

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

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

PETITION FOR TEMPORARY LIMITED WAIVER

Pursuant to Section 1.3 of the Commission’s rules,¹ Sorenson Communications, Inc. (“Sorenson”) hereby requests a temporary limited waiver of the Commission’s requirement that a communications assistant’s (“CA’s”) identification number must be available to the appropriate public safety answering point (“PSAP”) from or through the appropriate automatic location information (“ALI”) database. During the pendency of this waiver, the user’s Registered Location information and the provider’s name will be available to PSAPs through the ALI database and Sorenson CAs will provide their identification numbers orally. In addition, the waiver will not affect Sorenson’s ability to re-establish contact between the CA and the PSAP in the event an emergency call is disconnected.²

¹ 47 C.F.R. § 1.3.

² See 47 C.F.R. § 64.605(a)(2)(v).

I. BACKGROUND

As of December 31, 2008, all video relay service (“VRS”) and IP Relay providers will be required to provide E911 in accordance with the Commission’s rules.³ Sorenson has been working extremely hard to implement E911 and anticipated until very recently that it would be in full compliance with the FCC’s E911 rules. In mid-December, however, it became evident in discussions between Sorenson and its E911 contractor, Intrado, that there would be a problem regarding the delivery of the CA’s identification number to the PSAP. Specifically, Intrado has not completed development of a method for allowing providers to make the CA’s identification number “available to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority from or through the appropriate automatic location information (ALI) database” by December 31, 2008.⁴

Intrado informed Sorenson that the root problem is that PSAP equipment lacks a field that is designated for the CA’s identification number. No other service (*e.g.*, wireline, wireless, VoIP) requires such a field and, therefore, PSAP equipment is not currently set up with a field for the CA’s identification number. Intrado is seeking an alternative approach to solving this problem. In the meantime, it appears that all providers that rely on Intrado will be unable to provide CA identification numbers via the ALI database as of December 31, 2008. Moreover, the lack of a field designated for CA identification numbers in PSAP databases creates a problem for all Internet-based TRS providers.

³ 47 C.F.R. § 64.605(b).

⁴ 47 C.F.R. § 64.605(b)(2)(iv).

II. DISCUSSION

Waiver of the Commission's rules is permitted upon a showing of "good cause."⁵ Specifically, the Commission may waive its rules where the particular facts would make strict compliance inconsistent with the public interest, taking into account, *inter alia*, considerations of "hardship, equity, or more effective implementation of overall policy on an individual basis."⁶ Waiver is particularly appropriate where "special circumstances warrant a deviation from the general rule and such deviation will serve the public interest."⁷

In the current situation, a waiver would serve the public interest by allowing Sorenson and other VRS and IP Relay providers to continue offering service notwithstanding the technical issues preventing them from complying with one aspect of the FCC's new numbering rules. The core E911 functionality involves obtaining the user's Registered Location in advance of a 911 call and pre-provisioning the information so that the call can be routed to the appropriate PSAP on a streamlined basis. That functionality is in place today. During the pendency of the waiver, Sorenson's CAs will orally provide PSAPs with the CA identification numbers. Sorenson also will continue to re-establish contact with the end user and/or the PSAP in the event that an emergency call is disconnected.

⁵ 47 C.F.R. § 1.3.

⁶ *Numbering Resource Optimization; Petition of California Public Utilities Commission for Waiver of the Federal Communications Commission's Contamination Threshold Rule*, Order, 18 FCC Rcd 16860, ¶ 9 (2003) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972) ("*WAIT Radio*"); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)).

⁷ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d at 1166 (referencing *WAIT Radio*).

As noted above, Intrado is already working on developing a solution to the problem of how to pass the CA's identification number through the ALI database. In fact, Sorenson had hoped that the problem could be resolved before the end of this year. The situation is complicated, however, by the fact that the only solution that appears likely to work uniformly for all PSAPs is for the PSAPs to create a new field specifically designated for CA identification numbers. PSAPs may not wish to spend their limited resources on creating such a field, however, since VRS and IP Relay are the only services that require such a field.⁸ Intrado is continuing to search for a workable alternative, but has not been able to provide Sorenson with a specific date by which it expects to have a solution available. Given this lack of specific information, Sorenson requests a limited waiver for six months, until June 30, 2009, but will update the Commission once it receives more information from Intrado.

III. CONCLUSION

For all the reasons stated above, the Commission should grant Sorenson a limited waiver of 47 C.F.R. § 64.605(b)(2)(iv) for six months in order to allow Sorenson CAs to provide their identification numbers to PSAPs orally during E911 calls while Intrado

⁸ *Cf. Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers*, Report and Order and Further Notice of Proposed Rulemaking, 23 FCC Rcd 11591, ¶ 85 (2008) (the Commission expects that "Internet-based TRS providers will be able to use much of the same infrastructure and technology that is already in place for the delivery of 911 and E911 calls by interconnected VoIP service providers.").

works to devise a means for conveying the CA identification numbers to the PSAPs via the ALI database.

Respectfully submitted,

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