

**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 T-MOBILE USA, INC. ON  
SECOND FURTHER NOTICE OF PROPOSED RULEMAKING**

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May 5, 2014

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The Voluntary Agreement among the four nationwide wireless carriers, The Association of Public-Safety Communications Officials-International, Inc. (“APCO”), and The National Emergency Number Association (“NENA”)<sup>1</sup> to provide interim text-to-911 service during the transition to next-generation 911 (“NG911”) will provide consumers with the ability to access emergency services via existing short message service (“SMS”) texting services. T-Mobile USA, Inc.<sup>2</sup> is proud to be a part of that effort, and stands second to none in its commitment to its customers’ safety. But T-Mobile encourages the Commission to be mindful that the Voluntary Agreement was always intended to facilitate a temporary, interim solution that would address the growing use of text messaging by consumers without requiring carriers and other stakeholders to expend excessive time and effort in retrofitting legacy 2G and 3G networks at a time when they are transitioning to next generation 4G LTE networks and when Public Safety Answering Points (“PSAP”) are implementing NG911, which together will facilitate a more robust text-to-911 service. As the Commission considers this record,<sup>3</sup> it should adopt new rules that facilitate timely NG911 implementation by ensuring its conclusions do not require carriers to divert

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<sup>1</sup> Letter from Terry Hall, APCO International, Robert W. Quinn, Jr., AT&T, Barbara Jaeger, NENA – The 9-1-1 Association, Charles W. McKee, Sprint Nextel, Kathleen O’Brien Ham, T-Mobile USA, and Kathleen Grillo, Verizon, to FCC Chairman Julius Genachowski, Commissioner McDowell, Commissioner Clyburn, Commissioner Rosenworcel, and Commissioner Pai, PS Docket Nos. 11-153 & 10-255 (Dec. 6, 2012), *available at* [http://c.ymcdn.com/sites/www.nena.org/resource/resmgr/GovAffairs/121206\\_-\\_Voluntary\\_Commitmen.pdf](http://c.ymcdn.com/sites/www.nena.org/resource/resmgr/GovAffairs/121206_-_Voluntary_Commitmen.pdf) (“Voluntary Agreement”).

<sup>2</sup> T-Mobile USA, Inc. is a wholly-owned subsidiary of T-Mobile US, Inc., a publicly-traded company.

<sup>3</sup> *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*, FCC 14-6, PS Docket Nos. 11-153 & 10-255 (rel. Jan. 31, 2014) (“*Second FNPRM*”).

resources to extensive and possibly expensive overhauls of legacy networks, as would be required to support SMS-based text-to-911 while roaming or the provisioning of Phase II-like location estimate information.

## I. INTRODUCTION AND SUMMARY

Nearly all commenters recognize that the best way to speed implementation of robust text-to-911 service is to facilitate the nationwide implementation of NG911.<sup>4</sup> In this regard, and as noted in the record, because next generation technologies may render the current framework for policy discussion irrelevant,<sup>5</sup> imposing obligations that exceed the parameters of the Voluntary Agreement creates a real risk for long-term implementation and innovation in 911 services.<sup>6</sup>

The Voluntary Agreement was never intended to create a fully-integrated text-to-911 solution—that would have been impossible given the underlying SMS technology. It is explicit, in fact, that the Agreement contemplates an “interim, ‘best-efforts service’ to meet the near term objective of providing a text-based emergency communications until the comprehensive

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<sup>4</sup> See Comments of AT&T, Inc. (“AT&T”) at 6-7; Comments of The Alliance for Telecommunications Industry Solutions (“ATIS”) at 5-6; Comments of Bandwidth.com at 4; Comments of CTIA – The Wireless Association (“CTIA”) at 2-3; Comments of Microsoft Corporation (“Microsoft”) at 11; Comments of The National Association of State 911 Administrators (“NASNA”) at 1; Comments of Sprint Corporation (“Sprint”) at 1-2; Comments of The Telecommunications Industry Association (“TIA”) at 4; Comments of Verizon and Verizon Wireless (“Verizon”) at 14-16; *cf.* Comments of The National Emergency Number Association (“NENA”) at 11 (advocating for rules allowing carriers to opt out of providing roaming for interim SMS-to-911 when carriers commit to a timeline for transitioning to NG911). Unless otherwise noted, all comments were filed in PS Docket Nos. 10-255 & 11-153 on April 4, 2014.

<sup>5</sup> See, *e.g.*, Comments of Verizon at 14 (noting that implementation of the Commission’s proposed roaming rules may be rendered moot by the roll out of LTE-based global text telephony and consumer transition to LTE handsets).

<sup>6</sup> See, *e.g.*, Comments of Verizon at 6-7; Comments of AT&T at 9-10.

NG9-1-1 system (e.g., ESINet) is developed, deployed and adopted by the wireless industry, public safety community and public.”<sup>7</sup> The carriers, NENA, and APCO agreed that this interim service would be a limited, near term solution to “meet the emergency communications needs of wireless subscribers who (currently) rely on SMS for everyday communications and individuals who are deaf, hard of hearing or speech impaired” while also allowing carriers to “deploy[] whatever successor technologies are deemed appropriate by the service provider to satisfy current and future requirements of the text-to-9-1-1 service.”<sup>8</sup>

T-Mobile is pleased that the Commission continues to express support for voluntary and collaborative efforts by all stakeholders.<sup>9</sup> But that support is undermined by certain proposals in the NPRM, as well as by statements in the record urging mandated implementation where a voluntary, multi-stakeholder commitment does not result in a fully-featured and universally available text-to-911 service and related proposed requirements<sup>10</sup>—something that likely will not be possible until the migration to NG911 is complete and that will never be possible for SMS. Proposals that apply to covered text providers that ignore technical and economic feasibility would be arbitrary and capricious.<sup>11</sup> Even more significantly, they would also be essentially

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<sup>7</sup> Voluntary Agreement at 2.

<sup>8</sup> *Id.* at 1.

<sup>9</sup> *See Second FNPRM* ¶ 58.

<sup>10</sup> *See* Comments of APCO at 2 (suggesting that where stakeholders cannot reach consensus on implementation details, the Commission “must assume its statutory role and adopt necessary regulations”).

<sup>11</sup> *See Nuvio Corp. v. FCC*, 473 F.3d 302, 303 (D.C. Cir. 2006) (technical and economic feasibility are “made necessary by the bar against arbitrary and capricious decision-making”); *Alliance for Cannabis Therapeutics v. Drug Enforcement Admin.*, 930 F.2d 936, 940 (D.C. Cir. 1991) (“[i]mpossible requirements imposed by an agency are perforce unreasonable.”).

pointless, as mandating the adoption of technologies and solutions that cannot be feasibly implemented serves no purpose—and runs the real risk of leading consumers to incorrectly believe that their text services have functionalities that they do not, and cannot, have.

The difficulty and expense of retrofitting legacy networks to accommodate several of the Commission’s proposals, including those regarding Phase II-like location accuracy for SMS messages sent to 911 and access to SMS text-to-911 for roaming subscribers, will only serve to slow the transition to the next generation networks that will natively support multiple modes of communication with public safety. Requiring carriers to expend scarce resources now—when it remains unclear whether such expense will have the anticipated result and when those resources are better devoted to NG911—does not serve the public interest.

The Commission should continue to support the Voluntary Agreement but refrain from adopting mandates that exceed the scope of that commitment, particularly where such obligations would hinder efforts to deploy next generation technologies. In particular, as it considers important issues like location accuracy and roaming, the Commission should allow time to receive and fully consider input from technical experts and standards bodies, including its own advisory Communications Security Reliability and Interoperability Council (“CSRIC”) IV, Working Group 1, which will soon release its report and recommendations regarding location determination under the interim SMS text-to-911 solution, and the Alliance for Telecommunications Industry Solutions (“ATIS”), which continues to play a key role in standards development for SMS text-to-911 communications.<sup>12</sup> In addition, the Commission should avoid adopting mandates for over-the-top (“OTT”) text providers that would shift those

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<sup>12</sup> See Comments of ATIS at 5-6 (advocating for a focus on next-generation technologies as a solution to the issue of roaming access for text-to-911).

providers' burdens to carriers. Finally, T-Mobile encourages the Commission to make two additional statements—first, encouraging SMS text-to-911 vendors to work toward Text Control Center (“TCC”) interoperability and interconnection as quickly as possible; and second, clarifying the timeline for requesting and activating text-to-911 service at a given PSAP.

**II. THE COMMISSION SHOULD AVOID MANDATES THAT WILL DRAW FOCUS AWAY FROM DEVELOPING AND DEPLOYING MORE FULLY-FEATURED NEXT GENERATION TECHNOLOGIES.**

**A. Phase II-Like Location Mandates Are Inappropriate for Interim SMS Text-to-911.**

Although the generation of enhanced location estimates during text-to-911 sessions is a desirable goal, it is not feasible under the current interim implementation to apply Phase II-like obligations to text-to-911, or to expect that enhanced location can be provided with *all* 911 texts. Numerous commenters recognize that providers of SMS text-to-911 service cannot make available Phase II-like location estimates or meet Phase II-like accuracy requirements at this time.<sup>13</sup> Claims by commenters to the contrary are unsupported.<sup>14</sup> In particular, the Commission should also be wary of accepting at face value claims by technology vendors that current technologies can be “readily” deployed to provide E911 Phase II location for SMS text-to-911 without detailed analyses of such capabilities and the potential interaction with existing networks.<sup>15</sup>

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<sup>13</sup> See Comments of Motorola Mobility LLC (“Motorola Mobility”) at 4-5; Comments of AT&T at 5-6. See also Comments of NENA at 9 (“the Commission’s focus for medium- to long-term Text-to-9-1-1 location provisioning and accuracy requirements should be more generalized than a simple adoption of ‘Phase II equivalent’ requirement.”).

<sup>14</sup> See, e.g., Comments of TruePosition, Inc. (“TruePosition”) at 5-6; Comments of TeleCommunications Systems, Inc. (“TCS”) at 12-13.

<sup>15</sup> See Comments of TruePosition at 5-6; Comments of TCS at 12-13.

First, as T-Mobile and others have noted, Phase II-like regulations cannot be applied to the interim SMS-to-911 solution.<sup>16</sup> The solutions developed to override settings on contemporary mobile devices simply “do[] not currently exist for text messaging or other functions.”<sup>17</sup> Indeed, even though at least one commenter argues that “Phase II compatible location technology is readily available today to CMRS providers,”<sup>18</sup> this claim confuses Phase II location technology and commercial location based services (“cLBS”), which are not technologically equivalent. As T-Mobile noted in its initial comments,<sup>19</sup> there is a fundamental difference between estimating location on the handset and in the network when a non-emergency location request is processed versus when the handset has been forced into emergency mode by a voice call to 911.

Of course, as T-Mobile noted in its initial comments to the *Second FNPRM*, commercial location services have limitations in the emergency text context, related both to licensing of those technologies as well as to the availability of that information to the carrier or to public safety.<sup>20</sup> In fact, although it may be possible to make available enhanced location estimates during *some* 911 SMS message sessions, providing such estimates during every 911 text session, from every handset, on every network, is not feasible. Robust privacy settings, for instance, “empower [consumers] to limit disclosure of their location and other personal information to

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<sup>16</sup> See Comments of T-Mobile USA, Inc. (“T-Mobile”) at 6-8; Comments of Motorola Mobility at 4-5; Comments of AT&T at 5-6. See also Comments of NENA at 9 (“the Commission’s focus for medium- to long-term Text-to-9-1-1 location provisioning and accuracy requirements should be more generalized than a simple adoption of ‘Phase II equivalent’ requirement.”).

<sup>17</sup> Comments of Motorola Mobility at 4-5.

<sup>18</sup> Comments of TCS at 13.

<sup>19</sup> Comments of T-Mobile at 6-7.

<sup>20</sup> Comments of T-Mobile at 7.

native and third-party applications.”<sup>21</sup> Carriers and TCC vendors currently do not have the capability or the authority to override those settings, as they do for voice E911 calls, thus limiting their ability—and that of OTT text providers—to obtain that information and pass it along to PSAPs.<sup>22</sup> Moreover, even where enhanced location can be provided, it should not—and indeed cannot—be considered equivalent to E911 Phase II location. The sources of the location information will vary, as will their accuracy and reliability. PSAPs cannot and should not expect to receive the same kind of location information with SMS 911 texts that they receive with E911 voice calls.

Rather than adopt an infeasible location accuracy mandate, many commenters, including T-Mobile, believe the Commission should receive and fully consider CSRIC IV Working Group 1’s report before it suggests any concrete proposals regarding the provision of enhanced location in SMS text-to-911.<sup>23</sup> And the Commission must continue to account for technical and economic feasibility in any rules it may adopt. The Commission should ensure that any rules it adopts regarding SMS text-to-911 location information acknowledge the fundamental difference between Phase II E911 voice location estimates and cLBS-based enhanced location estimates. To the extent it considers adopting location accuracy requirements for interim SMS text-to-911,

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<sup>21</sup> Comments of Motorola Mobility at 5. *See also* Comments of MediaFriends, Inc. (“MediaFriends”) at 7.

<sup>22</sup> *Contra* Comments of TruePosition at 6 (arguing that “[e]xisting E911 location capabilities can be used successfully with relatively minor development effort to locate people sending emergency text messages”). TruePosition does not describe in detail the “minor development efforts” that would be required, nor does it address the fundamental problem of overcoming subscriber privacy settings.

<sup>23</sup> *See* Comments of APCO at 5; Comments of AT&T at v; Comments of CTIA at 10-11; Comments of Motorola Mobility at 4.

those requirements must be grounded in the technical and economic limitations of the cLBS service.

**B. The Commission Should Avoid Mandating Text-to-911 Roaming Under Existing Network Architectures.**

As with location, SMS text-to-911 while roaming on another provider's network remains technically and economically infeasible in the context of the interim solution. Furthermore, dedicating scarce resources in an attempt to shoehorn compliance mechanisms into legacy networks to meet possibly infeasible mandates will draw focus away from efforts to move NG911 forward. The Commission should refrain from imposing a roaming mandate at this time and allow carriers and other stakeholders to continue working on deployment of new technologies that, as ATIS notes, will be far more valuable with respect to the availability of robust, fully-featured text-to-911.<sup>24</sup> Indeed, even public safety advocates recognize that the overall transition to NG911 will do more for public safety than short- or even medium-term mandates. Thus NENA, though supporting roaming generally, suggests the Commission should focus on longer-term NG911 deployment where possible.<sup>25</sup>

The Commission must be particularly wary of arguments in the record that it should require roaming text-to-911 access regardless of cost for the carriers.<sup>26</sup> Such arguments fail to recognize that the FCC must proceed cautiously in order to avoid imposing mandates that are

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<sup>24</sup> Comments at ATIS at 6 (noting the development and deployment of MMES, IMS, and LTE will “enable new levels of access to emergency communications for consumers”).

<sup>25</sup> Comments of NENA at 11.

<sup>26</sup> *See, e.g.*, Comments of NASNA at 6 (“Carriers must route text-to-911 calls to the correct PSAP and any costs associated with doing so should be considered part of the cost of doing business.”).

technically and economically infeasible.<sup>27</sup> And technical feasibility should not be considered independently of economic feasibility—even if there are potential technological solutions to a given problem, those solutions cannot be considered feasible if the costs of implementation are excessively burdensome.<sup>28</sup>

In any event, there are no simple technological solutions to allow roaming access for SMS text-to-911. Although TruePosition and TCS offer several suggestions, those proposals are particularly shortsighted and underscore the general lack of understanding of the complexity of these issues. For instance, both entities suggest that roaming access is a simple matter of carriers negotiating among themselves or with a third party to share access to information and critical parts of the network (such as the Gateway Mobile Location Center).<sup>29</sup>

Such sharing, however, is not just a matter of coming to a business agreement. For example, consider what seems like the simplest proposal from both TruePosition and TCS—sharing cell databases. While the idea may seem straightforward, in reality such sharing would have a number of difficulties. First, carriers are often unwilling to share this information for sound business reasons, including very real security and privacy risks. Second, even where an agreement could be reached between carriers for access to the each other’s cell database information, maintaining synchronization of that information would be exceedingly difficult. Carriers’ cell information data changes almost continuously and, indeed, carriers must expend significant effort to remain synchronized internally. If that information is shared with other

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<sup>27</sup> See *Nuvio Corp.*, 473 F.3d at 303; *Alliance for Cannabis Therapeutics*, 930 F.2d at 940.

<sup>28</sup> See, e.g., *Am. Petroleum Inst. v. EPA*, 216 F.3d 50, 57-58 (D.C. Cir. 2000) (“EPA makes no attempt to balance the costs and benefits of primary treatment, or otherwise to explain why the Clean Water Act requirements are the real motivation behind primary treatment.”); cf. *Nuvio Corp.*, 473 F.3d at 308.

<sup>29</sup> Comments of TruePosition at 10; Comments of TCS at 16.

carriers, there is a high risk that the information will often be out of sync, limiting its utility for SMS text-to-911 roaming. Third, the lack of any standards addressing how cell database information would be presented and transmitted between carriers would have to be addressed before any implementation could occur, creating lengthy delays and limiting the utility of this solution. TCS and TruePosition's other proposals are similarly flawed.

T-Mobile and others have been very clear that roaming access for SMS text-to-911 is simply not feasible under existing network configurations.<sup>30</sup> In addition, as noted by AT&T, "any costs associated with updating SMS texting during the transition of networks to new all-IP systems would in our estimation be a lost or stranded investment."<sup>31</sup> Given the ongoing transition in wireless networks to LTE and the native support in that standard for more robust text-to-911 features,<sup>32</sup> the Commission should refrain from imposing any roaming mandates and instead support all stakeholders in their efforts to deploy next-generation networks.

### **III. OBLIGATIONS ON OTT PROVIDERS SHOULD NOT INCREASE COSTS OR BURDENS FOR CARRIERS.**

If the Commission chooses to impose text-to-911 requirements on OTT text providers, it should carefully consider the burdens such obligations would impose—on OTT text providers and on carriers—as well as the technical and economic feasibility of any mandates. The record is clear that at least some of the Commission's proposed technical solutions for OTT text-to-911 access would "erect high cost and technical barriers...[that] would negatively impact investment,

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<sup>30</sup> Comments of T-Mobile at 8-10; Comments of Verizon at 14; Comments of Sprint at 10-11; Comments of AT&T at 6-7.

<sup>31</sup> Comments of AT&T at 7.

<sup>32</sup> See Comments of Verizon at 14.

innovation, and ultimately consumers.”<sup>33</sup> Because many OTT text providers offer free or very low-cost applications, such a mandate could have a significant detrimental effect on competition and innovation, potentially driving OTT text providers out of the market. In addition, some of the Commission’s proposals would effectively force wireless carriers to serve as the “carrier of last resort” for any OTT text provider that has difficulty meeting its obligations.<sup>34</sup> Such obligations would create unnecessary complexity—as AT&T and Sprint note, OTT text providers would be obligated to compensate carriers for providing any such mandated service<sup>35</sup>—as well as impose additional burdens on carriers that are difficult to justify.

The Commission must consider the costs of compliance for all affected stakeholders, notwithstanding comments by location and other technology vendors that either dismiss those costs as irrelevant<sup>36</sup> or ignore them entirely.<sup>37</sup> As noted above, technical feasibility must be considered together with economic feasibility—and the Commission must always weigh the costs and benefits of imposing a mandate, even if the mandate may be technologically feasible.<sup>38</sup> With respect to OTT text mandates, the record is clear that it could be extremely costly to implement some of the Commission’s proposals.<sup>39</sup>

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<sup>33</sup> Comments of Information Technology Industry Council (“ITIC”) at 5; *see also* Comments of T-Mobile at 12-13.

<sup>34</sup> Comments of AT&T at 2-3.

<sup>35</sup> *Id.* at 3; Comments of Sprint at 7.

<sup>36</sup> Comments of TruePosition at 2 (“The costs of achieving these text-to-911 standards are manageable and pale in comparison to the consequences of failing to provide this critical public safety service.”). *Cf.* Comments of NASNA at 3 (suggesting that any costs of implementation simply be absorbed by carriers and OTT providers).

<sup>37</sup> Comments of TCS at 5-9 (discussing the technical feasibility of imposing text-to-911 requirements on OTT providers without any concomitant discussion of costs).

<sup>38</sup> *See, e.g., Am. Petroleum Inst.*, 216 F.3d at 57-58; *cf. Nuvio Corp.*, 473 F.3d at 308.

<sup>39</sup> *See, e.g.,* Comments of ITIC at 5; Comments of MediaFriends at 4-5.

As T-Mobile and others have noted, OTT text providers today have multiple options for implementing text-to-911, including existing procedures for seeking and obtaining access to various handset features.<sup>40</sup> Where existing commercial arrangements between carriers, manufacturers, and application developers enable OTT text providers to offer text-to-911, those arrangements should not be supplanted by the more complex, costly, or cumbersome arrangements proposed by the Commission.<sup>41</sup> T-Mobile encourages the Commission to refrain issuing prescriptive technical requirements and instead support flexible arrangements that allow carriers and OTT text providers to rely on existing commercial relationships and agreements to facilitate text-to-911 access by interconnected texting applications.

T-Mobile also urges the Commission to acknowledge the liability protections afforded to both carriers and OTT text providers by the NET 911 Act.<sup>42</sup> Just as carriers should not be required to bear the burden of OTT text providers' substantive compliance with any text-to-911 obligations that the Commission may impose, carriers should not also be forced to take on the risk of liability related to text messages sent from interconnected texting applications used by their subscribers.<sup>43</sup>

There is no confusion as to whether the NET 911 Act provides liability protection for carriers, either as providers of SMS text-to-911 or as vendors serving OTT text providers accessing their networks.<sup>44</sup> There should likewise be no confusion regarding application of the

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<sup>40</sup> See Comments of T-Mobile at 13; Comments of Microsoft at 5.

<sup>41</sup> See Comments of Microsoft at 5; *see also* Comments of Sprint at 6-8; Comments of Verizon at 8-9.

<sup>42</sup> See 47 U.S.C. § 615b(9).

<sup>43</sup> See Comments of Verizon at 10; Comments of Sprint at 3; Comments of Microsoft at 6.

<sup>44</sup> See Comments of Microsoft at 6.

NET 911 Act’s liability protections for OTT text providers themselves. The Commission should acknowledge this and articulate a general expectation that OTT text providers not shift their responsibilities, obligations, or liabilities to any other stakeholder should the Commission decide to impose text-to-911 obligations on those providers. Just as carriers should not be required to bear the burden of substantive compliance for OTT text providers, they should also not be required to assume any related liability.

**IV. THE COMMISSION SHOULD MAKE CLARIFYING STATEMENTS REGARDING TEXT-TO-911 IMPLEMENTATION.**

T-Mobile encourages the Commission to make two additional statements about implementation and deployment of text-to-911.

First, as T-Mobile and others have noted on the record,<sup>45</sup> TCC interconnection—or the lack thereof—will have more impact on the ultimate success or failure of the interim SMS text-to-911 solution than many of the Commission’s other considerations. The Commission should encourage all TCCs to implement interconnection immediately. Without such interconnection, widespread and successful implementation of interim text-to-911 will be extremely difficult to achieve.

Second, T-Mobile asks the Commission to clarify that PSAPs should request SMS text-to-911 service from a carrier only after the PSAP has confirmed its readiness to receive such messages. The Voluntary Agreement states that “valid PSAP requests for Text-to-9-1-1 service will be implemented within a reasonable amount of time of receiving such request, not to exceed

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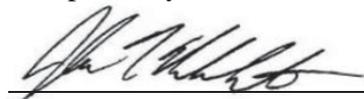
<sup>45</sup> See Letter from John T. Nakahata, Counsel to T-Mobile USA, Inc., to Marlene H. Dortch, Secretary, FCC, PS Docket Nos. 11-153 & 10-255 (Mar. 18, 2014); Letter from Ray Rothermel, Counsel-Legal/Government Affairs, Sprint Corporation, to Marlene H. Dortch, Secretary, FCC, PS Docket Nos. 11-153 & 10-255 (Mar. 25, 2014); Comments of NTCA at 6-7.

six months.” It further defines a valid request as one in which “the requesting PSAP represents that it is technically ready to receive 9-1-1 text messages in the format requested.”<sup>46</sup> Carriers should not be expected to provision SMS text-to-911 service for a PSAP that is not ready, nor should carriers be asked to refrain from activating that service after the provisioning is complete. Such requests introduce the risk that the service may accidentally be turned on before the PSAP is ready, or that the PSAP may determine that it will not or cannot implement the necessary technological upgrades on its end to accept emergency text messages, wasting the time and money spent by the carrier. Just as in the voice E911 context, PSAPs should not request text-to-911 until they are ready to receive emergency text messages.

## V. CONCLUSION

T-Mobile is pleased with its role and efforts to date as one of the participants to the Voluntary Agreement. It encourages the Commission to carefully review the record in this proceeding as it considers new rules governing this service. The Commission must ensure that any new rules it may impose are not only technically and economically feasible, but also do not detract from the progress being made to implement more robust NG911 services.

Respectfully submitted,



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<sup>46</sup> Voluntary Agreement at 2.