

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
 )  
Implementation of the National ) WC Docket No. 18-336  
Suicide Hotline Improvement )  
Act of 2018 )

COMMENTS OF MITEL CLOUD SERVICES, INC.

Mitel Cloud Services, Inc. (“Mitel”), by its attorneys, submits these Comments in response to the Commission’s *Public Notice*<sup>1</sup> requesting comment regarding location identification for 988 calling.

I. Background.

On July 17, 2020, the Commission adopted rules to designate 988 as the nationwide, three digit dialing number to reach the National Suicide Prevention Lifeline (the “Lifeline”).<sup>2</sup> Under the new rules, “covered providers” (all telecommunications carriers, interconnected VoIP providers and one-way outbound VoIP providers)<sup>3</sup> will be required to route calls dialing 988 to the Lifeline’s toll free number.<sup>4</sup> The Commission set an implementation deadline for 988 dialing of July 16, 2022.<sup>5</sup>

Following the release of the 988 Order, Congress enacted the National Suicide Hotline Designation Act of 2020, which became Public Law 116-172 on October 17, 2020 (the “Hotline Act”). Section 5 of the Hotline Act requires the Commission to “submit to the appropriate

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<sup>1</sup> DA 20-1378 (rel. Nov. 19, 2020).

<sup>2</sup> *Implementation of the National Suicide Hotline Improvement Act of 2018, Report and Order*, FCC 20-100 (rel. July 17, 2020) (the “988 Order”).

<sup>3</sup> *Id.* at ¶ 38.

<sup>4</sup> *Id.* at ¶ 42.

<sup>5</sup> *Id.* at ¶¶ 57-58.

committees a report that examines the feasibility and cost of including an automatic dispatchable location that would be conveyed with a 9–8–8 call, regardless of the technological platform used and including with calls from multiline telephone systems” within 180 days of enactment. The Commission thereafter released the *Public Notice* in this docket, seeking broad comment on the issue of requiring dispatchable location information for 988 calls, including technical feasibility, cost, and appropriate implementation period. The *Public Notice* also determined that the Hotline Act did not alter the July 16, 2022 implementation deadline.

II. The Commission Should Carefully Consider the Appropriateness and Scope of Dispatchable Location Requirements for 988 Calls.

Mitel applauds the Commission’s adoption of 988 as a three-digit number by which persons in crisis can easily reach the Lifeline. Mitel is already implementing 988 calling in its systems and is committed to complying with the new, potentially life-saving requirements. Nonetheless, there are distinctions between the new 988 system and the long-extant 911 system that raise concerns as to whether dispatchable location information is (or can become) equally feasible, and if so, whether it would be equally useful.

First, the PSAPs who receive 911 calls are locally-based and have been set up to receive such calls and dispatch local first responders for many years. In contrast, the Lifeline is a national hotline. What use would the Lifeline make of location information? If Lifeline personnel would refer a call or associated information to the appropriate PSAP if needed, what are its capabilities of providing the dispatchable location information to the PSAP? Would dispatchable location information be truly useful, actionable data for the Lifeline? Regardless of whether and how covered providers may be able to provide dispatchable location information, Mitel respectfully submits that the first line of inquiry is whether the Lifeline will be able to use that information consistent with its mission to help callers in crisis, or whether such a

requirement will simply impose burdens on the Lifeline (for example, costs of upgrading equipment) without commensurate benefit.

Second, the *Public Notice* asks about the “potential costs to consumer privacy” of requiring dispatchable location information with 988 calls, and Mitel submits that this issue may be one of great concern. When callers dial 911, they generally expect that the appropriate first responders will be dispatched to their locations. As callers to a nationwide hotline, do Lifeline callers have similar expectations, or do they expect a certain level of anonymity? Would the knowledge that the caller’s location – even including apartment or room number – is available to the Lifeline, and could be shared by the Lifeline with local authorities, potentially discourage callers?

Mitel urges the Commission to carefully consider any comments submitted by the Lifeline and other organizations working in suicide prevention, to ensure that any recommendations made to Congress propose a path forward that is genuinely helpful to persons in crisis.

### III. Dispatchable Location Information May Require Significant Effort and Cost.

At present, Mitel can translate a call dialed to 988 to the Lifeline’s national toll-free number, but it does not have the capability to provide dispatchable location information with 988 calls. Assuming that dispatchable location information for 988 purposes would be the same as required for 911 calls under the rules implementing RAY BAUM’s Act, Mitel will likely need to partner with third-party vendors to obtain or help create a solution that allows such information to be conveyed with 988 calls as well. Additionally, the solution will need to be able to properly route location information, to either the PSAP for 911 calls or the Lifeline for 988 calls, and to the best of Mitel’s knowledge, its vendors would not currently be able to ensure correct routing.

The costs to covered providers will vary greatly depending on whether equipment manufacturers will be able to create software or other means of updating current equipment, or if new systems will be required. Similarly, the amount of development activities that covered providers might be required to undertake, if third party solutions do not become readily available, could impact both the cost of a dispatchable location solution and the length of time needed to deploy it.

Additionally, the concerns noted in the *MLTS Order*.<sup>6</sup> regarding the feasibility of dispatchable location information for fixed versus non-fixed services may have similar applicability in developing dispatchable location requirements for 988. Certainly, providers of non-fixed VoIP and MLTS will not have any greater ability to convey dispatchable location information for 988 calls than 911 calls for the foreseeable future, and similar flexibility to provide alternate location data should be part of any rules proposed in this proceeding.

#### IV. The Commission Should Require a Sufficient Implementation Period for Any Dispatchable Location Requirements Proposed or Adopted.

To the extent that the Commission's report to Congress proposes dispatchable location requirements for 988, Mitel respectfully requests that reasonable implementation periods, beyond the current July 16, 2022 date for general implementation of 988, be considered. Unlike the 911 system, which has existed for many years and evolved over time, three digit 988 calling is a new process that has only begun to be implemented. Requiring the additional incorporation of dispatchable location information at this time would add complexities that could slow the transition. Especially if consumers do not currently expect that their location information will be conveyed during a call to the Lifeline, Mitel submits that it is more critical that three digit dialing

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<sup>6</sup> *Implementing Kari's Law and Section 506 of RAY BAUM's Act, Report and Order*, 34 FCC Rcd 6607 (2019) (the "*MLTS Order*")

be implemented and perfected, so that callers in crisis will have greater ease of access to the Lifeline's assistance.

Mitel therefore suggests that any dispatchable location requirements follow the example of the MLTS Order, and provide at least a year beyond the effective date of the location rules, for fixed services and a longer period, of at least two years, for nonfixed services.

Respectfully submitted,

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