



State of Vermont
Enhanced 9-1-1 Board
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June 21, 2012

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

Re: CG Docket No. 12-129; FCC 12-56

Dear Ms. Dortch,

On behalf of the State of Vermont Enhanced 9-1-1 Board, I submit the following comments on the above noted matter.

In Vermont, the Enhanced 9-1-1 Board manages the statewide 9-1-1 service utilizing eight Public Safety Answering Points (PSAPs). The Board office consists of 11 staff, including the Executive Director and each of the eight PSAPs are managed by various police organizations in the state. Although the PSAPs are not under the direct control of the Board, the role of the Board office is to act on behalf of the PSAPs in a wide ranging number of 9-1-1 related activities, including participation with the National Emergency Number Association and other public safety organizations to communicate the needs of the Vermont 9-1-1 service and its eight PSAPs. Upon notice that this proposed rule-making was soon to occur, this office polled the PSAP community to determine the extent to which the PSAPs do receive the types of calls described in the notice, if at all. With one exception, the PSAPs reported that from time to time their dispatchers do receive robo-calls and other unwanted solicitations on the telephone lines used to communicate with emergency responders. Given that fact, the Enhanced 9-1-1 Board feels it is warranted for the Commission to consider ways to reduce if not totally eliminate these types of calls, as they are both a distraction and a waste of limited resources otherwise dedicated to performing the essential functions of their jobs.

The following are our comments on specific questions of importance here in Vermont:

2. We strongly urge the Commission to establish a Do Not Call list as described in the proposed rule. Restrictions should be placed on any type of marketing or robo-call, using the

same or similar process used for the national Do Not Call list operated by the Federal Trade Commission (FTC). Personal experience suggests that the FTC Do Not Call list has been effective. One disappointment with the FTC process is the fact that the registration was to expire at the end of five years. Like most consumers, this one quickly forgot that a registration had been made, and would expire, and communication about the need to reaffirm the desire to remain on the list was spotty at best. It would seem that because the PSAP community is a more easily defined group of participants, a process could be created to automatically notify the jurisdictions that are performing the registration that it is time to revise extend or delete phone numbers. In this controlled group, reminding the PSAP community of the need to do so could be more easily accomplished using out of the box registration tools commonly available these days. With such tools, the Commission could automatically generate Email notices to the appropriate parties more frequently than every five years, which should improve the accuracy and effectiveness of the Do Not Call list for each jurisdiction.

3. It should be left to the discretion of the PSAP community to determine which numbers to register. Though not asked in this notice, the Commission could also consider offering the same availability of this service to other public safety organizations, whether PSAP related or not. Broadening the scope of which public safety organizations can participate could be done as a Phase 2 after implementation of the original Do Not Call list.

4. With the availability of out of the box tools, registration should be done using a Secure Socket Layer Internet website that would include the ability to send a notification to the organization that enters the numbers on behalf of their respective jurisdiction, that it is time to review their registration and make any necessary changes. Of course, that notification process is subject to someone leaving their position, so some thought should be given to requiring the jurisdictions to identify a back-up contact and/or a postal address to which the inquiry could be sent if there is no online response. Again, we would emphasize that doing this more frequently instead of less is a better approach.

5. As noted above, using an Internet based application to collect the information is the best way to ensure ease of registration and it also puts the burden of entering the correct information on the information source, which is the PSAP community. Due to the wide variety of organizational structures for 9-1-1 services around the country, "who" should be able to register numbers should be broadly defined so as not to create unreasonable burdens on the PSAP community in order to participate.

6. We assume that the Commission has established or will establish the opportunity to learn best practices and any mistakes made by the FTC in their Do Not Call initiatives, and that in the ten years of offering the service the FTC has continually improved the process. Whether that means that costs can be shared between the Commission and the FTC is a matter to be determined by the FCC, but in these days of tight budgets, collaboration is always a good idea.

7. By using out of the box tools to perform the registration online, it should be possible to create a mechanism to send a reminder to the individual and his or her organization that it is time to review the list of phone numbers, and in order to keep the list as accurate as possible, this should be done on an annual basis. It seems that the hardest part of this process for the PSAP community is to determine the appropriate phone numbers in the first instance. Once that is done, an annual review of moves, adds or changes of telephone numbers seems less daunting.

8. We concur with the Commission's proposals in this section.

9. We concur with the Commission's proposals in this section.

11. We concur with the Commission's proposed rule in this section, but would strongly urge the Commission to consider significant penalties for violators.

12. Allowing access by third parties to the information collected and maintained in the proposed Do Not Call list could open the door to potential abuse by creating a "honeypot" of information that could be put to use in other ways not already described in this rule making, including the possibility that someone would use the information to flood 9-1-1 centers with phone calls that could impede the delivery of services. We think it is better to err on the side of caution.

13. With all of the attention that text messaging is receiving in discussions about Next Generation 9-1-1, we believe that the same rules applied for phone numbers should also apply to text messaging. We do not think it is wise for the Commission to wait to do that until such time, if it were to occur, that unwanted texts to emergency service providers becomes a problem unto its own. To some extent, including text messaging might also help to assuage the concerns in the PSAP community that adoption of text messaging solutions is opening them up to being overwhelmed by non-emergency text messages.

15. The only scenario one can imagine as being legitimate is where a jurisdiction provides a "reverse 9-1-1" emergency system, and the PSAPs are listed as a recipient of such calls, although we do not read the proposed rule to apply to such systems.

17. We would urge the Commission to consider the strongest possible penalties for violation upon the first violation of any restrictions as finalized in this rule. This same comment relates to # 18.

19. Creation of a safe harbor would seem to open things up for a lot of disagreement and increase the workload related to enforcing the rule, as presumably it creates the opportunity for some type of administrative hearing and potentially an appeal process; whether the Commission wants to take that on is best left to the Commission, but we would not advise it.

Thank you for the opportunity to respond to the proposed rulemaking. We are encouraged to see the FCC take a more active role in any matter that has a direct impact on the operation of the 9-1-

1 system, and reducing if not eliminating the burden placed on emergency services from dealing with unwanted calls not related to serving the public is a step in the right direction.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Tucker', with a long horizontal flourish extending to the right.

David H. Tucker
Executive Director
State of Vermont Enhanced 911 Board