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

In the Matter of	)	
	)	
Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities	)	CG Docket No. 03-123
	)	
E911 Requirements for IP-Enabled Service Providers	)	WC Docket No. 05-196

PETITION FOR RECONSIDERATION AND CLARIFICATION

Pursuant to Section 1.429 of the Federal Communications Commission's ("FCC" or "Commission") rules,[1] Sorenson Communications, Inc. ("Sorenson") hereby seeks the Commission's reconsideration and/or clarification of certain rules adopted in the *Report and Order* recently issued in the above-captioned proceedings.[2]

I. INTRODUCTION

Sorenson supports the FCC's numbering and E911 rules and is working hard to implement them. In a few minor respects, however, Internet-based Telecommunications Relay Service ("TRS") users and providers would benefit from reconsideration and/or clarification of the rules. Specifically, the FCC should: (1) allow continued use of proxy numbers; (2) recognize that 911 calls must be routed over administrative lines in certain circumstances; and (3) clarify the date by which E911 must be fully implemented.

---

1 47 C.F.R. § 1.429.

2 *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, CG Docket No. 03-123 & WC Docket No. 05-196, Report and Order and Further Notice of Proposed Rulemaking, FCC 08-151 (rel. June 24, 2008) ("*Report and Order*").

II. THE FCC SHOULD NOT DEPRIVE VRS USERS OF THE OPTION TO RETAIN THEIR PROXY NUMBERS

The *Report and Order* notes that "to simplify the process of contacting VRS users, some VRS providers have created their own database of 'proxy' or 'alias' numbers that link to the IP addresses of their customers."[3] The *Report and Order* prohibits VRS and IP Relay providers from assigning, issuing, or using proxies for North American Numbering Plan ("NANP") telephone numbers as of December 31, 2008.[4] The Commission should reconsider this prohibition.

As of December 31, 2008, all users of Internet-based TRS will be eligible for ten-digit numbers linked to the North American Numbering Plan. These NANP numbers will allow users to make calls to, and receive calls from, voice telephone users, regardless of which provider(s) are involved in the call.

Proxy numbers represent only an additional, optional convenience that providers may choose to offer VRS users. Proxy numbers allow VRS users on the same network an easy way to reach one another, videophone to videophone, without routing through the PSTN and without involving an interpreter. In this regard, proxy numbers are similar to the push-to-talk features that CMRS providers offer to hearing customers, allowing voice communications among users in a customer-defined group that is usable only within a particular carrier's network.[5]

The availability of push-to-talk, and the limitation of its operation to a single carrier's network, does not undermine wireless carriers' interconnection capabilities or

---

3 *Report and Order* ¶ 5.

4 *Id.* ¶ 22; 47 C.F.R. 64.611(d).

5 *See, e.g.*, AT&T, "Learn More About Push to Talk," *available at*: <http://www.wireless.att.com/learn/popups/push-talk-faq.jsp> (viewed Aug. 18, 2008).

obligations. Just as there is no reason to suspend push-to-talk wireless services to protect interconnection between wireless carriers, there is no reason to suspend proxy numbers to protect VRS interoperability. The Commission should avoid removing options that providers may choose to offer VRS users to enhance their communications experience – services similar to those enjoyed by hearing persons. Accordingly, the Commission should reconsider its decision and allow VRS users the option of continuing to enjoy proxy numbers in addition to their new NANP numbers.

III. THE COMMISSION SHOULD RECOGNIZE THE NEED TO ROUTE 911 CALLS OVER ADMINISTRATIVE LINES IN CERTAIN LIMITED CIRCUMSTANCES

The *Report and Order* requires Internet-based TRS providers to transmit all 911 and E911 calls, as well as related information, to the PSAPs, designated statewide default answering points, or appropriate local emergency authorities (collectively, "PSAPs"), via the dedicated Wireline E911 Network.[6] The decision emphasizes that Internet-based TRS providers may not meet their obligations by routing 911 calls to PSAPs' administrative numbers.[7] The Commission should expressly acknowledge, however, that routing 911 calls through administrative lines that are monitored 24 hours a day, 7 days a week continues to be an appropriate method of processing 911 calls in those limited circumstances in which use of the Wireline E911 Network would be ineffective.

The FCC has recognized that some PSAPs are not capable of handling calls routed over the Wireline E911 Network and limited its E911 rules for VRS and IP Relay to 911 calls placed by users whose Registered Location is in a geographic area served by

---

6 *Report and Order* ¶¶ 82-83; 47 C.F.R. § 64.605(b)(2)(iii).

7 *Report and Order* ¶ 84.

a Wireline E911 Network.[8] Internet-based TRS providers presumably may fulfill their 911 obligations by delivering 911 calls to administrative lines in those geographic areas lacking a Wireline E911 Network.

In limited circumstances, the delivery of the requisite location information may be more accurately conveyed by transmitting it via a PSAP's administrative lines. For example, an Internet-based TRS provider may not have access to the 911 caller's Registered Location and other relevant information if the provider is not the caller's default provider. In this circumstance, the Internet-based TRS provider may need to manually obtain the 911 caller's location information at the beginning of the call, identify the appropriate PSAP and transmit the caller's information to the PSAP via administrative lines.[9] Similarly, administrative lines are likely to be more effective than the Wireline E911 Network in a situation in which the caller's address or other information has not yet been provisioned in the Automatic Location Information ("ALI") database.[10] In that situation, it may not be possible to route calls over the Wireline E911 Network. Instead, the Communications Assistant ("CA") would have to obtain the caller's location information manually and use that information to identify the appropriate PSAP. This may happen with new users or with calls involving users who have just changed their location information or default providers. In these circumstances,

---

8 47 C.F.R. § 64.605(b)(1).

9 This essentially is the way VRS and IP Relay 911 calls are handled today. *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order, 23 FCC Rcd 5255, ¶ 16 & n.66 (2008) ("*Interim Emergency Call Handling Order*").

10 *See* "The PSAP Guide to E9-1-1 for VoIP," at 6, attached to Letter to Marlene H. Dortch, Secretary, Federal Communications Commission, from Mary A. Boyd, Intrado, Inc., WC Docket Nos. 04-36 and 05-196 (Sept. 21, 2005).

the Internet-based TRS provider should be allowed to obtain the callers' location information, determine the appropriate PSAP, and route the call to that PSAP over administrative lines.

The *Report and Order* also fails to account for the inherent uncertainty about the location of mobile users.[11] For example, a significant portion of IP Relay calls are made via mobile text devices, such as BlackBerry® or Sidekick™ smartphones. The user's actual location at the time that the 911 call is placed may differ from the user's Registered Location. If the caller's actual location differs from the Registered Location, transmission of the 911 call through the dedicated Wireline E911 Network would fail to transmit the actual location of the emergency caller (because it will transmit the default Registered Location contained in the database). In such a circumstance, Internet-based TRS providers should be permitted to route 911 calls to a PSAP's administrative lines.

As the examples above demonstrate, there are specific circumstances in which a user is better served if an emergency call is routed via a PSAP's administrative lines rather than the Wireline E911 Network. The Commission should therefore amend its rules to address these situations, including 911 calls made using IP Relay.

IV. THE COMMISSION SHOULD CLARIFY THE DATE BY WHICH INTERNET-BASED TRS PROVIDERS MUST OFFER INTEGRATED E911

The *Report and Order* adopts a deadline of December 31, 2008 by which the new Internet-based TRS E911 rules take effect, but the E911 rules are tied to numbering, and

---

[11] The Commission has not yet addressed the issue of how to gather location information automatically from users of mobile data services. *See, e.g., IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245, ¶ 23 (2005) ("The Commission previously has determined that customers today lack any expectation that 911 will function for non-voice services like data services.").

the Commission has recognized that not all Internet-based TRS users will have NANP numbers by that date. Consequently, the Commission should clarify that the Internet-based TRS E911 rules do not apply to existing TRS users until *after* the individual user has registered with a default provider, provided a Registered Location, and received a 10-digit number.

Beginning on December 31, 2008, all new Internet-based TRS users must be assigned a ten-digit NANP telephone number.[12] The *Report and Order* recognizes that it will take additional time to distribute ten-digit NANP telephone numbers to all existing users of Internet-based TRS, to allow users to register with a default provider, and to obtain Registered Location information from users. In fact, the *Report and Order* seeks comment on the length of time necessary to accomplish these tasks once its new rules take effect.[13]

The E911 rules, however, require Internet-based TRS providers to, *inter alia*, transmit all 911 calls as well as Automatic Number Identification ("ANI"), the caller's Registered Location, the name of the VRS or IP Relay provider, and the Communications Assistant's identification number for each 911 call to the PSAP as of December 31, 2008,[14] and to route these calls through the use of ANI, via the dedicated Wireline E911 Network.[15] In addition, the rules require that the Registered Location information be available through the automatic location information ("ALI") database.[16] Providers

---

12 *Report and Order* ¶ 44.

13 *Id.* ¶ 109.

14 47 C.F.R. § 64.605(b)(2)(ii).

15 *Id.* § 64.605(b)(2)(iii).

16 *Id.* § 64.605(b)(2)(iv).

cannot comply with these E911 rules until Internet-based TRS users have received NANP telephone numbers, specified their default providers, and provided their default providers with their Registered Locations so that the information may be uploaded to the ALI database.

The Commission should recognize this timing issue and modify its rules so that they do not apply to a 911 call from an Internet-based TRS user until that individual user has registered with a default provider, provided a Registered Location, and received a ten-digit NANP number. This minor modification will avoid placing requirements on Internet-based TRS providers that are impossible to meet.

V. CONCLUSION

For the foregoing reasons, Sorenson asks the Commission to reconsider the rules adopted in the *Report and Order* to: (1) allow for continued use of proxy numbers; (2) permit Internet-based TRS providers to route 911 information to PSAPs via administrative lines under limited circumstances; and (3) coordinate the effective date of the E911 rules with the deadline for Internet-based TRS users to complete the registration process.

/s/ Ruth Milkman
Ruth Milkman
Gil M. Strobel
LAWLER, METZGER, MILKMAN & KEENEY, LLC
2001 K Street NW, Suite 802
Washington, DC 20006
(202) 777-7700
gstrobel@lmmk.com

Counsel for Sorenson Communications, Inc.

Michael D. Maddix
Regulatory Affairs Manager
SORENSON COMMUNICATIONS, INC.
4192 South Riverboat Road, Suite 100
Salt Lake City, Utah 84123

August 18, 2008