

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Facilitating the Deployment of Text-to-911 and) **PS Docket No. 11-153**
Other Next Generation 911 Applications))
)
Framework for Next Generation 911) **PS Docket No. 10-255**
Deployment))

To: The Commission

COMMENTS

The Blooston Rural Carriers (identified on Appendix A hereto), by their attorneys and pursuant to the Commission's *Notice of Proposed Rulemaking*, FCC 11-134, released September 22, 2011 ("NPRM"), hereby submit their comments in the referenced proceeding. In support hereof, the following is shown:

Statement of Interest

1. The Blooston Rural Carriers are Tier III Commercial Mobile Radio Service ("CMRS") providers authorized by the Commission to provide wireless service in rural areas. As such, they will be subject to any new E-911 requirements adopted by the Commission in this proceeding, and therefore they each have a direct economic interest in the outcome of the issues raised in this proceeding.

Argument

**I) The Commission Should Not Mandate Text-to-911
But Should Instead Focus on IP-Based Solutions**

2. The Commission seeks comment on potential short-term methods for sending text messages from wireless handsets to Public Safety Answering Points ("PSAPs") through the E-

911 system; and on what role the Commission should play to facilitate (and, if necessary, accelerate) the implementation of Short Messaging Service (SMS) text-to-911 capabilities by wireless service providers in the short term, pending the development and deployment of more feature rich E-911 capabilities on IP-based wireless technology platforms. Laudably, the Commission “seek[s] to adopt the least burdensome approach that would achieve the desired result,” and recognizes that the Commission “must carefully assess the costs and benefits of different regulatory options to determine the Commission’s proper role.”¹

3. The primary issue posed by the NPRM is “whether to encourage development of interim text-to-911 solutions.”² The Blooston Rural Carriers respectfully submit that deployment of such interim solutions should be neither encouraged nor mandated. At this point in time and for the foreseeable future, PSAPs are simply not equipped (and will not be equipped) to process SMS text-to-911 transmissions, and the costs associated with the PSAP upgrades needed to achieve this capability are apt to be great. The scarce resources devoted to what would admittedly be a short term, interim solution are better reserved for the deployment of the final IP-based solutions.

4. This position is confirmed by wireless carriers and some industry standards bodies who “are generally opposed to adopting or requiring SMS-to-911 as an interim solution.”³ Wireless providers and standards bodies collectively argue that SMS is dangerous and unreliable because it suffers from significant limitations. These limitations include: a) there is no guarantee of message delivery to the PSAP, b) the system is subject to significant delays in message

¹ NPRM, Paras. 3-4.

² NPRM, Para. 5.

³ NPRM, Para. 49.

delivery, c) acknowledgment of receipt of the message is not provided to the sender, and d) current SMS standards do not support automated routing to the PSAP or automated location information.⁴ The *NPRM* acknowledges that only a few SMS-to-911 trials have been conducted in the United States,⁵ and these tests demonstrated that automatic location information (a key component of wireless E-911 service) could not be provided given the limitations of current technology.⁶ Similarly, SMS-to-911 systems either deployed or under consideration in Europe do not provide automatic location information.⁷

5. Public safety commenters have expressed concerns similar to those expressed by wireless carriers and standards setting bodies. The National Emergency Number Association (“NENA”) has advised the Commission that “today, SMS lacks many of the characteristics needed to support quality emergency communications,” and accordingly NENA “does not advocate the use of SMS as a means to access 9-1-1 systems.”⁸ Similarly, APCO has told the Commission that “there are a number of Quality of Service concerns with the use of SMS to 911.”⁹ Wichita-Wilbarger’s advice to the Commission is even more blunt, stating that “SMS messaging is distinctly unsuitable for communications with emergency services [because] SMS messaging does not allow for real-time communication [which] raises the possibility of miscommunication with the PSAP.”¹⁰ Indeed, the *NPRM* confirms these limitations: “SMS is essentially a store-and-forward messaging service that is not designed to provide immediate or

⁴ *NPRM*, Para. 49.

⁵ *NPRM*, Para. 42.

⁶ *NPRM*, Paras. 42-45.

⁷ *NPRM*, Para. 46.

⁸ *NPRM*, Para. 50.

⁹ *NPRM*, at Para. 50.

¹⁰ *NPRM*, at Para. 50.

reliable message delivery; does not support two-way real-time communication; does not provide the sender's location information; and does not support the delivery of other media such as photos, video and data. All of these factors appear to make SMS inappropriate as a long-term text-to-911 solution and warrant caution in encouraging it as a short-term solution." NPRM, Para. 53.

6. Thus, text-to-911 using current technology will not provide reliable communications between the wireless customer and the PSAP, nor will it supply the PSAP with the location information so crucial to effective E-911 service. The cost to develop and incorporate these capabilities into the SMS feature is apt to be extremely high. Imposing such high costs on the industry and the PSAPs for what is admittedly a short-term solution would appear to be inefficient and short-sighted, especially since the technology will never develop for SMS to make it capable of delivering to the PSAPs the type of information ultimately contemplated by the Commission, *i.e.*, voice, text, videos and data.¹¹

7. Mandating text-to-911 would essentially mean that the service would not be available for many years. At present, technical standards do not exist for reliable text-to-911 communications, meaning that standards-setting bodies and the manufacturers would have to develop standards and protocols before the necessary equipment (both handset and PSAP) could be developed, manufactured and deployed. This would require, at minimum, several years. It simply makes no sense to divert time, money and effort into developing those standards because any technology ultimately developed would admittedly be an interim measure with (presumably) a very short service life in the field. Clearly, the benefits to public safety would not substantially

¹¹ NPRM, Para. 8.

outweigh the associated costs.¹²

8. The Blooston Rural Carriers respectfully submit that these resources would be better deployed in the development of IP-based solutions, which is after all the Commission's ultimate goal.

II) The Needs of Tier III Carriers Should be Observed

9. The Blooston Rural Carriers further request that regardless of how the Commission elects to proceed (whether mandating text-to-911 or bypassing this step in favor of IP-based solutions), that Tier III carriers be accorded adequate time to acquire and deploy the necessary equipment to provide the service. As the Commission has noted in the past, equipment manufacturers satisfy the needs of large carriers before making equipment available to smaller carriers.¹³ There is no reason to believe that the same state of affairs will not be experienced here. Accordingly, Tier III carriers should be given at least another five years within which to implement any required E-911 upgrades.

III) State Matters

10. The Commission seeks to avoid "imposing unnecessary costs on providers to implement NG911 in areas where PSAPs have not yet achieved" the capability to process the

¹² *NPRM*, Para. 33.

¹³ *Non-Nationwide Carriers (Order to Stay)*, 17 FCC Rcd. 14841, Para Nos. 10 & 11 (2002), see also *FCI 900, Inc.*, 16 FCC Rcd. 11072 (WTB 2001) (granting all 900 MHz MTA licenses an extension of the construction deadline where the required equipment was non commercially available in sufficient quantities in time to meet the five-year construction deadline).

information.¹⁴ In this vein, the Commission seeks comment on whether PSAPs should demonstrate a threshold level of technical NG911 capability as a precondition to any obligation by service providers to deliver text or other media to PSAPs, and whether such demonstration should be at the state or regional level. Similarly, comment is sought on whether states should demonstrate that they have adopted legal or regulatory measures to eliminate barriers to NG911 deployment.

11. The Blooston Rural Carriers submit that the states should be required to demonstrate that barriers to NG911 deployment have been completely eliminated before a carrier is under any obligation to provide NG911 service. Similarly, the state should be required to demonstrate that its PSAPs have the equipment to process all of the NG911 data elements before carriers are under any obligation to provide NG911 service in a given geographic area.

12. Equally as important, the Commission should mandate that NG911 equipment acquisition and deployment issues be handled at the state level,¹⁵ not the local level. Based on the rural wireless industry's experience in dealing with E-911 voice service, the process runs much smoother and with much greater efficiency when these matters are handled at the state level. The major benefit of state-level administration seems to be that only one governmental agency has to educate itself as to what is required and act accordingly. Allowing these decisions to be made at the local level produces a disproportionate amount of confusion, befuddlement and delay by local government public safety and budget officials and local government administrative personnel charged with the mechanics of E-911 deployment. While there were exceptions,

¹⁴ *NPRM*, Para. 9.

¹⁵ If the Commission declines to mandate state-level administration, it nevertheless should *strongly encourage it*.

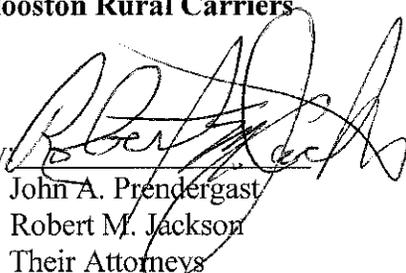
inefficiency at the local government level was perhaps one of the greatest practical barriers to E-911 deployment in many areas, a deficiency that should not be repeated with NG911 deployment. For example, the process at the local level was sometimes characterized by seemingly endless disputes and bickering over which costs the PSAP was required to bear, with many local PSAPs insisting that the carrier assume all of the costs notwithstanding the fact that this Commission had specifically identified which costs the respective parties were required to bear. Similarly, certain local PSAP claims that they were capable of processing the E-911 data elements ultimately proved false, meaning that carriers were required to spend significant sums on E-911 deployment when the PSAPs were not, in fact, capable of processing the E-911 data elements. These problems were most commonly encountered in counties with comparatively modest financial resources, but were not present where state-level administration of the program was employed.

WHEREFORE, the Blooston Rural Carriers request that their recommendations in this proceeding be adopted.

Respectfully submitted,

Blooston Rural Carriers

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Filed: December 12, 2011

Attachment A

Copper Valley Wireless, Inc.
Van Buren Wireless, Inc.
Windy City Cellular LLC
WUE, Inc.