

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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

**COMMENTS OF APCO INTERNATIONAL  
REGARDING SECTION III.A. OF THE  
FURTHER NOTICE OF PROPOSED RULEMAKING**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in response to Section III.A. of the Commission’s *Further Notice of Proposed Rulemaking*, FCC 12-149 (released December 23, 2012) (“*FNPRM*”), in the above-captioned proceedings.

Founded in 1935, APCO is the nation’s oldest and largest public safety communications organization. Most APCO members are state or local government employees who manage and operate communications systems -- including Public Safety Answering Points (PSAPs), dispatch centers, radio networks, and information technology -- for law enforcement, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO has long been involved in Commission proceedings regarding 9-1-1 capability and other aspects of public safety communications, and is a party to the “Carrier-NENA-APCO Agreement” referenced in the *FNPRM*.

The *FNPRM* seeks comments on a variety of issues related to the delivery of “9-1-1” text messages to PSAPs. As an initial matter, Section III.A. of the *FNPRM* addresses automated

error messages for failed text-to-9-1-1 attempts (*aka* “bounceback messages”) and consumer expectations and education. The Commission established an expedited comment schedule for Section III.A. APCO will therefore address other issues in the *FNPRM* at a later date.

APCO strongly supports the Commission’s proposal that all “providers of text messaging services” be required to provide bounceback messages where a text to 9-1-1 cannot be delivered to the relevant PSAP. Publicity regarding text-to-9-1-1 is increasingly creating a false public impression that text-to-9-1-1 capability exists today across the nation when, in fact, it is only available in a handful of test areas. Thus, the bounceback message requirement must become effective as soon as possible, certainly by the June 30, 2013, date set forth in the Carrier-NENA-APCO Agreement and proposed in the *FNPRM*. Over time, the requirement will also be important as text-to-9-1-1 capability is rolled out on an incremental basis across the nation’s PSAPs, some of whom may initially choose not to accept texts.

The bounceback message requirement and the June 30, 2013, date must apply to *all* CMRS providers, whether or not they are part of the Carrier-NENA-APCO Agreement. Providers of software applications that allow texts to be sent and received through the use of mobile telephone numbers must also provide bounceback messages, ideally by June 30, 2013. Consumers are likely to have the same expectations of all text-to-9-1-1 capabilities, regardless of the specific method of text transmission. However, the Commission may need to clarify who is the responsible party for providing the bounceback message in some situations.

APCO disagrees with the Commission’s proposal that it not require text-to-9-1-1 providers to use the exact same wording for their automatic error messages. This would only create confusion by consumers and service providers alike. APCO therefore urges that there be a common message adopted through industry standards or Commission regulation.

APCO strongly supports the Commission's focus on public education, and pledges to work with the Commission, other public safety organizations, wireless service providers, and other text service providers to ensure that consumers are aware of text-to-9-1-1 capability and its limitations. Most importantly, the public must recognize that texts should only be sent to "9-1-1" when there is a genuine emergency that cannot be reported through a voice call. As APCO and others previously explained in this proceeding, text messages (especially SMS texts) have several limitations not present with most voice calls to 9-1-1.<sup>1</sup> Therefore, text-to-9-1-1 should only be used when a voice call is not possible, whether due to the caller's speech or hearing disability, dangerous circumstances surrounding the emergency (*e.g.*, a hostage situation), or wireless network congestion.

The Commission seeks comment as to whether consumers should be allowed to test text-to-9-1-1 functionality. APCO sees little value, and potential harm to such a testing capability. Sending a "test text" would run counter to long-standing public education messages that "9-1-1" should *only* be used when there is a genuine emergency. Calling (or texting) 9-1-1 just to see if it works should never be encouraged. There is also a possibility that PSAPs will be overwhelmed by test messages when services are first made available.

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<sup>1</sup> Comments of APCO, filed Dec. 12, 2011.

## CONCLUSION

APCO will address other issues in the *FNPRM* in its additional comments to be filed on or before March 11, 2013. In the meantime, the Commission should proceed as quickly as possible to establish the bounceback requirements proposed in Section III.A of the *FNPRM*, effective no later than June 30, 2013.

Respectfully submitted,

/s/

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