Before the
Federal Communications Commission
Washington, D.C. 20554

In the matter of	)	
	)	
Review of the Emergency Alert System	)	EB Docket No. 04-296
	)	
Further Notice of Proposed Rulemaking	)	
	)	

REPLY COMMENTS OF AIRIT2ME, INC.

Airit2me, Inc. ("Airit2me") hereby submits its reply comments to the Federal Communication Commission ("FCC" or "Commission") in response to the comments filed in the above-referenced rulemaking proceeding.[1] Airit2me is a Tampa, Florida-based designer and provider of mobile wireless communications solutions, including emergency alert notification systems utilizing Short Message Service ("SMS") or text messaging functionality, serving domestic and international customers with innovative and cutting-edge products. Airit2me is working with local government agencies to provide alert notification systems that complement the Emergency Alert System ("EAS") by providing greater efficiency and redundancy for emergency alerts directed to key local public safety officials in times of crisis and disaster. The communication channels that can be utilized for alerting via Airi2me platform include wireless SMS-based alerts, voice-based IVR alerts, pager alerts, and email alerts.

[1] *In the Matter of Review of the Emergency Alert System*, Further Notice of Proposed Rulemaking, 20 FCC Rcd 18625 (2005) ("FNPRM").

Airit2me supports the comments of the vast majority of commenters that call for the Commission to facilitate the voluntary, market-driven development and use of wireless technologies to complement and enhance the existing EAS.[2] The purpose of Airit2me's reply comments is to supplement the record in this proceeding regarding the value and important role of wireless SMS-based emergency alert notification systems to enhance the current EAS and the need for the Commission to continue to encourage and facilitate the development of such systems.

A. Value of a Wireless SMS-Based Alert Notification System to Enhance EAS

While the technology used by Airit2me's alert notification product has the capability to reach hundreds of thousands of people in a relatively short amount of time, Airit2me recognizes and appreciates the comments filed by major wireless carriers that a wireless SMS-based emergency alert notification system does have certain practical limitations.

First, Airit2me agrees with the major wireless carriers that a mass alert to the population via SMS may take too long and has the potential to cause congestion and possible failure of the networks of wireless carriers, which may in fact hinder the ability of local public safety officials, first responders, and emergency dispatchers to communicate as needed in a time of crisis.[3] Further, Airit2me fully

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[2] *See* Sprint Nextel *FNPRM* Comments at 2; T-Mobile *FNPRM* Comments at 3-4.

[3] *See* Cingular *FNPRM* Comments at 6; Rural Cellular Association *FNPRM* Comments at 6; Sprint Nextel *FNPRM* Comments at 12-14; T-Mobile *FNPRM* Comments at 9.

understands and agrees that any wireless EAS program must not interfere with wireless carriers' existing obligations to serve emergency communications needs.[4] However, Airit2me envisions wireless SMS-based notifications as an enhancement to the EAS and other emergency alert notification systems by providing an efficient and directed means of getting alerts to key public officials in a timely basis, regardless of the location of the key personnel. Airit2me's SMS-based alert notification system has the logical ability to escalate the alert to individuals or groups in cascading manner until someone in the chain-of-alert is reached. Escalation can also occur among different communications channels (*i.e.* SMS to voice) used by the intended recipient until receipt of the alert is confirmed. Alert delivery can be tracked and receipt acknowledgment generated to ensure the recipient has not only received but also read the critical messages.

Second, Airit2me appreciates the practical concern expressed by several commenters that SMS text messages are limited to 140-160 characters per message.[5] While Airit2me understands that this message size limitation may be problematic for longer EAS messages, we do not believe that a good solution should be thrown out in the illusive search for the perfect solution. A single SMS can convey a significant amount of information within the bounds of the existing size limit. Within the existing SMS message size limit, an EAS message or other

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[4] *See* T-Mobile *FNPRM* Comments at 4.

[5] *See* Frank W. Bell FNPRM Comments, "Presenting a World Emergency Alert System Program", at 19; Cingular *FNPRM* Comments at 8; T-Mobile *FNPRM* Comments at 20.

emergency alert message devoted to communicating with key first responders could employ templates for messages to deal with anticipated emergency situations. The first responder personnel would follow pre-determined assigned protocols or courses of action upon receipt of specific test message prompts. SMS messages also could be sent out in succession at a time of crisis in order to get out longer alerts that exceed the size limitation for a single SMS message.[6]

Finally, while a mandate for all wireless carriers to provide national EAS alerts may take considerable time and expense, including substantial changes to carrier networks and potential wholesale replacement of consumers' handsets or devices,[7] the current EAS could be enhanced by voluntary efforts and current wireless SMS-based technologies to get EAS and other emergency notification alerts to key public officials in the most efficient and timely manner. As a result, the Commission should encourage wireless SMS-based emergency alert solutions to augment the current EAS.

B. Role of the Commission

We agree with the vast majority of commenters that there is no single solution for providing regional and national EAS alerts through the use of wireless technologies.[8] It will clearly take time and effort for wireless carriers and

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[6] *See* Ericsson *FNPRM* Comments at 5.

[7] *See* T-Mobile *FNPRM* Comments at 3.

[8] *See* T-Mobile *FNPRM* Comments at 3-4.

technology vendors/application providers, such as Airit2me, to develop and implement a combination of technological solutions to make this happen. Airit2me supports a collaborative effort between the industry and government to develop a wireless EAS that is voluntary and market-driven.[9] However, due to the considerable expense in making the transition to a wireless EAS, Airit2me encourages the Commission to support federal funding for the development of EAS, such as in the proposed federal WARN Act legislation.[10] Such funding should be made available to technology vendors and manufacturers as well as wireless carriers. In addition, Airit2me encourages the Commission to support and provide, if possible, limitations on the liability of wireless carriers and technology vendors who participate in EAS.[11]

Airit2me also supports a central point of coordination for all EAS messaging by federal, state, and local government agencies, such as the White House-directed National Security/Emergency Preparedness program.[12] Local government agencies, such as those that use emergency alert notification systems provided by

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[9] *See* Cingular *FNPRM* Comments at 4-5; CTIA *FNPRM* Comments at 6-8; Emergency Email Network *FNPRM* Comments at 2; Sprint Nextel *FNPRM* Comments at 14-16; T-Mobile *FNPRM* Comments at 5-6, 10-13.

[10] *See* Warning, Alert, and Response Network Act, S. 1753, 109th Cong. § 106 (2005).

[11] *See* Cingular *FNPRM* Comments at 12; CTIA *FNPRM* Comments at 8; Sprint Nextel *FNPRM* Comments at 8; T-Mobile *FNPRM* Comments at 24-25.

[12] *See* Sprint Nextel FNPRM Comments ay 7; T-Mobile *FNPRM* Comments at 15-16.

Airit2me, should be part of this coordination effort and have sufficient and timely access to EAS alerts.[13]

In that vein, Airit2me again encourages the Commission to adopt rules designed to facilitate EAS participation, such as common messaging protocols, but should be careful not to hamper development of wireless EAS by dictating specific technical solutions. In order to facilitate SMS-based emergency alert notifications, Airit2me agrees with T-Mobile that EAS messages should be sent in text-ready format for distribution via EAS.[14]

C. Conclusion

In conclusion, Airit2me renews its unwavering support for the Commission's efforts to integrate wireless technologies into the existing EAS system to provide the most efficient and effective emergency alert notification system. However, the Commission should use a measured approach that facilitates the use of existing technologies, such as SMS. Airit2me stands ready and willing to support the Commission in these efforts in any way it can.

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[13] *See* Alert Systems, Inc. *FNPRM* Comments at 6.

[14] *See* T-Mobile *FNPRM* Comments at 16-22.

Respectfully submitted,

/s/ William Cox

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