

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Technology Transitions Policy Task Force) **PS Docket No. 13-5**
Seeks Comment on Potential Trials)

**EX PARTE COMMENTS OF THE
GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK
ON THE PUBLIC NOTICE**

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**EX PARTE COMMENTS OF THE
GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK
ON THE PUBLIC NOTICE**

The Greater Harris County 9-1-1 Emergency Network (“GHC”)¹ respectfully submits the following ex parte comments on the Federal Communications Commission (the “Commission”) Technology Transitions Policy Task Force (“Task Force”) Public Notice seeking comments on potential real-world trials to obtain data that will be helpful to the Commission.²

A. Summary of Ex Parte Comments

GHC agrees with the Bexar Metro 9-1-1 District filing of July 8, 2013 that real-world trials on expected or required documentation for certain Next Generation 9-1-1 interconnection type transition aspects may potentially help the Commission and interested stakeholders to accelerate future successful transitioning on these types of issues. Because GHC will also be addressing documentation and processes for certain NG9-1-1 interconnection type transition

¹ GHC is a special purpose Emergency Communication District created pursuant to TEX. HEALTH & SAFETY CODE Chapter 772, Subchapter B, and is the 9-1-1 administrative entity that covers Harris and Fort Bend Counties in Texas, which has an approximate population of 5 million people. GHC also holds Certificate No. 60789 from the Public Utility Commission of Texas to provide its own legacy 9-1-1 database service, and GHC has been operating its own legacy 9-1-1 database since 2008. In addition, on December 17, 2013, GHC filed an amendment with the Public Utility Commission of Texas to expand GHC’s certificate to include 9-1-1 Selective Routing, and GHC expects the amendment to be granted within 60 days from the initial filing date.

² *In the Matter Technology Transitions Policy Task Force seeks Comment on Potential Trials*, DA 13-1016, GN Docket No. 13-5 (rel. May 10, 2013) (“Public Notice”).

aspects in an unbundled context as its own 9-1-1 Service Provider, GHC is interested in doing such concurrently in the context of a Commission trial. Accordingly, if it would be helpful to the Commission, GHC also volunteers its area, its Emergency Services Internet Protocol Network (“ESInet”), its database management systems, its in-house testing laboratory, and a reasonable amount of its resources for a NG9-1-1 real-world trial on NG9-1-1 certain interconnection type aspects to identify factual issues associated with these potentially important technical and policy questions and, if possible, resolve them with interested stakeholders.³

B. Greater Harris County 9-1-1 Emergency Network agrees with the Bexar Metro 9-1-1 District that Commission trials on expected or required documentation and processes for certain NG9-1-1 interconnection type transition aspects would create a factual record for the Commission and interested stakeholders that may potentially help to accelerate future successful transitioning on these types of issues.

The Commission seeks comment on trials involving emerging all-Internet Protocol (“IP”) networks that “will assist the Commission, state, local, and Tribal governments, and Public Safety Answering Points (PSAPs) in a few geographic areas to answer important technical and policy questions to accelerate the transition”⁴ (i.e., “transitions from copper to fiber, from wireline to wireless, and from time-division multiplexing (TDM) to IP”).⁵ Specifically in the context of the scope and process for NG9-1-1 trials, the Public Notice provides in relevant parts:

Given that reliable 911 service is critical to public safety, we seek comment on a possible trial that would deploy an “all-IP” NG911 service on an accelerated basis in a number of geographic areas where public safety authorities are ready to deploy NG911 for one or more PSAPs. ... How long does it take to transition from a TDM-based to an IP-based architecture? Where and how are 911 calls to

³ To the extent that the Commission or any stakeholders would like to further discuss or obtain additional public information on technical operational structural type issues associated with GHC’s transition, GHC’s Director of Operations can be reached at (713) 237-9911 and would be happy to discuss and provide public information on these issues.

⁴ Public Notice at p. 2.

⁵ *Id.* at p. 1.

be handed off to the ESInet, whether by ILECs or other providers, such as CMRS, interconnected VoIP, interconnected text and telematics services? Are there state or Commission rules that accelerate or delay the conversion from E911 to NG911? Are there steps that regulators can take to speed the transition to NG911 and/or minimize the expense? We seek comment on the technical and process issues that should be covered by a trial and on how best to structure a trial to gather data on these issues.

...

We seek comment on the process for identifying such areas. Trial participants would also make caller location available through NG911 mechanisms, including the Location Information Server (LIS). We seek comment on candidate PSAPs or regions, the selection of participating carriers, and whether trials should take place in areas where calls are delivered via VoIP or also via legacy network gateways.

...

Any trial of this kind should provide data on both the challenges of transitioning from E911 to NG911 and the operational performance characteristics of NG911 call handling. Thus, we propose that participants in the trial document the design and conversion process, including effort and time required, and gather data on call handling performance, interoperability issues, location accuracy, and any system failures related to call or location delivery (Footnotes in original omitted).⁶

Overarching many of the Commission's questions and these matters is recognizing that in the context of NG9-1-1, a major remaining potential roadblock is not purely technical, operational, or financial. Rather, GHC agrees with the Bexar Metro 9-1-1 Network's July 8, 2013 comments that a major remaining potential roadblock is that the NG9-1-1 legal and regulatory framework for interconnection type transition aspects is uncertain, or at minimum debatable, but that if the Commission and interested stakeholders in good faith can work these NG9-1-1 interconnection issues in Commission trials, then perhaps such may accomplish expected or required documentation and processes that are reasonable, nondiscriminatory, competitively fair, and coherent, that accelerate successful transition, and protect the public. So as not to overburden the Commission record on points on which there can be little reasonable dispute, GHC incorporates herein by reference subsection B of the July 8, 2013, filing by the Bexar Metro 9-1-1 District which contained more explanatory detail on these points and

⁶ *Id.* at pp. 7-8.

accordingly GHC urges the Commission to address these types of NG9-1-1 interconnection issues in Commission trials.

- C. Because the Greater Harris County 9-1-1 Emergency Network’s NG9-1-1 deployment will also be addressing documentation and processes for certain NG9-1-1 “interconnection” type transition aspects in an unbundled context as its own 9-1-1 Service Provider, doing such concurrently in the context of a Commission trial may be helpful on these types of issues to the Commission and all interested stakeholders.**

In 2013 the Commission provided a report to Congress on the Legal and Regulatory Framework for NG9-1-1 Services recommending, among other things that:

- Congress should encourage and set a goal for the early deployment of state or regional ESInets.
- Congress should consider incentives for states to revise their liability regimes to provide appropriate protection for entities providing or supporting NG911 services, in conformance with standardized guidelines or model state legislation.
- Congress should encourage state adoption of an expanded and uniform definition of entities that may obtain certification to act as NG911 System Service Providers.
- Congress should encourage states to modify or eliminate legacy routing regulations and adopt a technology-neutral approach to routing of NG911 traffic.
- To address instances where states lack authority under state law to regulate certain elements of NG911 service or otherwise choose not to exercise such authority, Congress should consider enacting legislation creating a federal regulatory “backstop” to ensure that there is no gap⁷ between federal and state authority (or the exercise thereof) over NG911.

GHC will briefly address the five items above from the Commission Report to Congress, and then GHC will provide specific detail on how it being its own 9-1-1 Service Provider for NG9-1-1 is relevant to these issues and additional background detail on GHC. First, GHC’s NG9-1-1 deployment is consistent with the goal to encourage early deployment of state or regional ESInets. Second, Texas law has been amended by HB 1972 to clarify effective

⁷ Legal and Regulatory Framework Report.

September 1, 2013, that its liability protections are broad and not limited to solely telecommunications providers.⁸ Third, GHC, as noted earlier, holds a certificate from the Public Utility Commission of Texas (“Texas PUC”) to provide its own legacy 9-1-1 database services,⁹ and GHC has been operating its own legacy 9-1-1 database since 2008. Fourth, the Texas PUC has modified its substantive rules for a competitive 9-1-1 environment via ILEC unbundling¹⁰ and by attempting to clarify some matters to facilitate enabling NG9-1-1 migration, while balancing concerns on potential material cost shifting to the industry.¹¹ Fifth, the issue of needing a regulatory “backstop” could be developed more as part of a Commission trial with GHC, if needed, should resolution of issues not be fully accomplished amicably. Sixth, on December 17, 2013, GHC filed an amendment with the Texas PUC to expand GHC’s certificate

⁸ TEX. H.B. 1972, 83d Leg. R.S. (2013)

(available at <http://www.capitol.state.tx.us/BillLookup/Text.aspx?LegSess=83R&Bill=HB1972>).

⁹ See,

http://www.puc.texas.gov/industry/communications/directories/clec/report_clec.aspx?ID=CLSQL01DB1245437900001

¹⁰ P.U.C. SUBST. R. 26.433(h) (“Unbundling. A dominant CTU that is a 9-1-1 network services provider and a 9-1-1 database management services provider, if it has not already done so prior to the effective date of this section, must file within 90 days from the effective date of this section an alternative 9-1-1 tariff that provides 9-1-1 administrative entities the option to purchase any separately offered and priced 9-1-1 service.”)

(available at <http://www.puc.texas.gov/agency/ruleslaws/subrules/telecom/26.433/26.433.pdf>.)

¹¹ P.U.C. SUBST. R. 26.433(i) (“Migration of 9-1-1 Service. Unless otherwise determined by the commission, nothing in this rule, any interconnection agreement, or any commercial agreement may be interpreted to impair a 9-1-1 administrative entity’s authority to migrate to newer functionally equivalent IP-based 9-1-1 systems and/or NG9-1-1 systems, or to require the removal of unnecessary direct 9-1-1 dedicated trunks, circuits, databases, or functions ... Paragraph (1) of this subsection is intended to promote and ensure collaboration so that 9-1-1 service architecture and provisioning modernization can proceed expeditiously for the benefit of improvements in the delivery of 9-1-1 emergency services. Paragraph (1) of this subsection is not intended to require or authorize a 9-1-1 administrative entity’s rate center service plan specifications or a 9-1-1 network architecture deviation that causes new, material cost shifting between telecommunications providers or between telecommunications providers and 9-1-1 administrative entities. Examples of such a deviation would be points of interconnection different from current LATA configurations and requiring provisioning of the 9-1-1 network with a similar type deviation that may involve new material burdens on competition or the public interest.) (available at <http://www.puc.texas.gov/agency/ruleslaws/subrules/telecom/26.433/26.433.pdf>.)

to include 9-1-1 Selective Routing, and GHC anticipates that the amendment will be granted by the Texas PUC sometime in mid-February 2014.

GHC is a special purpose Emergency Communication District created pursuant to TEX. HEALTH & SAFETY CODE Chapter 772, Subchapter B, and is the 9-1-1 administrative entity that covers Harris and Fort Bend Counties in Texas. GHC covers an approximate population of 5 million people, which exceeds the population of approximately thirty states and would be a sufficiently large enough trial area to gather meaningful factual data on issues.¹² To successfully accomplish its mission, GHC must, among other things, deploy and manage a technology neutral network that routes 9-1-1 emergency requests to the appropriate answering and responding jurisdiction; GHC must create and maintain a highly accurate database that displays location information; and GHC must construct, deploy, and maintain a spatially accurate geographic digital map to support location determination technologies and enhance computer aided dispatch. For more than 30 years, GHC has helped to lead the way in Texas and nationwide in mission critical, emergency communications technology.¹³

¹² See, http://en.wikipedia.org/wiki/List_of_U.S._states_and_territories_by_population.

¹³ In 2013, GHC worked with the deaf, hard-of-hearing, and speech impaired community and was the first in Texas to implement in its region the ability to register and enable texting to 443911 for those people that cannot normally make a voice call. On March 31, 2011 at the 8th Annual 9-1-1 Honors Gala in Washington, D.C., GHC received the National Outstanding 9-1-1 Program Award, which recognizes an innovative and forward looking plan to enhance the future viability of public safety emergency communications systems. In 2009, GHC expanded its in-house 9-1-1 Help Desk to a state-of-the-art Network Operations Center where numerous vital operations take place, and where certified 9-1-1 specialists monitor and support every facet of equipment functionality throughout the entire GHC enterprise (e.g., network, systems, applications and environmental conditions), while providing virtually non-disruptive service for nearly 50 call centers. Similarly, in 2008, as noted earlier, GHC obtained a certificate from the Public Utility Commission of Texas for “9-1-1 database services,” and transitioned nearly 3 million telephone address records to its own “9-1-1 database services” under certificate 60789, and has been providing “9-1-1 database services” to itself since that time. The data networks supporting these critical communication services are provided via two separate wireline data network service providers. Various wireless solutions will also be provisioned as a third level of redundancy, and all networks are monitored and maintained by the GHC Network Operations Center (NOC).

Specifically relevant to the TDM-to-IP NG9-1-1 migration issues and legacy SR to NG9-1-1 migration issues, GHC will be its own 9-1-1 Service Provider by providing different unbundled elements and functions. This presents the Commission and the interested stakeholders with an additional and different distinct operational and regulatory environment than that offered by the Bexar Metro 9-1-1 Network District where the incumbent local exchange company, AT&T, will be the 9-1-1 Service Provider. By considering this additional and different distinct unbundled technical operational and regulatory structure beyond merely traditional ILECs and CLECs, the Commission in a trial with GHC may obtain helpful information and address a broader mix of potentially relevant NG9-1-1 scenarios.

GHC seeks to identify any issues that interested stakeholders may have and, if possible, amicably work through and resolve such issues. Interested service providers have an excellent opportunity here to move forward cooperatively toward IP connection to NG9-1-1 and to raise, explain, and change at the outset any matter they view as not being consistent with customary and reasonable policies and practices on connecting to NG9-1-1. GHC's technical, operational, and regulatory staff has substantial experience in their respective areas; they are active in NENA and other industry 9-1-1 matters; and they work closely with others in Texas and with industry stakeholders. While GHC has not yet discussed with other interested stakeholders whether they would be willing to work with GHC, if it were to be selected by the Commission as a NG9-1-1 trial area, given prior trials on various issues, its deployments of its own 9-1-1 database services, and being at the forefront of most 9-1-1 issues for more than 30 years, GHC expects that after discussion most major stakeholders would participate cooperatively with GHC. (To the extent that the Commission or any stakeholders would like to further discuss or obtain additional public information on technical operational structural type issues associated with GHC's transition,

GHC's Director of Operations can be reached at (713) 237-9911 and would be happy to discuss and provide public information on these issues.) Accordingly, if it would be helpful to the Commission, GHC volunteers its area, its ESINet, its database management systems, its in-house testing laboratory, and a reasonable amount of its resources for a NG9-1-1 real-world trial to work with the Commission and interested stakeholders on a trial to identify interconnection issues associated with NG9-1-1 deployment and, if possible, resolve such issues amicably in the context of a Commission trial.

D. Conclusion

The Greater Harris County 9-1-1 Emergency Network appreciates the opportunity to provide these comments, and respectfully request that the Commission take action consistent with these comments.

Respectfully submitted,



Lavergne Schwender, Executive Director
Greater Harris County 9-1-1 Emergency Network
10200 Fairbanks North Houston Road
Houston, Texas 77064
(832) 237-9911 (voice)
(832) 912-1911 (fax)
lschwender@911.org

On the comments:

Richard A. Muscat
Bexar Metro 9-1-1 Network District (via Interlocal Agreement)

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