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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 November 5th, Bob Quinn, Joe Marx, and I (of AT&T) spoke with Courtney Reinhard, Legal Advisor to Commissioner Pai, and Tajma Rahimic, Legal Intern, regarding the proceeding in the above-referenced dockets. During this discussion, we expressed AT&T's concerns that, given the rapid evolution of the marketplace for SMS services, any mandate for a text 911 solution must be technology neutral in nature and should apply at the service level to all providers of text messaging services. We further noted our concerns that an Order on text-to-911 services that applies only to the SMS platform while deferring the application of the mandate to over-the-top (OTT) text messaging services may greatly confuse customers regarding the availability of text-to-911 services, and may unnecessarily complicate the effort by the public safety community to implement a text-to-911 solution. The attached presentation was used during our discussion.

In accordance with the Commission's rules, this letter and the attached presentation are being filed in the above-referenced dockets via the FCC's Electronic Comments Filing System.

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

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Tan".

Cc: Ms. Courtney Reinhard (via e-mail)

Attachment

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.



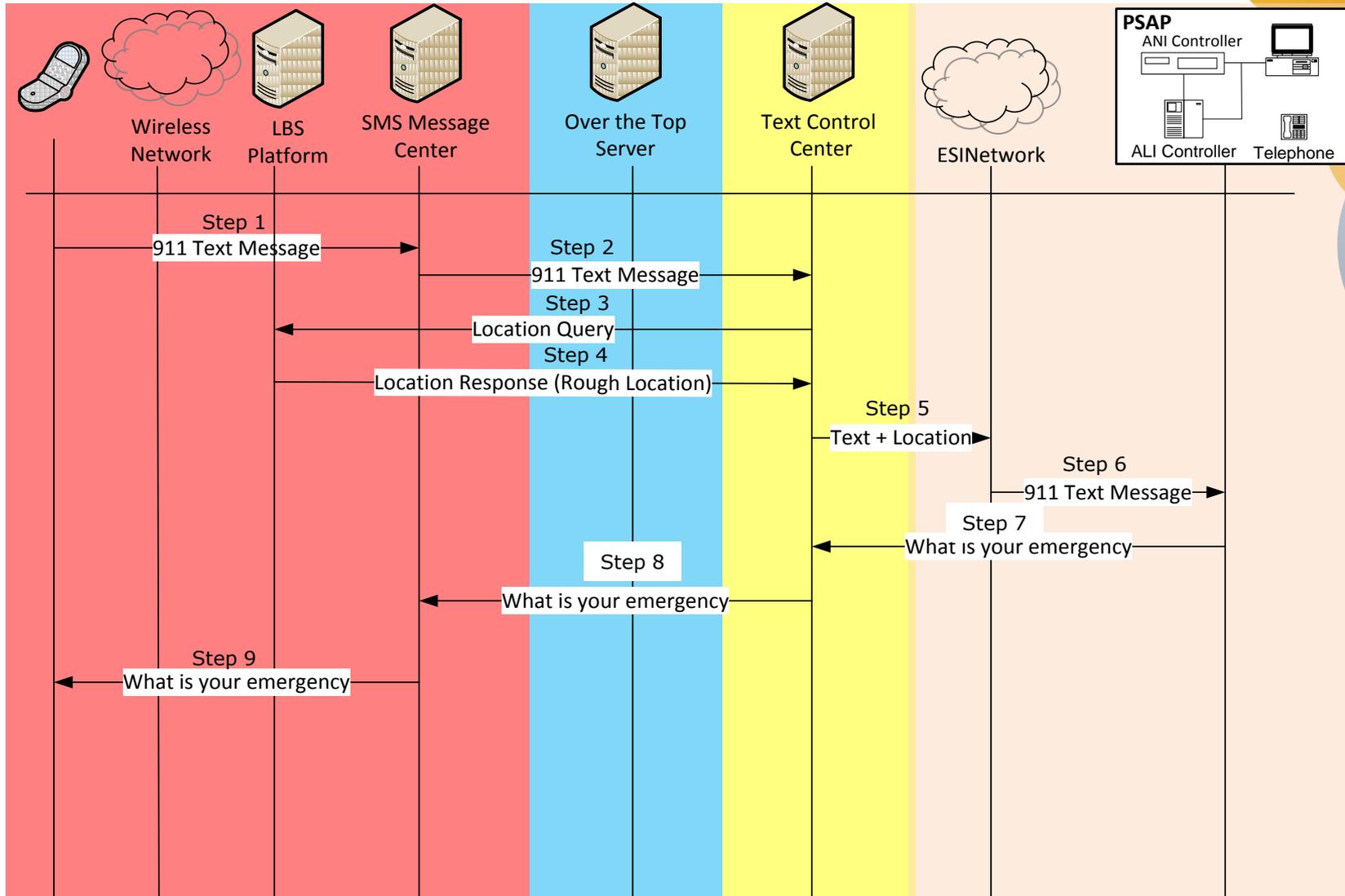
Simplified SMS Message Flow

Originating Service Provider

OTT Provider

Text Gateway Provider

PSAP Network



Simplified OTT Text Flow

Originating Service Provider

OTT Provider

Text Gateway Provider

PSAP Network

