

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Transition from TTY to Real-Time Text Technology)	CG Docket No. 16-145
)	
Petition for Rulemaking to Update the Commission’s Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology)	GN Docket No. 15-178

COMMENTS OF APCO INTERNATIONAL

The Association of Public-Safety Communications Officials-International, Inc. (APCO) hereby submits the following comments in response to the Commission’s Further Notice of Proposed Rulemaking in the above-captioned proceeding.¹

Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 27,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems—including 9-1-1 Public Safety Answering Points (PSAPs), emergency operations centers, radio networks, and information technology—for law enforcement, fire, emergency medical, and other public safety agencies.

¹ In the Matter of Transition from TTY to Real-Time Text, Petition for Rulemaking to Update the Commission’s Rules for Access to Support the Transition from TTY to Real-Time Text Technology and Petition for Waiver of Rules Requiring Support of TTY Technology, CG Docket No. 16-145, GN Docket No. 15-178, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 16-169 (rel. Dec. 16, 2016) (“R&O”) (“FNPRM”).

APCO continues to support RTT as a tool that has the potential to enable faster, more robust communications with 9-1-1 than TTY or SMS, but remains cautious with regard to the impact on PSAPs and consumers. Here, APCO addresses the proposed sunset date for the RTT-TTY backward compatibility requirement, the impact on PSAPs without IP connectivity, and consumer education and outreach.

The Commission seeks comment on a proposed sunset date of 2021 for the RTT-TTY backward compatibility requirement.² APCO opposes establishing a sunset date altogether, as doing so would be premature. Until all PSAPs are prepared to receive RTT communications as RTT, sunsetting the backward compatibility requirement would effectively impose an unfunded mandate on PSAPs which would be unprecedented by the Commission. PSAPs may need to continue relying on legacy technology for some time, even after commercial networks transition to IP-based networks and almost certainly after 2021. As APCO has noted elsewhere, PSAPs need more than IP-connectivity to properly receive and process RTT communications. A fully functional system requires completion of consensus-based, accredited standards and must include interoperable IP-based connectivity as well as other data capabilities and equipment within the PSAP to seamlessly report, archive, and further transmit data.³

Until PSAPs have the resources they need to fully transition to IP-based capabilities, and a clear path to sustain these resources, a sunset date would harm public safety by leaving certain PSAPs and the public they serve without the option to communicate by TTY or RTT. APCO and many other organizations are striving to help PSAPs transition to NG9-1-1, which will

² FNPRM, para. 77.

³ Comments of APCO, PS Docket No. 09-14, at 2-3 (filed Feb. 13, 2017). The implementation considerations for RTT mirror those for NG9-1-1.

enable communications via RTT, photos, videos, and other multimedia content to 9-1-1. For now, it is simply not appropriate to sunset the backward compatibility requirement.

The Commission also asks whether it would be helpful to track the adoption of RTT by PSAPs, the frequency of RTT-to-TTY 9-1-1 calls, and how to address adverse impacts of RTT on PSAPs without IP connectivity.⁴ Collecting data on RTT adoption by PSAPs and the frequency of RTT-to-TTY calls could be helpful for identifying and addressing adverse impacts on PSAPs.⁵

APCO is concerned about the potential adverse impacts of RTT on PSAPs without IP connectivity. As APCO previously cautioned, the RTT-TTY backward compatibility requirement effectively establishes text-to-911 as a nationwide service available to all consumers using RTT, even when PSAPs have not elected to implement text-to-911.⁶ Few PSAPs have adopted SMS text-to-911, and fewer still have elected to receive texts via TTY. PSAPs face significant financial, operational, and technical challenges with implementing text-to-911.⁷ Even without the cost of additional equipment, for example if the PSAP elects to receive text messages via TTY, PSAPs still face costs and technical challenges for integrating TTY with PSAP systems such as computer aided dispatch and records management systems. Further, preparing to receive these text messages from the general public is far different from being ready to receive messages only from individuals with disabilities.

Additionally, RTT communications to 9-1-1 may go far beyond the low number of TTY calls to 9-1-1. RTT's simultaneous text and voice feature means that RTT communications will

⁴ FNPRM, para. 76.

⁵ APCO expects that this data will be collected and provided by RTT service providers.

⁶ Comments of APCO, CG Docket No. 16-145, GN Docket. No. 15-178, at 3 (filed Jul. 11, 2016). *See also* Ex Parte Letter of APCO, CG Docket No. 16-145, 1-2 (filed Dec. 7, 2016).

⁷ *See* Letter of Maria P. Jacques, ENP, Director, Maine Emergency Services Communication Bureau, to David G. Simpson, Chief, Public Safety and Homeland Security Bureau, FCC, 1-2 (filed Nov. 16, 2016) available at https://ecfsapi.fcc.gov/file/111789902143/Text_IPConnectivityDemarcationPoint_ME.pdf.

have the benefits of a voice call, plus the benefits of real time text.⁸ Consumers may come to see RTT as the preferred means of communication, even if they intend a voice-only call, because it affords the option of real time text. Thus, RTT may become a preferred method for voice calls and the primary method consumers use for contacting 9-1-1.⁹

The Commission should adopt strong public education and outreach requirements for RTT providers to minimize the potentially adverse impacts on PSAPs and the general public. The Commission, the 9-1-1 community, and the public could face significant problems if consumers adopt RTT before PSAPs nationwide are prepared to receive and properly handle RTT messages. Carriers and RTT app providers should be responsible for point of sale disclosures and ongoing education to ensure consumers understand the potential limitations of using RTT apps to contact 9-1-1. Given the potential difficulty for consumers to understand the differences between RTT and a voice-only call or an SMS text, carriers and app providers should also be required to provide regular updates to the Commission and the public safety community describing how RTT is being implemented and described to the public.

The Commission must remain vigilant to ensure that the rollout of RTT does not negatively impact 9-1-1 service. Consumer education will be key to accomplishing the goals of this proceeding while minimizing this risk. At the same time, the reporting requirements suggested herein should enable the Commission to take any necessary remedial actions.

⁸ R&O, para. 55.

⁹ Additionally, RTT might be integrated into a single texting app native to the device, much like today's native texting apps combine MMS and SMS. Thus, consumers may become accustomed to using a single app to communicate by voice or text, while remaining unaware of the implications for FCC rules and PSAP capabilities.

Respectfully submitted,

APCO INTERNATIONAL

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