

**Before the
Federal Communications Commission
Washington, DC 20054**

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|----------------------------------------------|---|----------------------|
| In the Matter of |) | |
| |) | |
| IP-Enabled Services |) | WC Docket No. 04-36 |
| |) | |
| Implementation of Sections 255 and 251(a)(2) |) | WT Docket No. 96-198 |
| of The Communications Act of 1934, as |) | |
| Enacted by the Telecommunications Act of |) | |
| 1996: Access to Telecommunications Service, |) | |
| Telecommunications Equipment and |) | |
| Customer Premises Equipment by Persons |) | |
| with Disabilities |) | |
| |) | |
| Telecommunications Relay Services and |) | CG Docket No. 03-123 |
| Speech-to-Speech Services for Individuals |) | |
| with Hearing and Speech Disabilities |) | |
| |) | |
| The Use of N11 Codes and Other Abbreviated |) | CC Docket No. 92-105 |
| Dialing Arrangements |) | |

PETITION FOR EXTENSION OF WAIVER

AT&T Inc. (“AT&T”), on behalf of its telephone companies, and Sprint Nextel Corporation (collectively, “Petitioners”), hereby file this Petition for Extension of Waiver from the requirements of Commission Rule 64.604(a)(4) to the extent it requires traditional telecommunications relay service (“TRS”) providers to automatically and immediately transfer 711-dialed emergency calls that originate on interconnected voice over internet protocol (“VoIP”) networks to an appropriate Public Safety Answering Point (“PSAP”).

Summary

In April 2008, the Commission granted traditional TRS providers a waiver until March 31, 2009, of their obligation to automatically and immediately route emergency 711-dialed calls

received from an interconnected VoIP service provider to an appropriate PSAP.¹ The Commission based its decision on the inability of TRS providers to reliably receive geographic location information about the caller from the VoIP provider. Without location information, the TRS provider cannot determine the appropriate PSAP to route the call. Petitioners submit that technological and operational challenges continue to exist with respect to the ability of TRS providers to reliably determine the geographic location of VoIP callers and that TRS providers need additional time to collaborate with interconnected VoIP providers, their vendors and other interested parties to develop an appropriate solution. For that reason, Petitioners respectively petition the Commission to extend the current waiver for an additional year, to March 31, 2010.

Discussion

Commission rules require interconnected VoIP providers to route 711 calls to the TRS relay center serving the state where the caller is located or the relay center corresponding to the caller's last registered address.² However, VoIP providers have been unable to determine the location of a 711 caller with a "non-geographically relevant" telephone number or a "nomadic" interconnected VoIP service. In recognition of this challenge, the Commission granted VoIP providers a waiver, until March 31, 2009, of the requirement to route 711-dialed calls to the "appropriate relay center" if the calling party's telephone number does not reflect his or her

¹ *IP-Enabled Services; Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities; The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, WC Docket No. 04-36, WT Docket No. 96-198, CG Docket No. 03-123 & CC Docket No. 92-105, Order, 23 FCC Rcd 5707 (April 4, 2008) (the "VoIP 711 Waiver Order").

² *IP-Enabled Services; Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities; The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, WC Docket No. 04-36, WT Docket No. 96-198, CG Docket No. 03-123 & CC Docket No. 92-105, Report and Order, 22 FCC Rcd 18319 (October 9, 2007).

geographic location.³ The Commission also granted traditional TRS providers a waiver, until March 31, 2009, of the requirement to “automatically and immediately” transfer 711 emergency calls from a VoIP service provider to an appropriate PSAP due to the lack of geographic location information about the 711 caller.⁴

Petitioners applaud the Commission’s efforts to insure that emergency calls made by VoIP customers dialing 711 are routed to the appropriate TRS relay center and PSAP. Unfortunately, technical and operational difficulties continue to prevent TRS providers from receiving reliable geographic location information from VoIP-originated 711 calls, and thus TRS providers remain unable to consistently identify the “appropriate” PSAP to which to route the call. In light of these difficulties, Petitioners seek a further extension of the waiver from the requirement to “automatically and immediately” transfer 711 emergency calls from a VoIP service to the appropriate PSAP.

Some VoIP providers anticipate meeting the March 31, 2009 deadline to route all 711 calls to the appropriate TRS relay center.⁵ Nevertheless, even if all VoIP providers meet their obligation to route all 711 calls to the appropriate relay center, TRS providers will still remain unable to reliably determine the geographic location of a VoIP caller dialing 711 in an emergency in order to route the call to the appropriate PSAP. As previously explained in this proceeding:

[I]f a caller using interconnected VoIP service dials 711 to place an emergency call and has a non-geographically relevant NANP number . . . , the TRS operator may not be able to direct the call to an appropriate PSAP – even if the VoIP provider has delivered the

³ VoIP 711 Waiver Order, ¶¶ 3, 13.

⁴ *Id.* at ¶16; 47 C.F.R. §64.604(a)(4).

⁵ See *Ex Parte* Letter from Richard Ellis, Verizon Executive Director, Federal Regulatory Affairs, dated December 22, 2008.

call to the TRS center for the state where the caller is located rather than the one represented by the caller's NPA-NXX. In cases where the caller cannot communicate his or her location, the TRS operator will not know which PSAP to contact. The TRS center must have a way of identifying the call as a VoIP call and have access to a database that can associate the caller's "foreign" NPA-NXX with the caller's Registered Location. Alternatively, the TRS center might receive the caller's Registered Location from the VoIP provider.⁶

Although progress is being made,⁷ TRS providers still cannot obtain location information for 711 calls from a VoIP provider. TRS providers cannot access either Registered Location information from every VoIP provider from which 711 calls may originate or a central database that can associate a 711 caller's NPA-NXX with Registered Location information from every VoIP provider. Until a solution is devised to allow TRS providers to obtain this Registered Location information, TRS providers will continue to be unaware of the location of VoIP customers who call 711 in an emergency and will be unable to reliably route those calls to the appropriate PSAP.

The Commission may waive a rule for good cause.⁸ In this case, the technical and operational hurdles that remain to implement a system to obtain geographic location information of VoIP customers who make 711 emergency calls are good cause for the Commission to extend the current waiver for one year, to March 31, 2010. At this point, it is unclear whether all VoIP providers will successfully meet their obligation to route 711 calls to the appropriate TRS relay center by March 31, 2009. Even if VoIP providers are successful in that regard, implementation of a solution to allow TRS providers to route emergency calls to the appropriate PSAP will take additional time beyond that date. During the waiver period, Petitioners will continue to manually

⁶ Petition of Verizon for Extension of Waiver, pp. 4-5 (March 27, 2008).

⁷ A current proposal allows for VoIP providers to route all 711 calls to the appropriate relay center via state specific toll free numbers, which would allow TRS providers to identify calls that originate over VoIP service.

⁸ See 47 C.F.R. §1.3.

route emergency 711 calls as efficiently as possible and remind individuals with hearing or speech disabilities to dial 911 directly in an emergency, rather than making TRS calls via 711 in an emergency.

For the foregoing reasons, Petitioners respectfully request that the Commission extend the waiver of Commission rule 64.604(a)(4) with respect to 711 emergency calls from a VoIP service until March 31, 2010.

Respectfully submitted,

/s/ Robert V. Vitanza

Robert V. Vitanza
Gary L. Phillips
Paul K. Mancini

AT&T Inc.
1120 20th Street, N.W.
Suite 1000
Washington, D.C. 20036
(202) 457-3076 – phone
(202) 457-3073 – facsimile
robert.vitanza@att.com

/s/ Michael B. Fingerhut

Sprint Nextel Corporation
2001 Edmund Halley Drive
Reston, Virginia 20191
(703) 592-5112 (Voice)
(703) 433-4804
michael.b.fingerhut@sprint.com

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Its Attorneys