Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
	)	
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

To: The Commission

COMMENTS OF THE
BOULDER REGIONAL EMERGENCY TELEPHONE SERVICE AUTHORITY

Joseph P. Benkert

Joseph P. Benkert, P.C.
P.O. Box 620308
Littleton, CO 80162
(303) 948-2200

Its Attorney

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Summary

Text messaging-to-9-1-1 will allow the speech and hearing impaired community, people in silent call situations, and people in locations where they cannot place a wireless voice call, to effectively communicate with 9-1-1. However they must be alerted when their text messages cannot be delivered to 9-1-1 so they can take other appropriate actions. BRETSA supports the Commission's proposal to require automated error messages to alert users when their text messages cannot be delivered to the PSAP serving their location.

As with wireless E9-1-1 service following the Commission's adoption of the "King County Letter," service providers should be responsible for the delivery of emergency messages to the SSP at the NG9-1-1 Data Complex (the NG9-1-1 equivalent to the Selective Router), and the PSAP should be responsible for SSP charges for aggregation and delivery of calls and messages.

For legacy PSAPs (non-NG9-1-1 PSAPs), the Commission should encourage and allow for the delivery of text messages to advanced call centers at which the text messages can be converted to alternate formats and transmission media which legacy PSAPs can receive. The service providers should be responsible for the cost of delivery of the text messages to the advanced call centers, and the PSAP responsible for the advanced call center charges for conversion and delivery of the messages in alternative format. The wireless carriers are not likely to provide such advanced call center services, since it is not their core business and they appear generally to outsource 9-1-1 compliance to firms such as Bandwidth, Intrado and TCS. These firms which provide 9-1-1 compliance for service providers, SSPs, one or more PSAPs within a state 9-1-1 system designated as a default PSAP for receipt of text messages, or third party providers could provide the advanced call center services. If *competing* advanced call center

providers do not emerge, it may be necessary for the Commission or state utility commissions to regulate their rates.

The deployment of such advanced call centers to permit legacy PSAPs to receive text message information can result in the virtual ubiquity of PSAP capability to receive text messages-to-9-1-1. This will be a superior solution to simply providing automated error messages when a user is in an area where the PSAP cannot receive text messages, or providing consumer-facing maps which will be of limited use.

Finally, voice calls to 9-1-1 will continue to be the most efficient means of rapidly notifying PSAPs of the location and nature of emergencies so that First Responders can be dispatched. Automated messages, including automated error messages, and public education, should encourage users to *call* 9-1-1 if they can safely do so. Public information and education regarding text messaging to 9-1-1 should not appear to condone or encourage sending text messages-to-9-1-1 when a user is capable of safely placing a voice call to 9-1-1.

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The Boulder Emergency Telephone Service Authority ("BRETSA"), by its attorney, hereby submits it's Comments on the Commission's proposals in Section III.A of its December 13, 2012 Notice of Proposed Rulemaking in the above-referenced Docket.[1]

I. Introduction.

Text messaging to 9-1-1 will be vital for the speech and hearing impaired community, in silent call situations, and when users are in locations where they cannot get an adequate network connection to place voice calls but can send and receive text messages. In the ordinary case, text

[1] BRETSA is a Colorado 9-1-1 Authority which establishes, collects and distributes the Colorado Emergency Telephone Surcharge to fund 9-1-1 Service in Boulder County, Colorado. The BRETSA Board includes the Boulder County Sheriff, the City of Boulder Police Chief, representatives of the Boulder County Firefighters Association and the City of Longmont Division of Public Safety. The fifth seat of the Board is filled by representatives of the smaller cities and towns in Boulder County, Colorado on a rotating basis. These Comments are thus intended to represent the perspective of the entity responsible for 9-1-1 operations, *and* of the agencies and authorities responsible for PSAP operations and overall public safety services.

messaging-to-9-1-1 will be less efficient than a voice call, and may delay the dispatch and arrival of First Responders.

The delivery of automated error messages when a text message-to-9-1-1 cannot be delivered to the PSAP serving the area in which the caller is located is critical, so that users sending such text messages will know to pursue other alternatives. This will avoid users relying on a text message that was never delivered and waiting in vain for help to arrive rather than taking alternative action. However automated error messages, and automated messages whenever a user undertakes to transmit a text message to 9-1-1, should encourage the user to place a voice call to 9-1-1 if the user can safely do so.

The Commission should also pursue the deployment of advanced call centers capable of converting text messages to alternative formats and transmission media of a PSAP's preference, so that even non-NG9-1-1 PSAPs can receive information regarding incidents via text message-to-9-1-1. In this manner the virtually ubiquitous availability of text messaging to 9-1-1 can be achieved, limiting automated error messages to situations in which transmission errors or errors in location information prevent delivery of text messages-to-9-1-1.

II. The Proposed Deadline for Automated Error Messages Is Reasonable, But Message Requirements Should Be Revised.

The June 30, 2013 deadline for service providers to provide automated error messages appears reasonable. However the messaging and message requirements should be revised.

A. The Deadline For Automated Error Messages Appears Reasonable.

The June 30, 2013 deadline proposed by the Commission for service providers to provide automated error messages appears reasonable, given that several service providers have already agreed to the deadline. Any service provider which cannot meet the deadline always has the

ability to request a waiver, and make a showing as to why it cannot meet the deadline. The Commission should grant any such waivers for limited periods to assure that service providers continue to work diligently toward implementation of Automated Error Message capability.

Service providers should be afforded flexibility in the manner of implementation of Automated Error Message capability. For example, the delivery of Automated Error Messages by the network, the user's device or application loaded on the device, or both, should be permitted. Service providers should also be required to provide an Automated Error Message when a text message-to-9-1-1 is transmitted, but the location of the device cannot be determined for purposes of call routing.

B. Automated Messages Should Always Prompt The User To *Call* 9-1-1.

As the Commission has recognized, a voice call to 9-1-1 will generally be the most effective means of communicating with emergency responders. A voice call allows the PSAP call-taker to hear the caller's voice, gauge the level of stress, and respond appropriately to calm the caller and obtain necessary information. A voice call allows the PSAP call-taker to interrupt the caller to request the nature of the emergency and confirm the location necessary to dispatch First Responders. A voice call allows the PSAP call-taker to hear background environmental sounds which can be helpful to gaining and relaying to the First Responders an understanding of the situation. The provision of Emergency Medical Dispatch ("EMD") is also more expeditiously and effectively provided via voice call than text message.

While text messages-to-9-1-1 will be critical for (i) the speech and hearing impaired community, (ii) silent call situations, and (iii) those situations when users are located in areas from which they cannot establish a sufficient connection to a wireless signal for a voice call but can send text messages; voice calls to 9-1-1 will be more effective than text messages in the

ordinary case. Automated Messages should therefore always encourage users to call 9-1-1 if they can safely do so. A messaged generated by the user's device and/or returned by the wireless provider that, "Help will arrive sooner if you CALL 9-1-1," would meet these concerns.

C. A Better Solution Is To Make Text Messaging-to-9-1-1 Ubiquitous.

Automated Error Messages are required where (i) the PSAP to which the message should be routed cannot receive text messages, (ii) the location of the device from which the text message was transmitted cannot be determined for reasons of call routing, and (iii) to encourage the user to *call* 9-1-1 instead of sending a text message. The first reason is the result of the anticipated patchwork of jurisdictions in which PSAPs can receive text messages, and jurisdictions in which PSAPs cannot receive text messages. Until the PSAPs which cannot receive text messages become the rare exception, text-messaging to 9-1-1 will remain unreliable.

The unreliability of text messaging to 9-1-1 will be exacerbated by the fact that wireless services are mobile services, and a user sending text messages to 9-1-1 may move between jurisdictions while sending messages. If the user is in the border area between two jurisdictions, one of which can receive text messages and one of which cannot; the user's success in sending text messages to 9-1-1 may result from the happenstance of the system antenna on which the messages are received.

The better solution is to (i) encourage voice calls to 9-1-1, and (ii) provide for the virtually ubiquitous availability of text messaging-to-9-1-1 through advanced call centers which can convert text messages to formats and delivery methods that non-NG9-1-1 PSAPs can receive. There is no reason that text messaging cannot be ubiquitously deployed by using information and telecommunications technology to deliver the messages to PSAPs in the formats in which the PSAPs can receive them. Parties submitting comments in this Docket have stated

that they are currently converting text messages and delivering them in TTY format over PSAP TTY devices or interfaces. BRETSA has previously submitted comments relating that the Denver, Colorado PSAP receives text messages on a smartphone reserved for that purpose, the number of which has been published to the speech and hearing impaired community. Text messages could be forwarded to a device obtained by a PSAP for that particular purpose. Other means by which text messages could be delivered to non-NG9-1-1 PSAPs include, without limitation, (i) conversion to and from e-mail messages, (ii) forwarding text messages to a Skype-type application with text-messaging capability installed on a workstation at the PSAP, (iii) development of a web interface for PSAP personnel to remotely view and respond to text messages over a secure internet connection, (iv) a remote call-taker interacting with the person sending the text messages, and transmitting an incident file to the PSAP for dispatch through the ASAP system developed for alarm companies, and (v) a remote call-taker interacting with the person sending the text messages and placing a voice call to the PSAP to relay the caller's information.

A remote call center with the ability to interact with the person sending the text messages, or to automatically convert the text messages to the format preferred by each particular PSAP, could be established by a wireless service provider, an intermediate provider which manages 9-1-1 calls for wireless service providers (such as Bandwidth, Intrado or TCS), an SSP providing 9-1-1 aggregation and transport service within a state or region, or a specific PSAP in a state or region. The level at which such an "advanced call center" might be established would be influenced by the volume of text messages and demand for the service, and efficiencies of scale and the level of cost-spreading appropriate to reduce financial impacts.[2] Non-NG9-1-1 PSAPs

[2] BRETSA considers it unlikely wireless carriers would provide such advanced call center services, since it is not part of their core services and they already appear to generally outsource 9-1-1 compliance.

availing them of the service and selecting from a menu of formats in which to receive the text message content might be charged a per-message fee. This would create an incentive to upgrade to NG9-1-1 compatibility when such an upgrade would cost less than paying the per-message fees for receipt of text messages which had been converted to an alternative format.

BRETSA notes that representatives of the speech and hearing-impaired community have recounted instances in which existing Relay Services did not have sufficient training or technical capability to determine the PSAP they should contact to relay emergency messages from a speech or hearing-impaired user. Representatives of the speech and hearing-impaired community have suggested that each PSAP should have available a pool of call-takers capable of conducting ASL-over-video sessions to receive emergency information from members of the speech and hearing-impaired community; when the Commission has found that over eighty percent (80%) of PSAPs have fewer than five positions. BRETSA has also demonstrated that, typically, fewer than one percent (1%) of applicants for PSAP positions are qualified and hired. Under these circumstances, a more reasonable approach is to establish *9-1-1* Relay Services, in which the Relay Service operators are specifically screened and trained to handle 9-1-1 calls, text messages or ASL-over-video sessions from the speech and hearing-impaired community and relay the emergency information to the appropriate PSAP. This use of communications for its intended purpose, moving information rather than people, is similar to the manner in which calls from non-English speakers are handled. These 9-1-1 Relay services might be established as part of or in conjunction with the advanced call-centers which would relay text messages to PSAPs in each PSAP's format of choice. Grant of limited immunity, and structuring the market so that each PSAP could choose which of several competing advanced call-centers would relay messages to it, would be essential to controlling costs and driving prices closer to costs.

By establishing the conditions for development of such advanced call-centers to compete for PSAP business, the Commission could make PSAP ability to receive and respond to text messages-to-9-1-1 virtually ubiquitous in a much shorter period than will be required for all PSAPs to become NG9-1-1 compatible.

D. Interconnected Application Vendors Should Be Required To Provide Automated Error Messages and Warnings.

The Commission proposes to require Interconnected Application Vendors to provide Automated Error Messages when a text message-to-9-1-1 cannot be delivered to the appropriate PSAP, including because location information cannot be obtained, and to require that text messaging applications which allow communications with a limited group of users provide warnings that the text messages cannot be sent to 9-1-1. BRETSA supports these proposals.

BRETSA is concerned with the potential for Interconnected Application Vendors to develop consumer applications which might require that PSAPs install specific applications to receive messages or data from the Interconnected Application, and that PSAPs train their personnel in use of those applications. BRETSA is concerned with Interconnected Applications which might require PSAPs to receive messages or data over non-standard interfaces. BRETSA is also concerned with the potential for vendors to falsely market applications as providing superior or unique capabilities for communicating with PSAPs, which could undermine confidence in public safety agencies and systems.

It would be preferable for any Interconnected Application Vendor provide notice to users that they cannot use the application to contact 9-1-1, and block use of the application for contacting 9-1-1, than that the applications terminate messages to PSAPs over non-standard interfaces or using non-standard protocols (protocols other than SMS text or Real Time Text, for example), or require the installation of vendor-specific applications at the PSAP.

Interconnected Application Vendors can be located anywhere, and the ability of state Attorney Generals or users to enforce consumer protection laws or prosecute claims may be limited. A vendor need not have significant resources to prepare and market smartphone applications, such that aggrieved consumers may find vendors "judgment proof." Thus the Commission should adopt requirements that Interconnected Application Vendors marketing messaging applications, or applications specifically intended for communications with PSAPs, include in their marketing materials disclosures regarding requirements for PSAPs to receive messages from their applications, and the number of PSAPs which have invested in any software, equipment or services necessary to receive such messages; or include a statement that their application is not intended for use in contacting 9-1-1. Further, the Commission should require that such Interconnected Application Vendors provide an Automated Error Message when a PSAP to which a message should be delivered does not have the software, equipment or services necessary to receive, read and respond to the message.

E. Application of Automated Error Message Requirements.

The Commission proposes that its requirement for Automated Error Messages would only apply in situations where the provider or its text-to-9-1-1 vendor has direct control the transmission of the text message and is unable to transmit it to the PSAP serving the texting party's location. This is reasonable. However the Commission should adopt standards for confirmation to "upstream providers" of text message delivery.

A wireless carrier might deliver a customer's text message-to-9-1-1 to its text-to-9-1-1 vendor, which would in-turn deliver the message to an SSP, which would in-turn deliver the message to the PSAP. In the case of a non-NG9-1-1 PSAP, the text message might be delivered by the wireless provider to its 9-1-1 compliance provider, which would in-turn deliver the

message to the advanced call-center provider of the PSAP's choosing, which would in-turn convert the text message to an alternative format and deliver it to the PSAP.

The Commission should adopt standards for text message delivery so that confirmation of delivery is relayed back up the chain. If a text message is dropped or deemed undeliverable at any point in the transmission chain, so that confirmation of delivery is not received by the originating service provider or application within a specified period, then the originating service provider or application should provide the automated error message. To the extent such message receipt confirmation across successive providers is not provided by current messaging system standards or protocols, the service providers may request waivers of the requirement until such standards are developed.

III. Compensation for Service Provider Text-To-9-1-1 Service.

Carriers should meet their customers' expectations and provide text-to-9-1-1 service at their expense. PSAPs and the Authorities that support them should continue to be responsible for the costs of delivery of calls and messages from the 9-1-1 Selective Router/NG9-1-1 Data Complex to the PSAP. In the event that a PSAP subscribes to a provider's or vendor's service converting text messages to an alternative format and delivering them to the PSAP, the PSAP should be responsible for the cost of conversion and alternate delivery of the message. This will send the correct economic signals and encourage a PSAP to upgrade to more efficiently receive the messages in native format when the volume of such text messages reaches a significant level.

A. Carriers Should Fund Carrier Services.

Text messaging is a standard feature of wireless services, and is also now being made available by VoIP providers. Not only do customers expect that wireless services will include text messaging, but the record in this docket demonstrates that customers expect text-messaging

to 9-1-1 to be an available. Indeed, wireless and VoIP providers are able to establish price points based upon the "buckets" of text messages customers purchase. Service providers should be responsible for the costs of their own services, including the cost of delivery of text-messages to the NG9-1-1 Data Complex or advanced call-center with which a PSAP contracts for format conversion and message delivery service. As with voice calls to 9-1-1, the PSAP should be responsible for the cost of SSP service from the NG9-1-1 Data Complex (equivalent to the legacy Selective Router) to the PSAP.

In the event a PSAP subscribes to a vendor to convert the format of text messages to TTY or another format for delivery of text messages, the vendor providing the format conversion and message delivery service should be able to charge the PSAP a per-message fee, a monthly or annual fee, or a combination of a monthly or annual fee and a per-message fee for this service. This will serve three goals. First, by requiring that PSAPs which have not upgraded to NG9-1-1 compatibility rather than wireless and VoIP service providers be responsible for the cost of message conversion and delivery, consumers in states and local jurisdictions which have incurred the costs of upgrading to NG9-1-1 will not also be required to subsidize through higher subscriber charges alternativee service to those jurisdictions which have not upgraded to NG9-1-1. (Service providers can be expected to pass any increased service costs through to their subscribers through higher service rates, under nationally- or regionally-advertised price plans.) Second, the per-message pricing will send economic signals to PSAPs encouraging them to upgrade to NG9-1-1 compatibility and capability to receive text messages in a native format, when the volume of text messages becomes significant and the PSAP will enjoy a cost-savings by doing so. The third benefit is that it will create a market for the service, encouraging price

competition so that neither the Commission nor the states will have to regulate rates for message conversion and delivery services.[3]

B. 9-1-1 Authorities And PSAPs Have Elected Carrier Self-Funding.

BRETSA believes that the wireless E9-1-1 model should be applied to text-to-9-1-1. Initially, the Commission required that PSAPs have a means of funding Wireless E9-1-1 service, including costs of changes in wireless provider equipment necessary to provide the service. Subsequently, the Chief of the Commission's Wireless Telecommunications Bureau issued the "*King County Letter*," clarifying that PSAPs could elect carrier self-funding as the means of funding wireless provider costs to provide the service.[4] Most, if not all, Colorado 9-1-1 Authorities opted for carrier self-funding after the release of the King County Letter. That model has worked well for wireless 9-1-1, with wireless carriers incurring the cost for services which their customers expect, and PSAPs being responsible for the costs of the SSP call aggregation and transport service from the point that the call is delivered to the 9-1-1 Selective Router and location information updated in the shell record in the ANI/ALI database. The same model should be applied in the case of NG9-1-1 service.

IV. Public Education Is A Shared Responsibility.

BRETSA agrees that public education regarding text messaging-to-9-1-1 is a shared responsibility of local and state 9-1-1 and public safety authorities, service providers, and the Commission. All public education messaging should emphasize the preference for voice calls to

[3] This delivery and pricing model can also serve other NG9-1-1 message types.

[4] Letter from Thomas J. Sugrue, Chief, Wireless Telecommunications Bureau, to Marlys R. Davis, E911 Program manager, Department of Information and Administrative Services, King County, Washington (May 7, 2001)(*King County Letter*). The letter also drew the demarcation point between service provider and PSAP responsibility at the 9-1-1 Selective Router. *King County Letter*, at 4.

9-1-1, and not appear to endorse or encourage text-messaging-to-9-1-1 when a consumer can safely place a voice call to 9-1-1.

Consumer expectations are likely based on fictional televised dramas in which public safety agencies have unrealistically abundant human and technical resources to address police, fire or medical emergencies or incidents. Customer expectations are not based on real life capabilities and practicalities of 9-1-1 and Emergency Response services. Thus the focus should be on managing consumer expectations through public education, rather than on public safety authorities chasing unrealistic consumer expectations.

Local and state 9-1-1 Authorities will be responsible for updating their public education programs to include current information on text messaging to 9-1-1, and NG9-1-1. BRETSA notes that local public education efforts tend to have relatively small budgets to avoid draining limited funds needed to finance 9-1-1, PSAP and First Responder operations.[5] Because of the limited funds available for these local programs, and the fact that a particular PSAP or local authority's jurisdiction may constitute only a small portion of a larger media market, educational efforts are generally restricted to community-media. This is to avoid the expense of providing educational messages to non-residents of the jurisdiction and interfering with educational programs of other jurisdictions in the larger media market, and to limit diversion of funding from the core responsibilities of 9-1-1 and Emergency Response.

Service providers are uniquely situated to educate their customers regarding the available methods of contacting 9-1-1 through their service offerings, with messaging tailored to their unique service offerings. Service providers have the ability to educate their customers through device packaging, multimedia tutorials pre-loaded on devices they sell for use on their networks,

[5] It is unclear whether various interest groups would consider public education a proper use of 9-1-1 fees, surcharges or taxes.

and through service-provider "free text messages," e-mails, bill inserts or prepaid card packaging, and web site content; as well as customer-initiated phone, internet chat, and retail location contacts. Service providers also place significant amounts of advertising on mass media, providing additional opportunities to provide public education messages regarding the means by which their customers and prospective customers can contact 9-1-1 with their devices. Indeed, Service providers have an obligation to use these resources to provide their customers and prospective customers with accurate information regarding use of their services and devices to reach 9-1-1. It is clear from the current docket that consumers have an expectation that they can reach 9-1-1 through text messaging, and the failure of service providers to disabuse their customers of such incorrect assumptions may result in claims and service provider liability. This would particularly seem to be the case when wireless service has traditionally been marketed as a safety precaution (because of the ability to reach public safety agencies if something happens when the customer is "on the road.")

The Commission and federal government also have an important role to play in public education regarding 9-1-1. BRETSA submits that the Commission and federal government can both play a coordinating role and provide public information through existing public information channels, including the Commission's web site, federal consumer protection agency websites, and public service announcement programs. BRETSA also submits that rather than spending federal funds on new public education messaging and channels, federal funds which might be used for such purposes should instead be distributed through grant programs to support local 9-1-1 service and local 9-1-1 education programs.

Local 9-1-1 and PSAP authorities participating in this docket have pointed out that voice calls will continue to be the most efficient means of contacting 9-1-1 and having First

Responders expeditiously dispatched to the scene of an emergency. The primary purpose of 9-1-1 is and will continue to be to communicate to the PSAP the nature and location of any emergency so that appropriate First Responders can be dispatched. Many PSAPs also provide EMD, which can best be provided through a voice call. Accordingly, public educational messages regarding text-to-9-1-1 should not appear to endorse or encourage communication with a PSAP by text message in the ordinary case. All public educational messaging should reinforce that users should place a voice call to 9-1-1 if they can safely do so, rather than sending a text message-to-9-1-1. Users should only send text messages-to-9-1-1 when they cannot place a voice call due to disability or service limitations, or when it would be unsafe to do so (in silent call situations). [6]

V. Customer-Facing Maps Will Have Limited Utility.

It is an unfortunate reality that people do not generally plan for emergencies. Thus, providing customer-facing maps of areas in which text messaging-to-9-1-1 is and is not available will be of limited use. Add to this the cost of updating maps and the confusion which might result from users having outdated maps or information, and there will be even less benefit to these maps.

Text messaging has primarily been a wireless service; a mobile service. Users will often be unaware of the jurisdiction in which they are located when they are confronted with an incident that prompts them to call 9-1-1. If the user is uncertain of the jurisdiction in which he or she is located, a customer-facing map may be of limited use. The display screen of the user's wireless device may not be the optimum display for use of the map even if it would be of use.

[6] The text-to-9-1-1 trials which have been conducted to-date do not provide enough data to draw reliable conclusions regarding the volume of text messages PSAPs can anticipate when text messaging-to-9-1-1 is generally available, and/or public education programs provide information regarding text messaging-to-9-1-1 (perhaps appearing to endorse sending text messages rather than calling 9-1-1).

For users located near jurisdictional boundaries, whether text messaging to 9-1-1 is available may be more the result of the location of the wireless antenna which through which the text message is received than the capabilities of the PSAP for the jurisdiction in which the user is located at the time a text message is sent. There will also be situations in which a user continues to send text messages-to-9-1-1 while traveling, perhaps moving into and/or out of a jurisdiction in which 9-1-1 is available.

BRETSA submits that a better solution is to (i) encourage voice calls to 9-1-1, and (ii) provide for the virtually ubiquitous availability of text messaging-to-9-1-1 through encouraging the deployment of advanced call centers that can convert text messages to a format and transmission medium of the PSAP's preference for non-NG9-1-1 PSAPs. It appears from comments in this proceeding that there are entrepreneurial companies ready, willing and able to provide such services. BRETSA has separately petitioned the Commission to open a rulemaking to adopt rules requiring that wireless and VoIP service providers supply PSAPs and their representatives (advanced call centers) with electronic access to system and customer information, for use in (i) locating disconnected callers, (ii) *routing text messages-to-9-1-1*, (iii) populating Emergency Notification Service databases, and (iv) auditing remittance of 9-1-1 fees or surcharges. (The service providers should cooperate to provide such access, so that they may implement security measures to protect their system and customer information from unauthorized access and misuse.)

Resources which would be devoted to developing and updating customer-facing maps would be better spent supporting the transition to NG9-1-1 and alternative message formats and delivery for non-NG9-1-1 PSAPs.

VI. Consumers Should Be Discouraged From Testing Text-To-9-1-1.

On occasion, PSAPs encounter parents who teach their children to use 9-1-1 by practicing placing an actual call to 9-1-1. Public safety authorities discourage this because such calls tie up the limited number of 9-1-1 lines and call-takers and may delay receipt of legitimate 9-1-1 calls and dispatch of First Responders to actual emergencies.

Regardless of the systems which may be established or steps which might be taken to prevent test text-messages-to-9-1-1 ("Test Messages") from actually being received at a PSAP, it would be inevitable that some Test Messages would in-fact reach a PSAP and distract or delay PSAP personnel from addressing actual emergencies. Under no circumstances should Test Messages be permitted or encouraged. Test Messages might even constitute abuse of 9-1-1 in violation of local ordinances or state statutes.

If the purpose of the Test Messages is to make users familiar with text messaging-to-9-1-1, this is unnecessary. One of the reasons parties commenting in this docket have pressed for the Commission to require that *SMS* text messaging-to-9-1-1 be required is that consumers who would send text messages to 9-1-1 are already familiar with the SMS interface.

If the purpose of Test Messages is to educate users as to whether text messaging-to-9-1-1 is available in their location, text messaging is primarily a feature of wireless service; a mobile service. A characteristic of emergencies is that they occur at unexpected times and locations, including locations from which users may not have sent Test Messages. Again, the better solution is to (i) encourage voice calls to 9-1-1, and (ii) provide for the virtually ubiquitous availability of text messaging-to-9-1-1 through advanced call centers which can convert text messages to formats and delivery methods that non-NG9-1-1 PSAPs can receive. These steps, along with the delivery of Automated Error Messages, will better address concerns with

transmission of text messages-to-9-1-1 in areas where the PSAP(s) cannot receive them than transmission of Test Messages which could delay response to actual emergencies and cost lives.

Encouraging or promoting users sending Test Messages is also a bad idea because it may be interpreted as condoning or encouraging the sending of text messages-to-9-1-1 instead of making a voice call if the user can safely do so. Any action which would tend to indicate that text messaging is the preferred method of contacting 9-1-1 should be avoided.

VII. Conclusion.

BRETSA supports the requirement that service providers and interconnected text application vendors provide device-, application- or network-initiated automated error messages when text messages-to-9-1-1 cannot be delivered to the PSAP serving the user's location. However this step should be taken in concert with:

- Promoting voice calls to 9-1-1 unless the user is unable to safely do so, either because of a speech or hearing disability, they are in a "silent call" situation in which placing a voice call would expose them to danger, or they are in a location where they cannot establish a sufficient network connection for a voice call; and

- Promoting and providing for the virtually ubiquitous availability of text-to-9-1-1, by taking advantage of information and telecommunications technology to convert text messages to formats and transmission media which legacy PSAPs (non-NG9-1- 1 PSAPs) can receive.

Service providers should be responsible for the costs of providing the service their customers expect, through delivery of text messages-to-9-1-1 to the NG9-1-1 Data Complex or competitive advanced call center. PSAPs should continue to be responsible for the cost of SSP

service (the aggregation and routing of 9-1-1 calls and messages to the PSAP), and for the costs of format conversion and transmission of text messages to legacy PSAPs.

Respectfully submitted,

BOULDER REGIONAL EMERGENCY TELEPHONE SERVICE AUTHORITY

By: _____
Joseph P. Benkert

Joseph P. Benkert, P.C.
P.O. Box 620308
Littleton, CO 80162
(303) 948-2200

Its Attorney

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