

December 6, 2012

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Presentation, PS Docket Nos. 10-255 & 11-153

Dear Ms. Dortch:

This afternoon, Joe Marx of AT&T, Ray Rothermel of Sprint Nextel, Kathleen Ham of T-Mobile USA, and Nneka Ezenwa of Verizon (“wireless provider attendees”), along with Brian Fontes, CEO of the National Emergency Number Association (“NENA”), and Chris Guttman-McCabe, Vice President, and Brian Josef, Assistant Vice President, CTIA-The Wireless Association® (“CTIA”), met with Commissioner Jessica Rosenworcel and David Goldman, Legal Advisor to the Commissioner, to discuss a voluntary commitment to deliver their subscribers’ Text-to-911 communications to requesting public safety answering points (“PSAPs”) as part of a shared goal of ensuring that Americans, including the deaf, hard of hearing, and speech impaired communities, can effectively use wireless services to contact publicly available emergency services.

The wireless provider attendees explained that, as a step towards a comprehensive Next Generation 9-1-1 (“NG911”) system, a voluntary commitment to support Text-to-911 provides near-term opportunities to meet the emergency communications needs of wireless subscribers who rely on text messaging, such as short message service (“SMS”), for everyday communications and individuals who are deaf, hard of hearing or speech impaired. This commitment also accommodates the wireless provider attendees’ need to respond to the rapid evolution of the wireless marketplace by deploying technologies to provide Text-to-911 functionality as they deem appropriate.

This voluntary commitment reflects close collaboration between the wireless provider attendees and public safety stakeholders, and is intended to reflect and incorporate much of the important work undertaken by public safety, disabilities and industry stakeholders through the FCC’s Emergency Access Advisory Committee (“EAAC”). As the wireless provider attendees have advised the Commission and the EAAC, SMS is a store-and-forward messaging technology that was never designed nor deployed to provide any time-sensitive, mission-critical service.¹ Consistent with these known parameters, wireless provider

¹ *Facilitating the Deployment of Text-to-911 and Other Next Generation Applications, Framework for Next Generation 911 Deployment*, Notice of Proposed Rulemaking, FCC 11-134 ¶ 53 (Sept. 22, 2011); *see also*, *Text Messages in a PSAP Environment*, APCO Emerging Technologies (rel July 30, 2012) available at <http://psc.apcointl.org/wp-content/uploads/APCO-Emerging-Tech-Text-to-911-Final1.pdf> and *Texting to 9-1-1: Examining the Design and Limitations of SMS*, 4G Americas (October 2010) available at <http://www.4gamericas.org/documents/SMS%20to%20911%20White%20Paper%20Final%20October%202010>.



attendees can offer an SMS-based Text-to-911 service through the provision of an interim “best-efforts service” to meet the near term objective of providing a text-based emergency communications until the comprehensive NG911 system is developed, deployed and adopted by the wireless industry, public safety community and public.

The terms of this commitment cover only the text-messaging services provided by the wireless provider attendees. They do not extend to text-messaging applications provided by third parties.

The signatories make the following voluntary commitments:

- 1) Text-to-9-1-1 service would be made available by May 15, 2014, although carriers may choose to implement such a service prior to that date. Once a carrier begins offering a Text-to-9-1-1 solution, valid PSAP requests for Text-to-9-1-1 service will be implemented within a reasonable amount of time of receiving such request, not to exceed six months. A request for service will be considered valid if, at the time the request is made: a) the requesting PSAP represents that it is technically ready to receive 9-1-1 text messages in the format requested; and b) the appropriate local or State 9-1-1 service governing authority has specifically authorized the PSAP to accept and, by extension, the signatory service provider to provide, text-to-9-1-1 service (and such authorization is not subject to dispute).
- 2) Beginning no later than July 1, 2013, the four signatory service providers will voluntarily provide quarterly progress reports to the FCC, NENA, and APCO summarizing the status of the deployment of a national Text-to-9-1-1 service capability. Once a service provider is able to deploy service for capable PSAPs on a national basis, it would no longer be required to provide these status reports.
- 3) Consistent with the draft ATIS Standard for Interim Text-to-9-1-1 service, the PSAPs will select the format for how messages are to be delivered. Incremental costs for delivery of text messages (e.g. additional trunk groups to the PSAP’s premises required to support TTY delivery) will be the responsibility of the PSAP, as determined by individual analysis.
- 4) The signatory service providers will implement a ‘9-1-1’ short code that can be used by customers to send text messages to 9-1-1.
- 5) Before the deployment of Text-to-9-1-1, the signatory service providers will implement a bounce-back (auto-reply) message to alert subscribers attempting to text an emergency message to instead dial 9-1-1 when Text-to-9-1-1 is unavailable in that

[pdf](#), *but see*, FCC EAAC, Resolution regarding Text Messaging to 911 (adopted March 30 2012) (recommending Text Messaging to 9-1-1, at a minimum, via SMS); *and* Presentation of EAAC Working Group 1, Text-to-911 Solutions to 911 Interim to NG911 (Sept. 14, 2012) (outlining key assumptions about Pre-NG911 Interim Text to 911).

area. The signatory service providers will implement the bounce-back (auto-reply) message by June 30, 2013.

- 6) The signatory service providers will meet these commitments independent of their ability to recover these associated costs from state or local governments.
- 7) The signatory service providers (whether individually or through a third party) will work with APCO, NENA, and the FCC to develop an outreach effort to set and manage consumer expectations regarding the availability/limitations of the Text-to-9-1-1 service (including when roaming) and the benefits of using voice calls to 9-1-1 whenever possible, and support APCO and NENA's effort to educate PSAPs on Text-to-9-1-1 generally.
- 8) A voluntary SMS-to-9-1-1 solution will be limited to the capabilities of the existing SMS service offered by a participating wireless service provider on the home wireless network to which a wireless subscriber originates an SMS message. SMS-to-9-1-1 will not be available to wireless subscribers roaming outside of their home wireless network. Each implementation of SMS-to-9-1-1 will be unique to the capabilities of each signatory service provider or its Gateway Service Provider.

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this letter is being electronically filed via ECFS with your office and a copy of this submission is being provided to the meeting attendees. Please direct any questions to the undersigned.

Sincerely,

/s/ Christopher Guttman-McCabe

Christopher Guttman-McCabe

cc: Commissioner Jessica Rosenworcel
David Goldman