

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

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals)	CC Docket No. 98-67
with Hearing and Speech Disabilities)	
)	
E911 Requirements for IP-Enabled)	WC Docket 05-196
Service Providers)	

AT&T, INC. PETITION FOR WAIVER

AT&T Inc. (“AT&T”), on behalf of its telephone companies, files this Petition for Waiver of the requirement that internet-based telecommunications relay service (“Internet-based TRS”) providers answer a call back from emergency personnel, such as a Public Safety Answering Point (“PSAP”), with priority.

DISCUSSION

Commission rule 64.605(a)(2)(ii) requires that Internet-based TRS providers implement a system to prioritize emergency calls by answering those calls before non-emergency calls.¹ The Commission has interpreted this priority call requirement as applying not only to emergency calls from TRS users, but to callbacks from emergency personnel.²

On January 29, 2009, GoAmerica, Inc., now known as Purple Communications, Inc., filed a Petition for Reconsideration and Limited Waiver seeking, in part, a waiver from the requirement

¹ 47 C.F.R. §64.605(a)(2)(ii).

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, Order, 23 FCC Rcd.5255, para. 9 (March 19, 2008); *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, CC Docket 98-67, & WC Docket No. 05-196, Second Report and Order and Order on Reconsideration, 24 FCC Rcd. 791, para. 15 (rel. December 19, 2008)

that Internet-based TRS providers prioritize callbacks from emergency personnel.³ In its Petition, Purple explained that it cannot elevate a return call from emergency personnel to the top of the queue because it cannot identify that the return call originates from emergency personnel.⁴ The Commission subsequently established a pleading cycle for the filing of oppositions and replies to Purple's Petition.⁵

AT&T also seeks a limited waiver from the requirement that it prioritize return calls from emergency personnel or otherwise place such return calls at the top of the call queue at its VRS relay centers. AT&T contracts with Purple for the provision of VRS. If Purple is unable to prioritize emergency callbacks, then AT&T likewise cannot prioritize callbacks from emergency personnel. AT&T has no independent means of identifying a callback from emergency personnel.

AT&T is prepared to work with Purple and other Internet-based TRS providers to develop a solution that will allow for the identification of callbacks from emergency personnel and for Internet-based TRS providers to comply with the Commission's interpretation of Rule 64.605(a)(2)(ii). Purple has proposed a six (6) month waiver to afford Internet-based TRS providers the opportunity to facilitate such a solution. AT&T concurs that six (6) months is a reasonable time period and requests that the Commission extend the six (6) month waiver to AT&T, or more broadly, to all Internet-based TRS providers.

³ GoAmerica Petition for Partial Consideration and Limited Waiver (filed January 29, 2009).

⁴ *Id.* at pp. 4-5.

⁵ *Public Notice*, Pleading Cycle Established for Filing of Oppositions to Petition for Partial Reconsideration and Limited Waiver, and Petition for Partial Reconsideration, Concerning the Assignment of Ten-Digit Telephone Numbers and E911 Requirements for Internet-based Telecommunications Relay Service, CG Docket No. 03-123 WC Docket No. 05-196 (April 20, 2009).

For the foregoing reasons, AT&T respectfully requests that the Commission consider this submission.

Respectfully submitted,



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Dated: June 3, 2009