BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON D.C. 20554

In the Matter of

Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications	)	PS Docket No. 11-153
Framework for Next Generation 911 Deployment	)	PS Docket No. 10-255
IP-Enabled Services	)	WC Docket No. 04-36
Telecommunications Relay Services and Speech-to-Speech Services for Individuals	)	CG Docket No. 03-12
Implementation of Sections 716 and 717 of the Communications Act of 1934, et al	)	CG Docket No. 10-213

COMMENTS OF THE
MICHIGAN PUBLIC SERVICE COMMISSION

On July 24, 2015 a Public Notice was issued from the Consumer and Government Affairs Bureau, the Public Safety and Homeland Security Bureau, the Wireline Competition Bureau, and the Wireless Telecommunications Bureau of the Federal Communications Commission (FCC) seeking comment on two petitions filed on June 12, 2015, by AT&T Services, Inc. In one petition, AT&T Services, Inc., on behalf of its subsidiaries (collectively, AT&T) requests that the FCC initiate a rulemaking proceeding to authorize the substitution of real-time text (RTT) for text

telephony (TTY) in the Internet Protocol (IP)-based environment.[1] In the second petition, AT&T asks the FCC to waive, on a temporary basis, the FCC's requirements to support TTY technology for devices and services "during the pendency of the rulemaking and until RTT is fully deployed to allow [AT&T] to offer VoIP [Voice over Internet Protocol] services that do not reliably support TTY."[2]

The Michigan Public Service Commission (MPSC) offers the following comments on AT&T's applications.

On November 25, 2014, the FCC released a Notice of Proposed Rulemaking (NPRM) and Declaratory Ruling seeking comment on its proposal to modernize its rules as the transitions to diverse communications networks and technologies move forward while seeking to preserve the core values of public safety, universal access, and competition and consumer protection.[3] In response to the NPRM and Declaratory Ruling, the MPSC emphasized the need to balance the benefits of new technology with the need to protect consumers that rely on legacy services from harm during the transition:

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[1] Petition of AT&T Services, Inc. for Rulemaking, PS Docket Nos. 11-153, 10-255, WC Docket No. 04-36, CG Docket Nos. 03-123, 10-213 (filed June 12, 2015) (Petition for Rulemaking).

[2] Petition of AT&T Services, Inc. for Waiver, PS Docket Nos. 11-153, 10-255, WC Docket No. 04-36, CG Docket Nos. 03-123, 10-213, at 2 (filed June 12, 2015) (Petition for Waiver). (Collectively, the Petition for Rulemaking and the Petition for Waiver are referred to herein as the AT&T Petitions.)

[3] Notice of Proposed Rulemaking and Declaratory Ruling, PS Docket No. 14-174, GN Docket No. 13-5, RM-11358, WC Docket No. 05-25, RM-10593 (Released November 25, 2014). See https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-185A1.pdf.

> While new technologies bring a multitude of benefits and advantages to customers, it is important that the services and reliability that consumers have come to expect and depend on for their safety, well-being, and livelihood are taken into consideration and included in building and developing policies designed to deploy next generation networks. It is essential that as the transition from the legacy phone network to diverse technologies takes place, [which] no one who depends on that legacy service gets left behind." (Comments of the Michigan Public Service Commission, February 5, 2015, pages 10-11).

With this in mind, the MPSC does not oppose AT&T's Petitions, but recommends that the FCC should first establish a proceeding to obtain full details of AT&T's plan to utilize real-time text (RTT) as a replacement for text telephony technology and to receive comments from interested parties (including, but not limited to, Deaf and Hard of Hearing groups, and any Telecommunications Relay Service Advisory Boards or Councils.) The FCC could include the rulemaking process as part of newly established proceeding, or proceed with the rulemaking process once the first proceeding has been completed. The MPSC also recommends that the Waiver not be granted until that proceeding is completed.

The MPSC maintains that there are still too many unanswered questions about AT&T's proposed transition to RTT to grant the Waiver at this time. For example:

1. What are the requirements of RTT for both the provider and the customer? Does the provider need special equipment? Who will pay for this? Does a customer need a mobile phone, a computer and/or broadband service? If the customer does not have the necessary equipment, will AT&T provide or

subsidize it? If not, how does the cost for the customer compare to the purchase of a TTY?

2. How will the anticipated changes impact the Telecommunications Relay Service (TRS) fund?
3. If the FCC changes its rules regarding TTY, how will TTY changes in the various state laws be addressed?
4. AT&T's Petition for Waiver mentions that "AT&T is developing and will deploy RTT over its new VoIP offerings in the 2017 timeframe". What services will Deaf and Hard of Hearing customers with IP service receive between now and then? Will RTT be piloted?
5. AT&T should provide more details on the four ways in which people with hearing loss or who are speech-impaired will be able to use 911 and 711 calling, given various scenarios (e.g., consumer moves to a new area with IP only). (See page 7 of the AT&T Petition for Waiver).
6. Approximately how many AT&T customers still use a TTY? When and how will customers be notified that the TTY is being phased out? Will consumers need to be educated on the use of RTT?

The MPSC is encouraged that AT&T is considering new product offerings that could work on an IP network to address the issue of telecommunications relay products and services that currently do not translate to an IP world. The MPSC suggests that this proposed switch from TTY to RTT needs more review by the FCC and state commissions in order to be assured that the transition will be smooth,

orderly, and that no customers will be harmed or left without service. Granting AT&T's request is premature without additional information. The MPSC recommends that the FCC start with establishing a proceeding to obtain full details of AT&T's plan and to receive comments from all interested parties. The FCC could include the rulemaking process as part of the newly established proceeding, or proceed with the rulemaking process once that proceeding has been completed. The MPSC also recommends that the Waiver not be granted until that proceeding is completed.

The MPSC appreciates this opportunity to provide comments on an important topic that significantly impacts the transition to an Internet Protocol based network.

Respectfully submitted,

MICHIGAN PUBLIC SERVICE COMMISSION

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