

WICHITA-WILBARGER 9-1-1 DISTRICT
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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

**Framework for Next Generation
9-1-1 Deployment**

PS Docket No. 10-255

INITIAL COMMENTS OF THE WICHITA-WILBARGER 9-1-1 DISTRICT

The Wichita-Wilbarger 9-1-1 District¹ (the “District”) respectfully submits these comments² in response to the Federal Communication Commission (the “Commission”) Notice of Inquiry³ in the above referenced docket, which seeks comments on issues related to the deployment of IP-based Next-Generation E9-1-1 systems throughout the United States.

The District appreciates the opportunity to comment on several issues raised in this inquiry. First, the District contends that, while NG9-1-1 holds the promise of allowing for the use of multiple media types in the PSAP, it must be recognized that voice will remain

¹ The Wichita-Wilbarger 9-1-1 District is a Texas special governmental district created under chapter 772 of the Texas Health and Safety Code and authorized under that statute to provide 9-1-1 service to the citizens of both Wichita and Wilbarger Counties in Texas.

² The Wichita-Wilbarger 9-1-1 District is a member of the Texas 9-1-1 Alliance, which has also submitted comments jointly with the Texas Commission on State Emergency Communications (CSEC). We join with the comments of the Texas 9-1-1 Alliance and CSEC except to the extent they explicitly conflict with these comments. We write separately solely to emphasize certain matters that are of particular concern to our District.

³ Framework for Next Generation 9-1-1 Deployment, 76 Fed. Reg. 2297 (Jan. 13, 2011).

the primary 9-1-1 media type. Other media types have inherent disadvantages as communication channels to emergency services. Second, we argue that the Commission should initiate a separate proceeding to explore how the disabled and those with special needs can be fully accommodated by the 9-1-1 system. Finally, we argue that the Commission should continue to recognize that the provision of 9-1-1 is a local matter, and that local agencies are in the best position to make choices with respect to the deployment of NG9-1-1 services. The Commission should focus itself on the role of facilitating the development of technical standards that will allow local agencies to easily deploy NG9-1-1 service at local agency discretion.

I. MEDIA TYPES IN THE NG9-1-1 ENVIRONMENT

A. Because voice communication enjoys significant advantages over proposed alternatives, it should remain the sole primary media type for access to emergency services in the NG9-1-1 environment.

Much has been made of the transformative impact of NG9-1-1 on the ability of citizens to connect with emergency services and first responders. The main promise of NG9-1-1 is that it will allow for the use of media types that previously have not been compatible with 9-1-1 systems. Media types mentioned as examples of the forthcoming flexibility of NG9-1-1 networks include SMS text messaging, real-time text messaging, picture and video messaging, telemetry and automated notifications systems, and databases containing a wide array of useful information like medical records and other personal data.

The District welcomes the possibility of using new media types in the PSAPs in its area. However, the District believes that enthusiasm for the promise of new media types in NG9-1-1 should be tempered by the understanding that traditional voice communication will and should remain the primary avenue for 9-1-1 access.

Voice communications have a number of significant advantages over any other alternative. More real-time information can be transmitted over a voice channel than by any other proposed media type. Voice is not susceptible to the delays that are inherent in text-based communications. Voice conveys information such as the tone of voice and

background noise that are valuable in aiding the 9-1-1 call-taker in assessing the nature, scope and severity of an emergency. Call-takers have been trained to use this information in making judgments about how best to respond to an emergency. Much of this information would be unavailable in a 9-1-1 contact using any other media type. The District believes that it would be irresponsible, given the usefulness of voice communications, to do anything other than continue to encourage our citizens to use voice channels to contact 9-1-1 and to discourage them from using other channels or methods.

We do not intend to suggest that other media types are not useful. In particular, the District believes that picture messaging and video messaging may be very helpful in supplementing the information available in a voice 9-1-1 call. However, the District does not believe that picture or video messaging should be a primary method of accessing the PSAP. This District's preference is to use picture and video messaging, if at all, only secondarily to voice communication, and only within the context of an ongoing voice call.

The District also sees the value in incorporating telemetry data into the PSAP. The District has already entered into agreements with several companies to provide telemetry data from on-board automotive safety and communication systems. Currently, this information is provided via third-party call centers operated by the onboard system service providers. The District may be interested in receiving such telemetry data directly, if it can be determined that the data meets a high standard of quality, and that telemetry systems will not contact 9-1-1 in response to events that do not actually warrant emergency services. Until the reliability of telemetry data can be proven, the District has no interest in incorporating telemetry directly into its 9-1-1 system.

B. SMS text-messaging is not a reliable media type for access to emergency services, and users should be educated and encouraged to access NG9-1-1 by traditional voice service.

The District believes that the proposed incorporation of SMS text-messaging services into NG9-1-1 raises a number of troubling issues. SMS messaging is distinctly unsuitable for communication with emergency services. First, SMS messaging does not allow for

real-time communication. Instead, a SMS message cannot be sent until it is completely composed. This raises the possibility of miscommunication with the PSAP. Also, SMS text does not provide the call taker the opportunity to hear and evaluate background noise and tone of voice. The absence of this critical information in an SMS message will reduce the efficacy of the subsequent emergency response, potentially placing the textor at risk. Indeed, the inability of the call-taker to evaluate background noise may even place emergency responders at risk, because of the absence of this valuable situational information.

The disadvantages of SMS text messaging as a 9-1-1 media type are clear. In contrast, we think the case in favor of incorporating SMS messaging into the suite of NG9-1-1 functionality is weak. It has been asserted that SMS access to the 9-1-1 system would be highly beneficial in certain situations, such as active shooter incidents and hostage situations, where voice communication is dangerous. We remain unconvinced. In fact, we believe that in such situations SMS messaging is inferior even to a caller simply dialing 9-1-1 and leaving the voice channel open without speaking. At least in that situation, the call-taker can evaluate background noise and use Phase II to find the location of the caller. We also question the ability of callers to type a legible message in the midst of a high stress emergency environment. A deterioration of the fine motor skills of a textor in an emergency would necessarily lead to garbled and mistyped messages. This, coupled with the accidental misspellings, truncated messages, and delays inherent in SMS messaging, creates a circumstance fraught with the danger of miscommunication or lack of communication between the textor and the 9-1-1 call-taker. Our view is that there needs to be more study and research in this area before 9-1-1 agencies can have confidence in SMS text as a reliable method for communication with the PSAP.

In light of the manifold deficiencies of SMS text messaging in emergency communication, the Commission should not require PSAPs to accept SMS messages. This decision should remain in the discretion of the local 9-1-1 authority, after consultation with local emergency response agencies and local citizens. Some agencies may find value in incorporating SMS messaging into their operations. However, we

believe that as a general policy SMS texting to the PSAP should be discouraged and that 9-1-1 public education efforts should emphasize that voice is the best way to contact 9-1-1.

C. While the F.C.C. should consider policies and regulations that encourage the development of technical standards allowing the use of secondary media types by the PSAP, the decision on whether a PSAP will be configured to accept any particular secondary media type should remain with local authorities.

The District believes that the Commission should take a coordinating role in encouraging the development of standards and protocols that allow the use of secondary media types by the PSAP. However, the District urges the Commission to take no action to mandate that PSAPs accept or use any media types other than voice media. Instead, the decision to use non-voice media types in the PSAP should remain at the local level.

The District takes this position for two reasons. First, it is counterproductive to mandate the expensive upgrades in equipment and networks that would be required to accommodate 9-1-1 service for new media types while it is still unclear whether many jurisdictions have the necessary funding to upgrade. In areas where the funding for new services is not available, a mandate that agencies make upgrades for new media types inevitably will lead to a diversion of resources away from traditional voice service. This would result in degraded service quality for voice communication to the PSAP.

Of course many agencies will be able to afford the necessary NG9-1-1 equipment and network upgrades. However, it should remain within the discretion of the 9-1-1 agency to determine whether the resources are available to transition partially or fully to NG9-1-1 networks and functionality. Agencies that have the resources to make the transition will undoubtedly do so. Agencies without the necessary resources should not be forced to make a transition that jeopardizes core 9-1-1 service.

Second, the local 9-1-1 agency is in the best position to know what types of services are expected by members of the local community and by emergency response agencies that use the 9-1-1 system. Many 9-1-1 industry groups have argued that there is a great

deal of demand for 9-1-1 access by alternative media types. We are unaware of any empirical evidence to support this conclusion. Anecdotally, this District knows that there is very little demand in our area for non-voice 9-1-1 access.

Also, there is little interest in our area among emergency response agencies in receiving 9-1-1 communications through alternative media. In the absence of a demand for services using alternative media, this District prefers the conservative strategy of deploying our resources towards NG9-1-1 database, network and equipment upgrades that enhance the functionality of voice 9-1-1. We intend to prepare, to the extent practicable, for the use of alternative media types in the PSAP. We will not begin to accept alternative media types in the PSAP until the reliability and utility of those media types have been clearly established.

II. NG 9-1-1 AND ACCESSIBILITY BY PERSONS WITH DISABILITIES OR SPECIAL NEEDS

The District believes that it is vitally important that individuals with disabilities and other special needs have adequate access to 9-1-1 service. It is increasingly clear that the technologies currently in use to connect the disabled to the PSAP are becoming obsolete, and it is also clear that IP-based technologies show great promise in facilitating access to 9-1-1 by special needs and disabled communities.

However, while we think it is urgent that the Commission address accessibility, we think that this current proceeding is not the appropriate vehicle for such consideration. We urge the Commission to initiate a separate proceeding to address special needs and disabled access to 9-1-1. We also note that in the past year the Department of Justice issued an advanced notice of proposed rulemaking⁴ in which it addressed accessibility issues. The comment period in that proceeding ended in January of 2011 and the release of a notice of proposed rulemaking is tentatively scheduled for September of 2011. We believe the Commission should delay consideration of these issues until the proceeding before the Department of Justice has more fully matured.

⁴ Nondiscrimination on the Basis of Disability in State and Local Government Services; Accessibility of Next Generation 9-1-1, 75 Fed. Reg. 43446 (July 26, 2010).

III. THE ROLE OF FEDERAL, STATE AND LOCAL GOVERNMENT IN NG9-1-1 PROVISION AND PLANNING

A. The Commission should not deviate from current law and require the states specifically designate a statewide NG9-1-1 planning authority, but should instead leave the decision to do so at the state level.

We do not think it is necessary or desirable for the Commission to require states to specifically designate an organization to be responsible for the statewide organizing, planning or implementing of NG9-1-1. While some states may choose to designate such an agency, the decision to do so should be left to the discretion of state governments, after deliberation by stakeholders within that particular state. Some states will likely prefer and should be free to choose an approach that allows for regional and local control and coordination of NG9-1-1 deployments.

This District believes the optimal model for deployment of NG9-1-1 in our area is one that eschews top-down planning and mandates in favor of a bottom-up approach that emphasizes collaboration and cooperation among local and state agencies.

Consider, as a specific example, the question of ESINets. The NOI suggests that ESINets will “need strong state-level leadership and coordination to ensure operability and interoperability of state, local, and regional ESINets.”⁵ The District disagrees with the categorical nature of this statement. It is true that in some states, a state-level ESINet coordinating body may be warranted. Whether this is the case depends on political, geographic and regulatory concerns particular to the state in question. It does not follow, however, that such a model is appropriate for every state. In Texas, many local 9-1-1 agencies have formed regional consortia to explore the development of regional ESINets. The size and wide geographic diversity of Texas makes it difficult to envision the deployment of a state-wide unified ESINet. However, the regional consortia are taking concrete steps in the development of regional and local ESINets. Regional and local networks will provide the backbone of a statewide network, but it will have come about through local agencies working cooperatively. ESINets can be deployed efficiently

⁵ 76 Fed. Reg. at 2308; NOI at ¶ 84.

through cooperation among local agencies, as well as through the development, by consensus, of operability and interoperability standards by local, state, and federal agencies and industry groups.

B. The Commission should not assume a supervisory or governance role over the deployment of NG9-1-1 by state and local agencies.

Finally, we argue that there is no need for federal oversight or governance of state or local deployment of NG9-1-1. It is unresolved whether the Commission has the jurisdiction to exercise significant oversight over state and local government agency deployment of NG9-1-1. Assuming, without conceding, that such jurisdiction exists, the Commission should refrain from asserting jurisdiction over local and state governmental agencies responsible for the deployment and management of 9-1-1 systems.

The Commission has traditionally declined to place mandates on PSAPs and 9-1-1 agencies, but has instead focused on ensuring that telecommunications carriers are prepared to offer enhanced services when requested by a governing authority. We think that this remains the most reasonable role for the Commission in the deployment of NG9-1-1 services. The Commission should ensure that carriers are prepared to deploy solutions and adhere to technical standards that have been developed by consensus among 9-1-1 stakeholders.

We think the 9-1-1 community's experience with CMRS service is instructive on this point. In 1996, the Commission established a schedule by which CMRS carriers were to be prepared to offer Phase I and Phase II location technology at the request of the state or local 9-1-1 governing authority.⁶ There was no corresponding requirement that PSAPs adopt Phase I or Phase II. Nevertheless, by the beginning of 2011, over 95% of the population of the United States was covered by Phase II service.⁷ The success in deploying Phase II service nationwide is directly attributable to the approach the Commission adopted in 1996. Carriers were provided clear standards and deadlines for

⁶ Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, 61 Fed. Reg. 40348 (1996).

⁷ <http://www.nena.org/911-statistics>.

the provision of Phase II service, and local and state agencies retained the discretion to request Phase II service when the necessary funding was available.

There is no need for the Commission to attempt to exercise oversight or authority over local or state agencies. Local 9-1-1 authorities have demonstrated the ability to quickly and efficiently adopt new technologies and services when the appropriate funding is available and when private industry has been given the proper incentives and subjected to the necessary mandates to make services available. Local agencies have done so in an environment free of federal oversight. Instead, local and state agencies remain accountable to their citizens and thus have every incentive to provide high quality and state-of-the-art 9-1-1 service. There is no reason to believe that this will not remain the case in the NG9-1-1 environment.

IV. CONCLUSION.

The Wichita-Wilbarger 9-1-1 District appreciates the opportunity to comment on these issues, and respectfully urges Commission action consistent with these initial comments.

Respectfully submitted,



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