

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of	)	
	)	
Improving 911 Reliability	)	PS Docket No. 13-75
	)	
Public Safety and Homeland Security Bureau	)	DA 18-612
Seeks Comment on 911 Network Reliability	)	
Rules	)	

**REPLY COMMENTS OF T-MOBILE USA, INC.**

T-Mobile USA, Inc. (“T-Mobile”)<sup>1</sup> hereby addresses comments filed in response to the *Public Notice* issued by the Public Safety and Homeland Security Bureau (“Bureau”) seeking comment on the Commission’s rules regarding the reliability of the nation’s 911 networks, including notification to Public Safety Answering Points (“PSAPs”) of network outages affecting 911 service.<sup>2</sup> As discussed below, T-Mobile agrees with commenters that the existing 911 reliability rules are effective.<sup>3</sup> Modifications to the rules are unnecessary at this time and there is

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<sup>1</sup> T-Mobile USA, Inc. is a wholly-owned subsidiary of T-Mobile US, Inc., a publicly traded company.

<sup>2</sup> See *Public Safety and Homeland Security Bureau Seeks Comment on 911 Network Reliability Rules*, Public Notice, DA 18-612 (rel. June 13, 2018) (“*Public Notice*”).

<sup>3</sup> See, e.g., Alaska Communications Comments at 2 (filed July 16, 2018) (“the rules remain effective”); Alliance for Telecommunications Industry Solutions Comments at 2-3 (filed July 16, 2018) (“ATIS Comments”) (there is no need to revise the rules because they are working); Motorola Solutions Inc. Comments at 2 (filed July 16, 2018) (“Motorola Comments”) (“the Reliability Rules have been successful in enhancing 9-1-1 network resiliency”); Texas 9-1-1 Alliance Comments at 2 (filed July 16, 2018) (“911 Alliance Comments”) (noting that, based on recent observations, “the existing Commission rules as currently written and the status quo [may] strike a proper balance as to the appropriate level of regulation”); USTelecom — The Broadband Association Comments at 1 (filed July 16, 2018) (“the rules have largely had, and continue to have, their desired effect of strengthening the resiliency of 911 networks”); Verizon Comments at 1-4 (filed July 16, 2018) (the “existing reliability requirements for covered 911 service providers have been effective”); West Safety Services, Inc. Comments at 1 (filed July 16, 2018) (“West Comments”) (“The existing 9-1-1 reliability rules have largely been effective in improving the reliability and resiliency of 9-1-1 communications networks”).

no basis for expanding the scope of the rules to additional entities.<sup>4</sup> Additionally, T-Mobile agrees with commenters that, rather than adopt additional rules, the Commission should continue to support cooperative efforts currently underway by all stakeholders to improve the PSAP notification process.<sup>5</sup>

## DISCUSSION

### **I. THE EXISTING 911 RELIABILITY RULES ARE EFFECTIVE AND MODIFICATIONS TO THE RULES ARE UNNECESSARY AT THIS TIME**

In response to the Bureau's request for comment,<sup>6</sup> various commenters demonstrate that the existing 911 reliability rules are effective<sup>7</sup> and that modifications to the rules are unnecessary at this time. T-Mobile agrees.

There is no question that reliable 911 service is vital to public safety. The importance of the issue is reflected in the size of the record compiled when the Commission first considered adopting rules to improve the reliability and resiliency of 911 communications networks. Dozens of parties – including T-Mobile – submitted comments.<sup>8</sup> The Commission analyzed this detailed record and adopted rules specifically tailored to ensure the reliability of 911 communications while maximizing flexibility to account for differences in network architectures.<sup>9</sup>

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<sup>4</sup> Cf. Association of Public-Safety Communications Officials-International, Inc. Comments at 2 (filed July 16, 2018) (“APCO Comments”); NENA: The 9-1-1 Association Comments at 2 (filed July 16, 2018) (“NENA Comments”).

<sup>5</sup> See ATIS Comments at 1; INdigital Comments at 6-7 (filed July 16, 2018); NENA Comments at 3; Verizon Comments at 4; West Comments at 7.

<sup>6</sup> *Public Notice* at 2.

<sup>7</sup> See *supra* note 3.

<sup>8</sup> More than 30 parties submitted comments and/or reply comments. See *Improving 911 Reliability*, 28 FCCR 17476, 17537 (App. A) (2013) (“*911 Reliability Order*”).

<sup>9</sup> See *911 Reliability Order*, 28 FCC Rcd 17476.

A significant indicator of the effectiveness of the existing rules is the relatively small number of comments filed in response to the instant *Public Notice* seeking comment on the need for changes.<sup>10</sup> Moreover, although relatively few parties submitted comments, parties generally laud the effectiveness of the existing rules.<sup>11</sup>

Only two parties suggest that the scope of entities covered by the rules should be expanded.<sup>12</sup> Both offer overly broad, vague recommendations that could be construed to apply the current rules to entities that only play, at best, tangential roles in 911.<sup>13</sup> The Commission previously considered similar approaches and properly dismissed them,<sup>14</sup> noting that adoption of such “overbroad” rules may have unintended consequences, such as discouraging innovation.<sup>15</sup> No party has demonstrated that the Commission should revisit this conclusion, or its determination that the 911 reliability rules should be narrowly applied only to entities that “provide capabilities to route 911 calls and associated data such as ALI and ANI to the appropriate PSAP, but *not entities that merely provide the capability for customers to originate 911 calls.*”<sup>16</sup> This determination was supported by a vast record in which “[c]ommenters generally agree [that the rules should] focus on entities that route 911 calls and number or

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<sup>10</sup> Only ten parties submitted comments in response to the *Public Notice*.

<sup>11</sup> *See supra* note 3.

<sup>12</sup> APCO Comments at 2; NENA Comments at 2.

<sup>13</sup> APCO Comments at 2 (stating that the rules should cover entities that offer 911 capabilities “directly *or indirectly*”); NENA Comments at 1-2 (suggesting the inclusion of software and databases that could be interpreted to encompass parties the Commission has no authority over, such as computer aided-dispatch vendors).

<sup>14</sup> *See 911 Reliability Order*, 28 FCC Rcd at 17490.

<sup>15</sup> *Id.* at 17489, 17491. APCO acknowledges that changes may deter innovation and competition from new participants, but posits that changes “might . . . be achieved by expanding the scope of regulations.” APCO Comments at 1.

<sup>16</sup> *911 Reliability Order*, 28 FCC Rcd at 17489 (citation omitted).

location information to PSAPs, rather than the broader class of entities that allow customers to originate 911 calls.”<sup>17</sup>

The record compiled in response to the *Public Notice* continues to support narrow application of the 911 reliability rules to entities that provide services *directly* to PSAPs.<sup>18</sup> As West Safety Services, Inc. notes:

The Commission should refrain from revising or expanding the covered 9-1-1 service provider definition. The current definition is sufficiently broad in scope to cover the entire ecosystem of transitional and NG9-1-1 capabilities and services provided directly to a PSAP. By targeting the direct provider of 9-1-1 services to the PSAP, the Commission has crafted bright-line rules and roles for providers that are both simple and sensible.<sup>19</sup>

As another commenter states, expanding the rules “to entities that do not directly provide services to PSAPs would confuse both service providers and government stakeholders and undermine accountability.”<sup>20</sup> T-Mobile agrees with Motorola that, rather than adopt a broader definition of providers covered by the 911 reliability rules (“covered 911 service providers”), the Commission should “clarify that, in order to be a Covered Provider, the entity must have a *direct contractual relationship* with a PSAP, statewide default answering point, or appropriate local emergency authority to provide 9-1-1, E9-1-1 or NG9-1-1 call routing, ALI, *or* ANI *service* or functional equivalent of those services.”<sup>21</sup>

Based on the foregoing, T-Mobile cautions against vague, overly broad proposals to extend the scope of the rules to all entities that provide 911 capabilities, regardless of their actual

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<sup>17</sup> *Id.* (citation omitted).

<sup>18</sup> See Motorola Comments at 6; Verizon Comments at 3; West Comments at 5-6.

<sup>19</sup> West Comments at 5-6.

<sup>20</sup> Verizon Comments at 3; *accord* Motorola Comments at 6-7.

<sup>21</sup> Motorola Comments at 6 (emphasis in original).

roles in the 911 ecosystem. No party has provided a basis for justifying such a sweeping change in the existing rules.

## **II. THE COMMISSION SHOULD CONTINUE TO SUPPORT VOLUNTARY EFFORTS TO IMPROVE THE PSAP NOTIFICATION PROCESS**

In response to the Bureau's request for comments regarding ways to improve the PSAP notification process, there was widespread agreement that standardized content and delivery will help reduce confusion.<sup>22</sup> T-Mobile agrees and supports use of the template and standards developed by the ATIS Network Reliability Steering Committee, in collaboration with the Association of Public-Safety Communications Officials, the National Association of State 911 Administrators, and the National Emergency Number Association.<sup>23</sup> The successful development of this template demonstrates that all interested stakeholders are working together cooperatively to improve the PSAP notification process. Accordingly, there is no need to adopt mandatory, stringent rules governing the PSAP notification process at this time.

## **CONCLUSION**

For the reasons discussed above, the existing 911 reliability rules are effective and modifications to the rules are unnecessary at this time. Rather than adopt additional rules, the Commission should continue to support cooperative efforts by all stakeholders to improve 911 reliability, including the PSAP notification process.

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<sup>22</sup> ATIS Comments at 5-6; INdigital Comments at 6; NENA Comments at 3; 911 Alliance Comments at 2; Verizon Comments at 4; West Comments at 2, 7-8.

<sup>23</sup> ATIS, *Service Providers: Outage Reporting Structure and Potential Types of 9-1-1 Outages*, ATIS-0100066, Technical Report (2018), [https://www.atis.org/01\\_committ\\_forums/NRSC](https://www.atis.org/01_committ_forums/NRSC); Marcella Wolfe, *ATIS Task Force Announces Major Resource to Notify PSAPs of Service Outages*, ATIS Press Release (May 16, 2018), <https://sites.atis.org/insights/atis-task-force-announces-major-resource-to-notify-psaps-of-service-outages>.

Respectfully submitted,

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