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Ex Parte

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

Re: Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, PS Docket No. 11-153; Framework for Next Generation 911 Deployment, PS Docket No. 10-255; Public Safety and Homeland Security Bureau Seeks Comment on the Legal and Statutory Framework for Next Generation 9-1-1 Advancement Act of 2012, PS Docket No. 12-333

Dear Ms. Dortch:

In preparing its recommendations for submission to Congress next month,¹ the Commission should focus on the areas discussed below where the comments reflect agreement among a wide range of stakeholders. Such an approach will help ensure that its final product is “consistent with recommendations in the National Broadband Plan,” as Congress required in the Next Generation 9-1-1 Advancement Act of 2012.²

- **Liability Protection.** Commenters uniformly recognize the benefits of a uniform, minimum level of liability protection for NG911.³ Service providers, manufacturers, solution providers, and public safety stakeholders all attest to the importance of liability protection to encourage end-to-end deployment of NG911 networks, services and applications. Consistent liability protection clearly is a necessary component of the

¹ See Public Notice, *Public Safety and Homeland Security Bureau Seeks Comment on the Legal and Statutory Framework for Next Generation 9-1-1 Advancement Act of 2012*, DA 12-1831 (PSHSB rel. Nov. 13, 2012).

² See Next Generation 9-1-1 Advancement Act of 2012, enacted in the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, Subt. E § 6509, 125 Stat. 244 (2012); National Broadband Plan § 16.E, Recommendations 16.13-16.15.

³ See Verizon Comments at 4; AT&T Comments at 3-5; T-Mobile Comments at 9; Intrado Comments at 8; L.R. Kimball Comments at 8; Motorola Solutions at 6-7; TCS Comments at 6-7; NENA Comments at 17; APCO Comments at 4; iCERT Comments at 3; Counties of Southern Illinois (CSI) Comments at 3-4; Texas 911 Agencies Comments at 15; NCTA Reply Comments at 2; NTCA Reply Comments at 2-3; AICC Reply Comments at 4-5.

“federal and regulatory framework for development of NG911 and the transition from legacy 911 to NG911 networks” as recommended in the National Broadband Plan.⁴

- ***Uniform Nationwide Technical and Operational Criteria.*** Industry and consumer groups all recognize that any policy framework should preserve the uniform, standards-driven approach that already is laying a technology foundation for NG911 – not only for originating service providers, but for the PSAPs’ ESInet as well.⁵ Public safety commenters also recognize the need for uniformity with respect to the technical and operational standards governing service providers and PSAPs alike.⁶ Consensus-driven standards can best achieve such uniformity consistent with the Broadband Plan’s goal of facilitating “the transition from legacy 911 to NG911 networks.”⁷
- ***Statewide or Regional NG911 Administration and Deployment.*** Commenters representing a broad cross-section of NG911 participants recognize the improved efficiencies of statewide or wide regional implementation for public safety NG911 systems compared to the localized approach governing 911 systems today.⁸ Such an approach is necessary if states are to “remove regulatory roadblocks to NG911 development,” consistent with the National Broadband Plan’s recommendations.⁹
- ***Legacy Regulations Should Not Hinder NG911.*** The record shows broad support for eliminating legacy regulations that preclude new 911 System Service Providers from entering the 911 market or unnecessarily delay PSAPs’ migration to NG911.¹⁰ Such action also is consistent with the National Broadband Plan’s recommendations.¹¹

⁴ See National Broadband Plan Recommendation 16.14.

⁵ Verizon Comments at 2-3; AT&T Comments at 1-2; T-Mobile Comments at 3-5; TIA Comments at 9-10; Motorola Solutions Comments at 5; Comments of Telecommunications for the Deaf and Hard of Hearing, Inc., et al. at 3; CTIA Reply Comments at 7-8; *see also* Intrado Comments at 4 (technical issues and covered services are appropriate for federal policy).

⁶ See APCO Comments at 3-4; NENA Comments at 9-13; Texas 911 Agencies Comments at 8-9.

⁷ See National Broadband Plan Recommendation 16.14.

⁸ See Verizon Comments at 3-5; APCO Comments at 3-4; AT&T Comments at 5-7; Bandwidth.com Comments at 6; CSI Comments at 1-2; L.R. Kimball Comments at 3; NENA Comments at 4-5; TCS Comments at 3; T-Mobile Comments at 6-8; CTIA Reply Comments at 12-13; *see also* Intrado Comments at 3 (describing benefits of “[o]versight and coordination of NG9-1-1 on a statewide basis”); Motorola Solutions Comments at 4-5 (same); Texas 911 Agencies’ Comments at 5-6 (describing state and multi-jurisdictional efforts in Texas).

⁹ See National Broadband Plan Recommendation 16.14.

¹⁰ Verizon Comments at 7-8; AT&T Reply Comments at 1-3; APCO Comments at 6-7; Bandwidth.com Comments at 2-5; Intrado Comments at 5-6; NENA Comments at 10-12; TCS Comments at 7-8.

¹¹ See National Broadband Plan Recommendation 16.14.

- ***PSAP Funding Support Is Necessary for NG911 Deployment.*** Finally, NG911 participants agree that states and localities must revamp their existing mechanisms to support funding for NG911,¹² and should obtain more support through general revenues and appropriations.¹³ The Commission should not recommend an expansion of fees at this time,¹⁴ but instead allow NG911 participants to work with legislators and state taxing authorities to determine the implications of various options on consumers, taxpayers, service providers, and public safety entities.¹⁵

Finally the Commission should not consider one commenter's request that it address in this report a variety of issues relating to interconnection of VoIP traffic.¹⁶ Those issues are not appropriate for a report to Congress which is designed to recommend steps Congress can take to expedite NG911 services, and are beyond the scope of the Bureau's Public Notice seeking input for its report. In any event the Commission is considering these issues in separate proceedings."¹⁷

Please let me know if you have any questions.

Sincerely,

/s/ Nneka Ezenwa Chiazor

¹² See Verizon Comments at 9-10; AT&T Comments at 7-10; TIA Comments at 5; NENA Comments at 18; Intrado Comments at 9-10; T-Mobile Comments at 9-10.

¹³ See Verizon Comments at 9-10; APCO Comments at 5; AT&T Comments at 7-10; NTCA Reply Comments at 4; NENA Reply Comments at 4.

¹⁴ See NENA Comments at 18.

¹⁵ See National Broadband Plan Recommendations 16.13 and 16.14.

¹⁶ CompTel Comments at 3-4.

¹⁷ See AT&T Reply Comments at 1-3.