

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

February 13th, 2012

Dear Ms. Dortch:

On February 9th, 2012, I attempted to cross-file reply comments in two matters, PS Docket Nos. 10-255 and 11-153, on behalf of the NENA: The 9-1-1 Association. Due to an error, however, I actually uploaded NENA's original comments previously filed in these proceedings to ECFS. The following pages contain the correct reply comments. I respectfully ask that the Commission consider this filing without prejudice to NENA, despite its technical untimeliness.

Sincerely,

A handwritten signature in cursive script that reads "T. E. Forgety, III". The signature is written in dark ink and is positioned above the printed name.

Telford E. Forgety, III, "Trey"
*Director of Government Affairs
& Regulatory Counsel*

Before the Federal Communications Commission

IN RE
FACILITATING THE DEPLOYMENT OF TEXT-TO-911
AND OTHER NEXT GENERATION 911 APPLICATIONS
FRAMEWORK FOR NEXT GENERATION 911 DEPLOYMENT

ON NOTICE OF PROPOSED RULEMAKING

**REPLY COMMENTS OF THE
NATIONAL EMERGENCY NUMBER ASSOCIATION**

TELFORD E. FORGETY, III
Attorney
Director of Government Affairs

*NATIONAL EMERGENCY
NUMBER ASSOCIATION
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The National Emergency Number Association (“NENA”) respectfully submits the following comments in reply to those filed by others pursuant to the *Notice of Proposed Rulemaking* adopted by the Commission on September 22nd, 2011, in this proceeding.

REPLY

I. The Commission should discount the recommendations of the ATIS INES Incubator.

In our initial comments, NENA expressed concern at the external time constraints placed upon the Interim Non-Voice Emergency Services (INES) Incubator process undertaken by the Alliance for Telecommunications Industry Solutions (ATIS). A number of commenters, however, have strongly encouraged the commission to adopt the Incubator recommendation that interim text messaging requirements, if imposed at all, be based solely upon the IP text relay solution that was identified as the Incubator members’ preference.¹ And while it may be true that the Incubator “cast a wide net,”² it did so in a shallow pool of its own construction: The INES Incubator “began its work in April 2011,”³ but “targeted June 2012 as the target deployment date.”⁴ By arbitrarily limiting its consideration of possible solutions to those which could be deployed nation-wide in just over one year (*including* the 9 months required to generate its report), the Incubator effectively precluded consideration of many potential solutions that might have been implementable upon longer, but still reasonable timeframes.

¹ *E.g.*, Comments of Qualcomm, Inc. at 10; Comments of the Telecommunications Industry Association (TIA) at 6; Comments of AT&T, Inc. at 2; Comments of ATIS at 6-7.

² Comments of TIA at 6.

³ Comments of ATIS at 3.

⁴ *Id.* at 6.

Had the Incubator's evaluation of potential solutions occurred in the absence of an artificial time constraint, it is possible that it would still have reached the conclusion that IP text relay is a viable solution for interim text messaging. This solution has enormous shortcomings, however, that arguably exceed even those of some SMS-based solutions. For example, companies such as Rave, TCS, Intrado, and Neustar have demonstrated or proposed SMS-to-9-1-1 solutions that allow for location-based routing and varying degrees of handset- or network-based location reporting – both critical elements of 9-1-1 service that IP text relay has not yet been shown to support. In addition, the real-world experience of the deaf and hard-of-hearing community with some relay services makes the INES recommendation a non-starter from its perspective.⁵ NENA considers it imperative that 9-1-1 service be available to everyone in need on an equal basis, and believes that a less constrained review of interim text-to-9-1-1 solutions might have resulted in a different outcome that is more effective for consumers and PSAPs alike. NENA has therefore committed to conduct its own review of possible interim text solutions.⁶

II. Restarting the standards-development process will unnecessarily delay the implementation of NG9-1-1 capabilities for all consumers.

NENA is alarmed by a continuing thread of comments that at least implies that standards work for NG9-1-1 is in its infancy or requires significant rework.⁷ NENA recognizes that some work will be required to maximize efficiencies in the interconnection of IMS-based facilities in originating service provider and access provider networks,

⁵ *Cf.* Comments of Donna Platt at 2.

⁶ NENA: The 9-1-1 Association, Notice of *Ex Parte* Presentation, cross-filed in PS Docket Nos. 10-255 & 11-153 (Feb. 6, 2012).

⁷ Comments of ATIS at 4 fn.3 & 19; Comments of 4G Americas at 3-6.

and to ensure ongoing interoperability between such networks and the Emergency Services IP networks (ESInets) on which NG9-1-1 systems are based. Indeed, the Communications Security, Reliability, and Interoperability Council (CSRIC) has already expended great energy in identifying areas where additional alignment work is required.⁸ NENA is committed to carrying out that work in collaboration with other industry standards bodies. However, NENA strongly opposes any attempt to begin the standards process anew in fora that impede or prevent meaningful participation by public safety professionals.

To the extent that the comments of 4G Americas and ATIS could be read to suggest that ongoing work on MultiMedia Emergency Services will eventually supplant the already-completed work on the NENA i3 standard, NENA disagrees. The i3 standard *is* the “long-term solution.” NENA notes that although i3 does make limited and necessary assumptions about, *inter alia*, the location-determination capabilities of access networks,⁹ it prescribes only the functional aspects of NG9-1-1 systems and the interfaces and protocols by which originating services must present emergency traffic to them.

Though the carrier community may not be fully satisfied with its provisions, i3 provides the public safety community with important and badly needed assurances of flexibility, interoperability, and competitive availability in the market for equipment, software, and network services - assurances that industry-dominated standards efforts have not historically provided. Restarting the standards development process will only delay the availability of NG9-1-1 services such as text messaging and three-

⁸ CSRIC Working Group 1, Subgroups 1 & 2, Report at 25-29 (Dec. 2011).

⁹ NENA: The 9-1-1 Association, Functional and Interface Specifications for Next Generation 9-1-1 Version 1.0 (i3) at 18 (Dec. 18, 2007) *available at*: http://www.911alliance.org/NENA_NG_Tech_Standards_i3.pdf.

party calling for individuals who speak languages other than English (such as American Sign Language). NENA therefore urges the Commission to base its final rules on the functional components of NG9-1-1 systems identified in the i3 standard so as to prevent the fragmentation of NG9-1-1 systems into disjoint, non-interoperable islands with locally-varying capabilities.

CONCLUSION

NENA looks forward to providing the Commission with further information needed to develop final rules in this proceeding.

TELFORD E. FORGETY, III
Attorney

FEBRUARY 2012