

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matters of</b>	)	
	)	
<b>Vermont Telephone Company's Petition for Declaratory Ruling Regarding Interconnection Rights</b>	)	<b>WC Docket No. 08-56</b>
	)	
<b>911 Requirements for IP-Enabled Service Providers</b>	)	<b>WC Docket No. 05-196</b>
	)	

**COMMENTS OF THE TEXAS 9-1-1 ALLIANCE AND THE TEXAS  
COMMISSION ON STATE EMERGENCY COMMUNICATIONS**

VINSON & ELKINS L.L.P.

Michael J. Tomsu  
State Bar No. 20125875  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746  
512-542-8527  
512-236-3211 (fax)  
[mtomsu@velaw.com](mailto:mtomsu@velaw.com)

ATTORNEYS FOR THE TEXAS 9-1-1  
ALLIANCE

Patrick Tyler  
General Counsel  
333 Guadalupe Street, Suite 2-212  
Austin, Texas 78701-3942  
512-305-6915  
512-305-6937 (fax)  
[Patrick.tyler@csec.state.tx.us](mailto:Patrick.tyler@csec.state.tx.us)

On the comments:  
Richard A. Muscat  
Bexar Metro 9-1-1 Network District

May 19, 2008

TEXAS COMMISSION ON STATE  
EMERGENCY COMMUNICATIONS

**Table of Contents**

**Page No.**

I.	There may be valid and compelling public safety reasons and responsibilities for why 9-1-1 emergency service interconnection, Internet Protocol interconnection for 9-1-1 service, and next generation 9-1-1 interconnection and interoperation may need different definitional classifications than other types of communications interconnections. Any Commission declaratory ruling in this matter should be clear that it must not be interpreted to restrict or undermine what may be the proper classification for promoting the evolution of next generation 9-1-1 services and the need for interconnection and interoperation for the provision of 9-1-1 and public safety service responsibilities. ....	1
II.	Conclusion.....	3

The Texas 9-1-1 Alliance<sup>1</sup> and the Texas Commission on State Emergency Communications<sup>2</sup> (collectively referred to herein as the “Texas 9-1-1 Agencies”) jointly submit these comments to the Federal Communications Commission (“Commission” or “FCC”) on the pleading cycle for comments on Vermont Telephone Company’s petition for declaratory ruling regarding interconnection rights, which seeks clarification regarding whether Voice over Internet Protocol (VoIP) providers are entitled to the interconnection rights of telecommunications carriers.<sup>3</sup>

## I.

**There may be valid and compelling public safety reasons and responsibilities for why 9-1-1 emergency service interconnection, Internet Protocol interconnection for 9-1-1 service, and next generation 9-1-1 interconnection and interoperability may need different definitional classifications than other types of communications interconnections. Any Commission declaratory ruling in this matter should be clear that it must not be interpreted to restrict or undermine what may be the proper classification for promoting the evolution of next generation 9-1-1 services and the need for interconnection and interoperability for the provision of 9-1-1 and public safety service responsibilities.**

Many different types of providers and services may need to interconnect or interoperate with, or provide some or all of, the current or future 9-1-1 and public safety emergency

---

<sup>1</sup> The Texas 9-1-1 Alliance is an interlocal cooperation act entity composed of the Texas Health and Safety Code Chapter 772 Emergency Communication Districts with E9-1-1 service public safety responsibility for approximately 50% of the population of Texas. The Texas 9-1-1 Alliance members joining in these comments are: Abilene/Taylor County 9-1-1 District, Austin County Emergency Communications District, Bexar Metro 9-1-1 Network District, Brazos County Emergency Communication District, Calhoun County 9-1-1 Emergency Communication District, Cameron County Emergency Communications District, 9-1-1 Network of East Texas, Denco Area 9-1-1 District, Emergency Communications District of Ector County, Galveston County Emergency Communication District, Greater Harris County 9-1-1 Emergency Network, Henderson County 9-1-1 Communication District, Howard County 9-1-1 Communication District, Kerr Emergency 9-1-1 Network, Lubbock Emergency Communication District, McLennan County 9-1-1 Emergency Assistance District, Midland Emergency Communications District, Montgomery County Emergency Communication District, Potter-Randall County Emergency Communications District, Smith County 9-1-1 Communications District, Tarrant County 9-1-1 District, Texas Eastern 9-1-1 Network, and Wichita-Wilbarger 9-1-1 District. These districts were created pursuant to Texas Health and Safety Code Chapter 772.

<sup>2</sup> The Texas Commission on State Emergency Communications is a state agency created pursuant to Texas Health and Safety Code Chapter 771, and is the State of Texas’ authority via statute for 9-1-1 emergency communications.

<sup>3</sup> DA 08-08-916, released April 18, 2008.

system. These entities include the standard traditional wireline telecommunications providers and wireless providers, but also include telematics providers, Video and Internet Protocol (IP) Relay service providers, satellite providers, Private Branch Exchanges (PBXs), IP-PBXs, and state and local IP networks and applications. Regardless what these providers may call themselves in other contexts or whether they are a hybrid or a new type of service provider or classification, any definitional clarification related to service provider classification the Commission might make in this or any other proceedings should promote the Commission's public safety requirements for 9-1-1 emergency services, needed 9-1-1 emergency interconnection and interoperation for IP type selective routing functions, and next generation 9-1-1 migration. While in other contexts overly literal interpretations or representations of provider classification may be permissible and have relevance, in the context of 9-1-1 emergency services there may be compelling public safety responsibilities and legislative or rule intent that require different interpretations and special classifications in order to remain consistent with the Commission's overriding responsibilities for protecting the public's safety. As such, the Texas 9-1-1 Agencies respectfully urge that any Commission declaratory ruling in this matter should be clear that it must not be interpreted to restrict or undermine what may be the proper classification for promoting the evolution of next generation 9-1-1 services and the need for interconnection and interoperation for the provision of 9-1-1 and public safety service requirements.

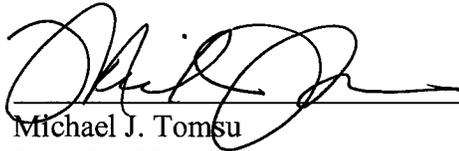
II.

**Conclusion**

The Texas 9-1-1 Alliance and the Texas Commission on State Emergency Communications appreciate the opportunity to comment on these issues, and respectfully urge Commission action consistent with these comments.

Respectfully submitted,

VINSON & ELKINS L.L.P.



Michael J. Tomsu  
State Bar No. 20125875  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746  
512-542-8527  
512-236-3211 (fax)  
mtomsu@velaw.com

ON BEHALF OF THE TEXAS 9-1-1 ALLIANCE



Patrick Tyler  
General Counsel  
333 Guadalupe Street, Suite 2-212  
Austin, Texas 78701-3942  
512-305-6915  
512-305-6937 (fax)  
[Patrick.tyler@csec.state.tx.us](mailto:Patrick.tyler@csec.state.tx.us)

TEXAS COMMISSION ON STATE  
EMERGENCY COMMUNICATIONS

On the Comments:  
Richard A. Muscat  
Bexar Metro 9-1-1 Network District

May 19, 2008