

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 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
)	

REPLY COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION

Competitive Carriers Association (CCA) submits these reply comments for the Federal Communications Commission’s (FCC or Commission) consideration in evaluating CTIA – The Wireless Association’s Petition for Reconsideration, or in the alternative, for Clarification¹ of the Commission’s May 17, 2013 Text-to-911 Bounce-back Order.² CCA represents the interests of more than 100 competitive wireless carriers, including rural and regional carriers as well as national providers. CCA and its members share the Commission’s commitment to improving our nation’s next generation 911 (NG911) facilities, and its recognition of the many potential benefits text-to-911 could bring to American consumers.

CCA agrees with CTIA both that the Joint ATIS/TIA standards and the Commission’s EAAC reports have each “emphasized that the technical feasibility of providing an automatic bounce-back message to a roaming subscriber has not yet been determined,”³ and more generally

¹ Petition for Reconsideration, or in the alternative, for Clarification of CTIA – The Wireless Association®, PS Docket Nos. 11-153 and 10-255 (filed June 28, 2013) (Petition).

² *In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications; Framework for Next Generation 911 Deployment*, PS Docket Nos. 11-153 and 10-255, Report and Order, 28 FCC Rcd 7556 (2013) (Bounce-Back Order).

³ Petition at 3.

that “SMS messages are under ‘home operator control,’ meaning that such messages ‘must be routed to a subscriber’s home network for processing, regardless of the network from which the message originated.’”⁴ This understanding of the network architecture is shared not only by other carriers,⁵ but also by NENA: The 911 Association.⁶ In this regard, the Petition appears to have near-unanimous support.

Conversely, opposition to the Petition is limited to APCO.⁷ APCO’s Opposition doesn’t explicitly challenge the premise that SMS messages fall under home operator control; rather, APCO’s primary concern appears to be that “[t]he bounce-back function [] exist whether or not a

⁴ *Id.* at 5 (citation omitted).

⁵ *See, e.g.*, Comments of The Blooston Rural Carriers in Partial Support of CTIA Petition at 2-3 (“CTIA correctly observes that current network architectures render it technically infeasible for serving carriers to provide wireless customers roaming on their networks with an automatic bounce-back message.”); Letter from Jamie M. (“Mike”) Tan, Director, Federal Regulatory, AT&T Services, Inc. to Marlene Dortch, Secretary, FCC, PS Docket Nos. 11-153 and 10-255 (filed June 11, 2013) (“[T]he ‘roaming bounceback’ rule may require additional clarification so that the extent of this obligation is merely for the ‘home carrier’ . . . to provide a bounceback message”); Letter from Nneka Ezenwa Chiazor, Executive Director, Federal Regulatory Affairs, Verizon Communications Inc. to Marlene Dortch, Secretary, FCC, PS Docket Nos. 11-153 and 10-255 (filed June 13, 2013) (discussing “potential measures to clarify that CMRS providers serving consumers roaming on their networks are not obligated to originate the required bounce-back message, given that the roaming consumer’s own CMRS provider will originate the bounce-back message using existing SMS network configurations and processes.”).

⁶ Letter from Telford E. (“Trey”) Forgety, III, Director of Government Affairs & Regulatory Counsel, NENA: The 9-1-1 Association to Marlene H. Dortch, Secretary, FCC, PS Docket No. 11-153 (filed Aug. 20, 2013) (“CTIA’s position with respect to the limited question of which party should be responsible for delivering a bounce-back message is consistent with the understanding of the public safety community Consequently, [the] clarification of responsibility requested by CTIA would, in NENA’s view, be appropriate.”).

⁷ *See generally* Opposition of APCO International to Petition for Reconsideration (APCO Opposition).

subscriber is roaming,”⁸ a point on which most stakeholders agree. The limited question presented by the Petition, however, is whether on September 30, 2013, “carriers should [be required to provide] automatic bounce-back messages [] to consumers roaming on their network to the same extent they provide such messages to their own subscribers.”⁹ CCA agrees with the vast majority of commenters that the responsibility for bounce-back messages would more appropriately rest on the home carrier, rather than the roaming carrier.

APCO’s remaining arguments are wide of the mark. For example, in response to CTIA’s assertion that technical limitations will limit the effectiveness of bounce-back messages generated by home carriers for their subscribers while roaming, APCO sets out what it expects could be an industry-standard architecture for sending a text message to 9-1-1 in the future.¹⁰ But the Commission should not base a regulatory requirement solely on APCO’s postulations. Rather, the more prudent course of action would be to either suspend with the roaming requirement set forth in Section 20.18(n)(3) of the Commission’s rules until such time as technical organizations have adequately weighed in, or (in the alternative) amend Section 20.18(n)(3), consistent with the relief requested by CTIA in the Petition.

CCA reiterates CTIA’s initial caveat that the relief requested in the Petition “will *not* prevent consumers who are roaming from receiving the bounce-back message mandated under new rule Section 20.18(n)(3).”¹¹ Rather, the aim of the Petition is to provide structure and clarity

⁸ *Id.* at 2.

⁹ Bounce-Back Order at ¶ 72.

¹⁰ APCO Opposition at 3 (“The SMS text solution *will* include . . . the TCC *should be able to* pass this information back to the carrier . . . [t]hus, carriers *should be able to* obtain the minimum amount of information needed . . . [and therefore] [i]t *would not appear* that compliance with the FCC’s rule is ‘technically infeasible.’”) (emphases added).

¹¹ Petition at 1.

as to the roles and responsibilities of both home and roaming network carriers when a subscriber is roaming, “in a way that aligns with technical realities.”¹²

In conclusion, CCA and its members continue to support the overarching goal of providing text-to-911 capability for the benefit of consumers. In addition to its policy advocacy on this issue, CCA is working on business solutions to both the Commission’s bounce-back requirements, as well as its stated goal of ubiquitous text-to-911 capability. While CCA recognizes that a bounce-back message is an integral intermediate step from today’s current availability to ubiquitous deployment, the Commission has a responsibility to ensure that any such bounce-back requirement is implemented in the most effective, technologically feasible way. CCA looks forward to the opportunity to work with the Commission in making text-to-911 a reality.

Respectfully submitted,

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¹² *Id.* at 3.