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

To: The Commission

COMMENTS OF THE RURAL WIRELESS ASSOCIATION, INC.

The Rural Wireless Association, Inc. ("RWA")[1] files these comments in response to the Federal Communications Commission's ("FCC" or "Commission") Second Further Notice of Proposed Rulemaking in the above-captioned application.[2] While RWA agrees with the Commission as to the importance of enabling users of mobile communications devices to send text messages to 911, the proposed deadlines for requiring wireless carriers to support text-to-911 and to route 911 texts to requesting public safety answering points fail to take into account the technical impediments faced by many carriers.

[1] RWA is a 501(c)(6) trade association dedicated to promoting wireless opportunities for rural telecommunications companies who serve rural consumers and those consumers traveling to rural America. RWA's members are small businesses serving or seeking to serve secondary, tertiary, and rural markets. RWA's members are comprised of both independent wireless carriers and wireless carriers that are affiliated with rural telephone companies. Each of RWA's member companies serves fewer than 100,000 subscribers.

[2] *In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications; Framework for Next Generation 911 Deployment,* Policy Statement and Second Further Notice of Proposed Rulemaking, PS Docket No. 11-153, PS Docket No. 10-255 (rel. Jan. 31, 2014) ("NPRM").

I. LTE-Only Carriers and Some Other Small Wireless Carriers Are Not Capable of Meeting the Proposed Text-to-911 Implementation Deadlines.

The Commission believes that implementation of text-to-911 by December 31, 2014 is achievable by all carriers, but this is not the case. For carriers deploying LTE-only networks, texting cannot be provided absent the integration of IP Multimedia Subsystem (IMS) software into the LTE core, which is dependent on the release of IMS software by major equipment and software vendors. To date such software has not been made available for use by small wireless carriers, and realistically it cannot be expected to be made available for national use until the nation's two largest wireless carriers have demanded the release of IMS from their vendors. In addition, the implementation of data roaming on a national basis at commercially reasonable rates is necessary to justify individual carrier's investment in IMS. Once IMS software has been made available to all carriers, not just AT&T and Verizon, compliance will be possible.[3]

For non-LTE carriers, compliance may still be unachievable for some small carriers. Equipment availability and the cost considerations may prevent some carriers from meeting the proposed deadlines. Allowing carriers one year after a PSAP request to route text messages to the requesting PSAP should allow for compliance by most carriers.

II. Additional Time May be Needed for Small Carriers to Comply with OTT-Related Obligations.

A requirement that over-the-top ("OTT") text providers meet the same compliance deadlines may require commercial mobile radio service providers to incur costs and burdens associated with the provision of network and device capabilities to interconnected text providers. Due to the uncertainty surrounding what would be required to provide support for potentially

[3] It typically takes many months for new hardware and software releases to trickle down to small carriers.

countless number of applications, it is unclear whether wireless carriers can do so within the timeframe envisioned by the Commission. Development and implementation of the necessary interconnection standard is likely to take well over a year.

III. It is Premature to Establish Location Accuracy Requirements for Text-to-911.

The NPRM asked for comment on "reasonable timeframes to achieve more precise location capabilities in sending text messages to 911." There are a number of technical factors that make the provision of location accuracy information problematic at this time. Realistically, RWA expects that it will be at least two years before its members will be capable of achieving more precise location capabilities.

IV. Wireless Carriers Cannot Support Roaming and the Delivery of Location Information.

The FCC correctly recognizes in the NPRM that technical issues currently prevent CMRS providers from routing roaming text-to-911 messages to the correct, nearest PSAPs on the roaming carrier's network. Text messages are sent to the home carrier, which has no cell sector information available in its network. In order to resolve the technological impediments to routing roaming text-to-911 messages, home carriers and serving carriers need to be able to share cell sector data, which is not currently possible under existing SMS standards. Accordingly, such standards would need to be rewritten. Alternatively, the establishment of a centralized database of supported PSAPs accessible to all carriers could address this issue.

V. A Technical Infeasibility Showing on its Own Should be Sufficient to Justify a Waiver.

The NPRM asks a whether a showing of financial difficulty or technical infeasibility should be sufficient on its own to justify a waiver of any text-to-911 obligations it adopts. Given

the likelihood of a large number of waiver requests should the Commission adopt the proposed requirements, the Commission should reduce the burdens on waiver applicants by making it clear that a showing of technical infeasibility on its own will justify grant of a waiver. A showing of financial difficulty should also support grant of a waiver. While RWA recognizes the difficulty of quantifying the amount of financial challenge that should support a waiver grant in all cases, the Commission should attempt to establish a safe harbor to minimize the expense of preparing waiver petitions. RWA believes that when the cost of coming into compliance exceeds five percent of a carrier's gross annual revenues, the safe harbor should be considered to be met. For small carriers, who are unable to spread costs of regulatory compliance among a large customer base, costs in excess of five percent of annual gross revenues are substantial. Carriers who are unable to meet the safe harbor may still demonstrate that they meet the Commission's applicable waiver standards.

Respectfully submitted,

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