

**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**

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

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 25,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including Public Safety Answering Points (PSAPs), dispatch centers, emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies.

The Commission proposes to amend section 20.18(c) to require wireless IP-based voice service providers to be capable of transmitting 9-1-1 calls through real-time text (RTT) in lieu of TTY. As APCO has previously noted, new texting services, and the multi-media capabilities

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<sup>1</sup> Transition from TTY to Real-Time Text Technology et al., *Notice of Proposed Rulemaking*, FCC 16-53, CG Docket No. 16-145, GN Docket No. 15-178 (rel. Apr. 29, 2016) (*NPRM*), available at [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-16-53A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-53A1.pdf).

that they afford, offer both opportunities and challenges for 9-1-1.<sup>2</sup> RTT has the potential to enable faster, more robust text communications with 9-1-1 than TTY or SMS. However, APCO's support for implementation of RTT is contingent upon compatibility with TTY and existing IP-based solutions, to the extent PSAPs have adopted them. Further, several issues must be considered with regard to compatibility with TTY and interoperability.

*Backwards Compatibility with TTY*

The Commission proposes “that, to comply with the rules adopted in this proceeding, wireless service providers must ensure that their RTT technology is interoperable with TTY technology.”<sup>3</sup> In the existing PSAP environment, prior to NG9-1-1 deployment, it is our understanding that PSAPs will continue to use TTY to receive RTT messages to 9-1-1, except perhaps for PSAPs that have existing IP connectivity. The Commission must ensure that PSAPs are not faced with additional costs to implement RTT, whether PSAPs receive RTT via IP networks or through TTY. While PSAPs might be able to receive RTT without incurring additional costs for equipment, software upgrades, or training, dependent upon the industry establishing gateways to transcode between RTT and TTY formats, APCO has several concerns with regard to delivery of RTT via TTY.

First, whereas TTY users likely understand its limitations (taking turns, unique codes, etc.), RTT users may not understand that these limitations apply when contacting 9-1-1. This will be exacerbated by the fact RTT users will be accustomed to the more advanced capabilities that come with communicating with other RTT users.

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<sup>2</sup> APCO International, Comments in response to the Commission's Third Further Notice of Proposed Rulemaking on Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, PS Docket No. 11-153 (filed Oct. 16, 2014), available at <https://www.apcointl.org/doc/advocacy/546-comments-text-to-911-11-153-10-255-1/file.html>.

<sup>3</sup> *NPRM* at para. 62.

Second, the Commission should take care to prevent RTT-to-TTY from inadvertently becoming a de facto nationwide text-to-911 solution,<sup>4</sup> without first accounting for PSAP readiness and preferable alternatives for receiving SMS texts, as well as other considerations the Commission has raised in a separate, pending proceeding.<sup>5</sup> If RTT gains mainstream popularity like SMS and MMS, it's unclear what would prevent all consumers from using RTT to contact 9-1-1 via TTY, regardless of whether the PSAP has opted to receive text messages at all or whether it has adopted a text-to-911 solution that would be a preferable alternative. While text-to-911 can substantially improve the ability of individuals to seek emergency assistance when a voice call is not feasible, the Commission should consider the need for PSAPs to conduct public outreach and operational preparation. PSAPs that have elected to implement text-to-911 have had the opportunity to engage in public education prior to implementation, conveying the important message, "Call if you can; text if you can't." They have also had time to develop standard operating procedures and training programs to become operationally ready. Accordingly, the Commission should avoid inadvertently establishing an RTT framework that circumvents current text-to-911 efforts and imposes obligations upon PSAPs that are not ready to adopt text-to-911.<sup>6</sup>

Third, regulations and laws outside of the Commission's authority may require PSAPs to continue supporting TTY. The Commission should coordinate an implementation process for

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<sup>4</sup> See proposed rule 67.2(d)(2) ("Covered services and authorized user devices shall enable the user to: ... transmit and receive RTT communications to and from any 911 public safety answering point (PSAP) in the United States").

<sup>5</sup> See Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, *Second Report and Order and Third Further Notice of Proposed Rulemaking*, FCC 14-118, PS Docket Nos. 11-153 and 10-255 (rel. Aug. 13, 2014) at para. 124 (inviting comment on a more expansive scope of text-to-911, including real-time text communications), available at [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-14-118A1\\_Rcd.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-118A1_Rcd.pdf).

<sup>6</sup> It's also worth considering that even though PSAPs have had the option to request delivery of SMS text messages via TTY, relatively few have done so. Further, while RTT might be a preferable means to reach 9-1-1 in a next gen environment when a voice call is not possible, presently, where SMS text-to-911 has been adopted, it could be preferable to RTT-to-TTY.

RTT with other authorities, or at least take into account the time needed for other laws and regulations to modernize.<sup>7</sup> We must avoid a situation in which certain consumers are unable to contact 9-1-1 because CMRS providers are only required to support RTT, PSAPs must continue supporting TTY, and the industry has not taken steps to ensure compatibility between RTT and TTY. The solution cannot be for PSAPs to maintain both TTY and RTT systems.

*Interoperability is Essential*

The Commission notes that, “in the absence of interoperability, multiple versions of RTT may need to be supported, not only by user devices, but also by TRS call centers and 911 PSAPs--a burden that could entail a prohibitive expense for many such entities.”<sup>8</sup>

APCO agrees that interoperability is essential to an efficient transition to and deployment of advanced technologies for public safety communications. This will facilitate the creation of a uniform approach needed for PSAPs, or at least compatible approaches that are transparent to PSAPs. With their limited funding and staffing, PSAPs should not face the additional challenge of integrating different solutions and interfaces. All elements of NG9-1-1 should be based on non-proprietary standards developed by accredited standards development organizations. In addition to facilitating interoperability, this will reduce costs and allow public safety to benefit from innovation offered by multiple commercial vendors.

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<sup>7</sup> APCO is particularly concerned that the timing of the Commission’s rule changes, permitting CMRS providers to use RTT in lieu of TTY, will not be aligned with changes to other regulations outside of the Commission’s authority. For example, 28 C.F.R. 35.162 requires PSAPs to provide direct access to persons who use telecommunications devices for the deaf. On July 26, 2010, the Department of Justice published an advance notice of proposed rulemaking to address in what manner PSAPs should be required to make changes in communications technology to reflect developments that have occurred since the publication of the regulation. The Department’s next step, publication of a notice of proposed rulemaking, may not occur until fall 2017. U.S. Department of Justice Civil Rights Division, Semiannual Regulatory Agenda (Spring 2016), available at <https://resources.regulations.gov/public/custom/jsp/navigation/main.jsp>.

<sup>8</sup> NPRM at para. 47.

CONCLUSION

APCO supports the use of RTT for 9-1-1, consistent with the comments herein.

Respectfully submitted,

APCO INTERNATIONAL

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