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Ex Parte

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Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth 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

Dear Ms. Dortch:

On February 15, 2013, Robert Morse and the undersigned of Verizon met with David Turetsky, David Furth, Eric Ehrenreich, Aaron Garza, Timothy May, Erika Olsen (by teleconference), and David Siehl of the Public Safety Homeland Security Bureau, and Henning Schulzrinne of the Office of Strategic Planning and Policy Analysis, to discuss the proposed text-to-911 automatic reply (“bounceback”) requirement.

We urged that the Commission allow the Voluntary Agreement of December 6, 2012, in which the four nationwide wireless service providers agreed to provide the bounceback message by June 30, 2013, to move forward.¹ The Competitive Carriers Association (“CCA”) supported the Voluntary Agreement and stated that it “is hopeful that its carrier-members will be able to reach a similar agreement in the near future.”² The Commission should support these voluntary efforts and monitor industry’s progress through the quarterly progress reports to be provided under the Voluntary Agreement.

Should the Commission decide to consider rules mandating a bounceback message, however, we stated that such regulations should be consistent with the Voluntary Agreement and applicable to all CMRS providers and third party interconnected text providers within a reasonable, technically feasible period. We noted our agreement with other commenters that: the bounceback requirement should apply based solely on the local PSAP’s inability to accept 911

¹ See *Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications, Framework for Next Generation 911 Deployment*, Further Notice of Proposed Rulemaking, 27 FCC Rcd 15659, App. C. (2012) (attaching the Voluntary Agreement as an Appendix to the *FNPRM*).

² CCA Reply Comments at 1.

text messages, not network congestion “or otherwise;”³ the Commission must ensure that the scope of its rule is clear and the deadline is technically feasible for all covered text messaging services;⁴ flexibility is warranted for the message content;⁵ and as urged by public safety commenters, no test calling capability should be adopted.⁶

Please let me know if you have any questions.

Sincerely,

/s/ Nneka Ezenwa Chiazor

³ See, e.g., CTIA Comment at 6-7; Sprint Nextel Comments at 3-6; CCA Reply Comments at 4-5; see also TCS Comments at 5 (reiterating “best efforts” nature of text messaging and stating that bounceback “should not be required where the network or application provider is unable to discern a failure).

⁴ See CTIA Comments at 8-9 (terminology in the *FNPRM* used to describe covered and scope of the rule are unclear); the *FNPRM* broadly defines covered text messages as including SMS, MMS, and “interconnected text” applications that deliver the messages “to destinations identified by a telephone number.” *FNPRM* ¶ 2 n.2.

⁵ See ATIS/TIA Reply Comments at 4-5.

⁶ See NENA Comments at 9-10; APCO Comments at 3; APCO Reply Comments at 1-2; see also AT&T Comments at 9-10; CCA Reply Comments at 6.