

*E. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered*

28. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.

29. The critical nature of the 911 and E911 proceedings limit the Commission's ability to provide small carriers with a less burdensome set of E911 regulations than that placed on large entities. A delayed or less than adequate response to an E911 call can be disastrous regardless of whether a small carrier or a large carrier is involved. The various licensees scrutinized in the Further Notice have been exempt to date from the Commission's 911 and E911 regulations as the Commission sought information from which to judge the appropriateness of requiring that those services provide 911 and E911 service. The Further Notice continues this examination and reflects the Commission's concern that only those entities that can reasonably be expected to provide emergency services, financially and otherwise, be asked to provide this service. The Further Notice affords small entities another opportunity to comment on the appropriateness of the affected services providing emergency services and on what the Commission can do to minimize the regulatory burden on those entities who meet the Commission's criteria for providing such service.

30. Throughout the Further Notice, the Commission tailors its request for comment to devise a prospective regulatory plan for the affected entities, emphasizing the individual needs of the service providers and manufacturers as well as the critical public safety needs at the core of this proceeding. The Commission will consider all of the alternatives contained not only in the Further Notice, but also in the resultant comments, particularly those relating to minimizing the effect on small businesses.

31. The most obvious alternatives raised in the Further Notice are whether

the services under discussion should be required to comply with the Commission's basic and enhanced 911 rules or whether the Commission should continue to exempt these entities from providing this service. The Further Notice, to assist in this discussion, suggests, in paragraphs 12–15, criteria to determine the appropriateness of each service under consideration to provide emergency services. These criteria are open for comment and this provides an excellent opportunity for small entity commenters and others concerned with small entity issues. Again, we seek comment to determine the appropriate service groups to provide critical services.

32. Along these lines, discussion of criteria and alternatives could focus on implementation schedules. In discussing each of the prospective entities and soliciting further information, throughout the Further Notice the Commission invites comment on the schedule for implementing 911 and E911 services which best meets the abilities, technically and financially suitable to the individual entities. In the past, the Commission has best been able to offer affected small and rural entities some relief from E911 by providing small entities with longer implementation periods than larger, more financially flexible entities that are better able to buy the equipment necessary to successful 911 and E911 implementation and to first attract the attention of equipment manufacturers.

33. In its discussion of MSS, the Further Notice recognizes that satellite carriers face unique technical difficulties in implementing both basic and enhanced 911 features. Thus, in paragraphs 22–26, the Further Notice examines the use of call centers in response to this problem. Paragraph 25 of the Further Notice notes that several commenters, thus far, have indicated that MSS callers tend to be located in remote areas where no PSAP may be available. The Further Notice suggests alternative solutions to this problem noting that, in the context of the 911 Act proceeding, stating that in areas where no PSAP has been designated, carriers still have an obligation not to block 911 calls and clarifying where such calls can be directed when no designated PSAP exists. There are a number of alternatives raised in the Further Notice in discussing the specifics of the calling center alternative. For example, should the Commission require carriers to relay automatically available location information to emergency call centers, and what reasonably achievable accuracy standards could be established for this location information?

34. Paragraphs 30–32 of the Further Notice recognize that high costs are associated with modifying satellite network infrastructures to accommodate E911 emergency call information and route it to appropriate PSAPs. These paragraphs discuss alternate solutions suggested in the comments to date, and request further comment aimed at reducing such costs. For example, some carriers argue that network modifications are necessary to forward ANI and ALI data, such as retrofitting switches throughout the network and making costly private trunking arrangements between earth stations and PSAPs. One commenter suggested that the retrofit costs could be reduced if (1) a single, central emergency call service could receive calls for the nation, or (2) each of the 50 states has a single point of emergency contact. Additionally, in paragraphs 35–41, the Further Notice considers alternatives for providing ALI. The Further Notice discusses a Coast Guard recommendation that the Commission require strict ALI accuracy standards for GMPCS. There are a number of issues and alternatives relating to the need for GPS that could conceivably impact small entities.

35. The Further Notice, in paragraphs 49–54, discusses international issues connected to MSS. The Further Notice seeks comment on a number of related alternatives, including whether resolution of international standards should in any way further delay adoption of a call center requirement or E911 rules for MSS, and on liability issues in connection with recognition of multiple emergency access codes. Finally, in regards to possible MSS emergency service requirements, the Further Notice, in paragraph 55, considers integration of the Ancillary Terrestrial Component.

36. In considering possible 911 and E911 regulation for telematics systems, the Further Notice, in paragraphs 64–71, questions whether a telematics call-center approach to 911 calls might be more appropriate than an approach based solely on 911 calls placed through a jointly packaged mobile voice service. Paragraphs 74–75 of the Further Notice weigh the benefits and costs involved in requiring telematics providers to deliver automatic crash notification data to PSAPs. Further, paragraph 80 of the Further Notice considers whether the Commission's legal authority might lead it to impose requirements directly on telematics providers or equipment manufacturers.

37. The Further Notice, in paragraphs 81–91, examines potential 911 and E911 requirements for multi-line telephone