



Jamie M. (Mike) Tan
Director
Federal Regulatory

AT&T Services, Inc.
1120 20th St. NW, Suite 1000
Washington, D.C. 20036
Phone 202 457-3035
Fax 202 457-2062
E-Mail: jamie.tan@att.com

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VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: NOTICE OF EX-PARTE COMMUNICATION

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

Dear Ms. Dortch:

On October 19th, Bob Quinn, Joe Marx, Jim Bugel and I (all from AT&T) met with David Goldman, Legal Advisor to Commissioner Rosenworcel, regarding the above referenced proceedings. The attached presentation was used during our discussion.

As with previous meetings, AT&T explained its concerns regarding why any text-to-911 mandate must not only apply to the SMS services provided by CMRS providers, but also to the Over-the-Top (OTT) texting applications that directly compete with SMS services. First, given the prevalence of OTT substitutes for SMS services, failing to include these substitutes in the mandate may cause significant customer confusion regarding the accessibility of emergency services via text message. In addition, applying this mandate on a technology neutral basis ensures that the effectiveness of the mandate does not depend on the dominance of any platform or on the market position of any group of service providers. Lastly, AT&T pointed out that including OTT providers in the scope of a text-to-911 mandate would assist ongoing industry standards work by encouraging OTT providers to participate in the process of developing a text-to-911 solution.

The above and the attached are being filed in the above referenced dockets via the Commissions Electronic Comments Filing System (ECFS).

Should you have any questions regarding the above or the attached, please feel free to contact me directly.

Sincerely,

Attachment

Cc: Mr. David Goldman (via e-mail)

Text to 911 Discussion



Because Carrier SMS services are a declining service, any Text-to-911 solution must apply equally to Over-the-Top (OTT) SMS services.

“OTT services that compete directly with mainstay telecom services, such as voice over IP and converged cross platform messaging, are obvious threats to telecom service providers, and indeed have resulted in significant loss of revenues.”¹

“...the cannibalization of SMS revenues by OTT players, currently estimated to be \$23.17bn, will reach \$54.37bn by 2016. Not only are OTT players changing consumers' messaging preferences, but the pressure they are exerting on operators' messaging services is forcing operators to offer increased SMS bundles and experiment with messaging pricing models, further dampening revenue growth.”²

Sources:

- 1) Ovum, *New Revenues Opportunities in Telecoms: 2013-2016* (published 10/3/2012), at p.18).
- 2) Ovum, *Counteracting the Social Messaging Threat* (Published July 2012), p. 10.



For ease of PSAP implementation & maximizing the efficiency of scarce public funding, the FCC should address SMS & OTT at the same time.

- If addressed separately, OTT solutions will be addressed in a piecemeal fashion, with proprietary interfaces being developed, thereby complicating PSAP implementation.
 - There are numerous proprietary solutions today. (See, e.g. FCC Text-to-911 Exhibition Fair, (FCC News Release DOC-313232, March 26, 2012.))
- Industry standards work (via ATIS) is currently underway to support text-to-911 for OTT applications
 - SMS text-to-911 standard is expected to be complete in 1q2013
 - Participation by OTT providers are needed to complete the standard.
- Addressing SMS and OTT obligations in one order makes it possible for PSAPs to handle the implementation as a single project, which can help minimize cost and ensure consistency between and among texting solutions.



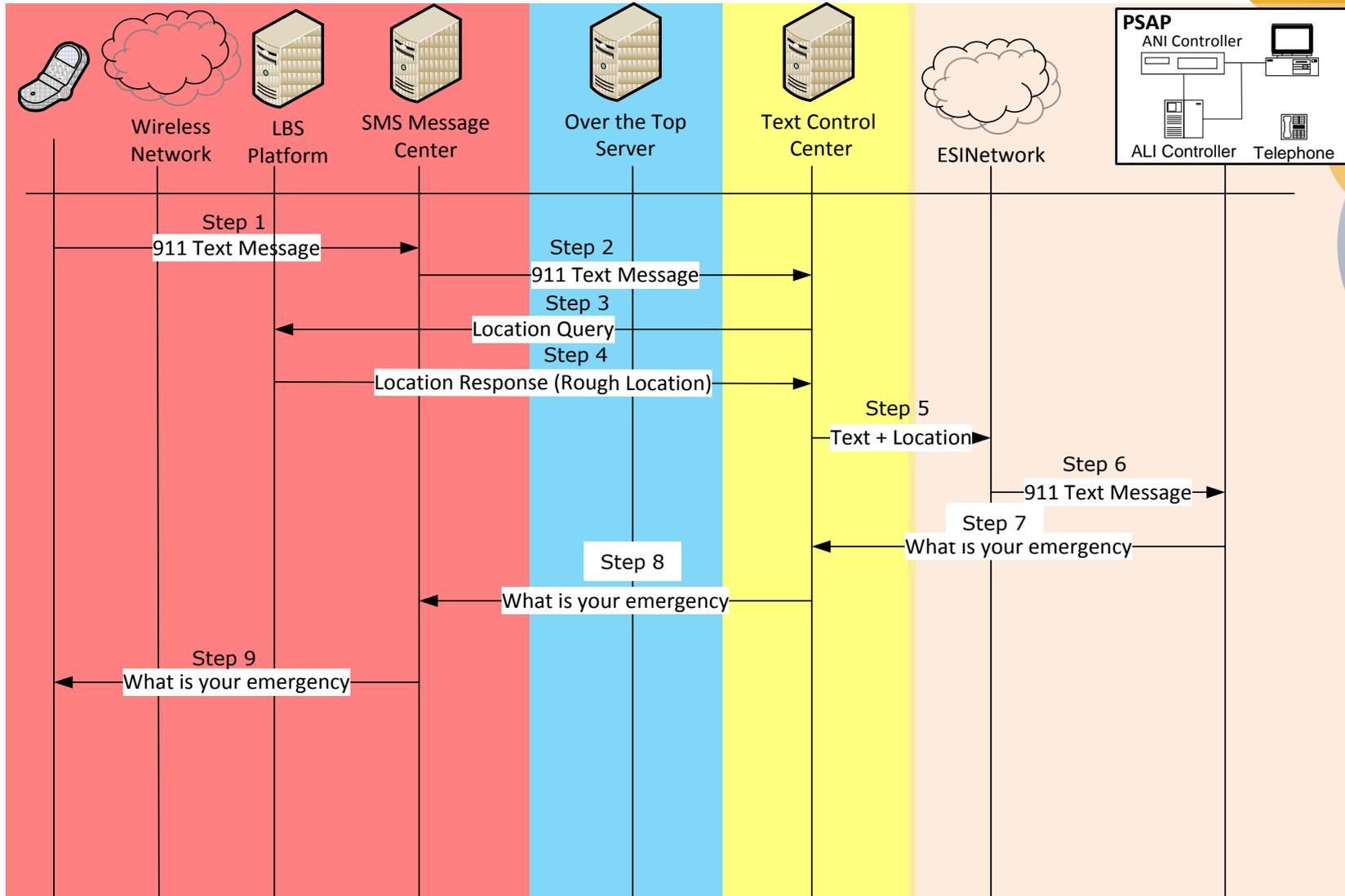
Simplified SMS Message Flow

Originating Service Provider

OTT Provider

Text Gateway Provider

PSAP Network



Simplified OTT Text Flow

Originating Service Provider

OTT Provider

Text Gateway Provider

PSAP Network

