission also asks what type of information, such as call-back and location should be delivered to Public Safety Answering Points (PSAPs) on a service-by-service basis.

2. Specifically, the Commission seeks comment on the general criteria that it wants commenters to use in analyzing whether the enumerated services and devices should be included within the scope of services that offer 911 service. The Commission proposes analyzing each service or product based on whether: (1) It offers real-time, two-way voice service that is interconnected to the public switched network on either a stand-alone basis or packaged with other telecommunications services; (2) the customers using the service or device have a reasonable expectation of access to 911 and E911 services; (3) the service competes with traditional CMRS or wireline local exchange services; and (4) it is technically and operationally feasible for the service or device to support E911.

3. The FNPRM then turns to the individual services on which the Commission seeks comment and raises additional questions where needed. The enumerated services are mobile satellite service, telematics service, multi-line telephone systems, resold cellular and PCS service, pre-paid calling, disposable mobile phones, automated maritime telecommunications systems, and other emerging services and devices, such as IP telephony.

Administrative Matters

Initial Regulatory Flexibility Analysis

4. As required by the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities of the proposals suggested in this Further Notice of Proposed Rule Making. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments filed in this FNPRM, and must have a separate and distinct heading designating them as responses to the IRFA. This is a summary of the full text of the IRFA. The full text of the IRFA may be found at Appendix B of the full text of the FNPRM.

5. As required by the Regulatory Flexibility Act, as amended (RFA), the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities by the policies and rules proposed in this Further Notice of

Proposed Rulemaking (Further Notice), CC Docket No. 94–102 and IB Docket No. 99–67. Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the Further Notice. The Commission will send a copy of the Further Notice, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration. See 5 U.S.C. 603(a). In addition, the Further Notice and IRFA (or summaries thereof) will be published in the **Federal Register**.

A. Need for, and Objectives of, the Proposed Rules

6. The Further Notice initiates a reevaluation of the scope of communications services that should provide access to emergency services. The Further Notice examines and seeks comment on the need to require compliance with the Commission's basic and enhanced 911 (E911) rules, or similar requirements, by various other mobile wireless and certain wireline voice and data services. The Further Notice considers whether existing services such as telematics or voice service provided by multi-line systems should be required to provide access to 911 service. The Further Notice also considers whether certain new services should be subject to any E911 requirements. The Further Notice additionally seeks comment on the impact that exclusion of these services and devices from the Commission's 911 rules may have on consumers, as well as the technological and cost issues involved in providing E911, taking into account the expectations of consumers for 911 service when they use these services and devices. The Further Notice of Proposed Rulemaking also seeks comment on a proposal to require mobile satellite service (MSS) providers (in particular, MSS providers offering real-time, interconnected two-way voice service) to establish emergency call centers to answer 911 emergency calls.

B. Legal Basis for Proposed Rules

7. The proposed action is authorized under Sections 1, 4(i), 7, 10, 201, 202, 208, 214, 222(d)(4)(A)–(C), 222(f), 222(g), 222(h)(1)(A), 222(h)(4)–(5), 251(e)(3), 301, 303, 308, 309(j), and 310 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 157, 160, 201, 202, 208, 214, 222(d)(4)(A)–(C), 222(f), 222(g), 222(h)(1)(A), 222(h)(4)–(5), 251(e)(3), 301, 303, 308, 309(j), 310.

C. Description and Estimate of the Number of Small Entities To Which the Proposed Rules Will Apply

8. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” In addition, the term “small business” has the same meaning as the term “small business concern” under Section 3 of the Small Business Act. Under the Small business Act, a “small business concern” is one that: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). A small organization is generally “any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.” Nationwide, as of 1992, there were approximately 275,801 small organizations.

9. The definition of “small governmental jurisdiction” is one with populations of fewer than 50,000. There are 85,006 governmental entities in the nation. This number includes such entities as states, counties, cities, utility districts and school districts. There are no figures available on what portion of this number has populations of fewer than 50,000. However, this number includes 38,978 counties, cities and towns, and of those, 37,556, or ninety-six percent, have populations of fewer than 50,000. The Census Bureau estimates that this ratio is approximately accurate for all government entities. Thus, of the 85,006 governmental entities, we estimate that ninety-six percent, or about 81,600, are small entities that may be affected by our rules.

10. Individual voice services and devices that are examined as to appropriateness for 911 and E911 service provision include: mobile satellite service, telematics service, multi-line telephone systems, resold cellular and personnel communications service, pre-paid calling, disposable phone, automated maritime telecommunications systems, and emerging services and devices.

11. We have included small incumbent LECs in this RFA analysis. As noted above, a “small business” under the RFA is one that, inter alia, meets the pertinent small business size standard (e.g., a telephone