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Via ECFS Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* Comments – Text-to-911 / Next Generation 911
PS Docket No. 11-153, PS Docket No 10-255

Dear Ms. Dortch:

Fuego Wireless, LLC is a small business and rural telephone company affiliate that provides fixed wireless services in the State of New Mexico. We appreciate the Commission's request for comments from small and rural CMRS carriers who are not signatories to the December 2012 Carrier-NENA-APCO Agreement.¹ While our company does not currently provide CMRS, we may choose to do so in the near future.

It is our understanding that the FCC has proposed rules that would require CMRS service providers and other providers of interconnected text messages to support text-to-911 capability no later than December 31, 2014, or within a reasonable time after a Public Safety Answering Point (PSAP) has made a valid request, not to exceed six-months. We appreciate the public safety benefits of ensuring widespread availability of text-to-911 service; however, we are concerned about the cost and feasibility of having to deploy a technical capability in our network before PSAPs are ready and able to use that data. For this reason, we support the Commission's proposal to make a carrier's deployment of text-to-911 contingent upon the carrier having already received a valid PSAP request for service, and allowing carriers up to six months to purchase and install the necessary equipment and software to provide this capability. In addition, because the industry's text-to-911 standards are new, we join NTCA in urging the Commission to clarify that waivers and/or reasonable extensions of the six-month deadline will be available

¹ See 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 Nos. 11-153, 10-255, 29 FCC Rcd 1547, 79 FR 10807, 79 FR 12442 (2014) at ¶ 18.

for small carriers upon request, if they have difficulty acquiring necessary equipment or if they should run into other difficulties implementing text-to-911 service.²

With respect to further capabilities, such as implementation of text-to-911 service for roaming customers or providing location accuracy information with text-to-911 messages, the Commission should refrain from imposing regulatory mandates that extend beyond the scope of the voluntary Carrier-NENA-APCO Agreement unless and until there is demonstrated PSAP demand for SMS-based text-to-911 service. As it stands today, according to the Commission's most recent findings,³ only approximately 100 of the nearly 6,000 PSAPs in the US and its territories have completed text-to-911 deployments. Text-to-911 service was always meant to be an interim solution during the transition to next-generation 911 ("NG911"). Requiring small and rural CMRS providers to set aside a portion of their limited resources to support "enhanced" text-to-911 services without a clear-cut demand will hamper their efforts to extend 4G LTE networks and standards-based NG911 to rural and underserved communities.

In conclusion, we appreciate the Commission's support for voluntary and collaborative efforts by stakeholders in this proceeding and urge the Commission to refrain from imposing regulatory obligations on small and rural carriers that extend beyond the scope of the Carrier-NENA-APCO Agreement. Small companies like ours should not be required to implement text-to-911 service unless and until we receive a valid PSAP request for such service, and the Commission should ensure that the waiver process for wireless carriers is simple and streamlined, and does not create an onerous threshold for carriers to qualify for waivers.

Sincerely,

Fuego Wireless, LLC


Glenn Lovelace
Chief Executive Officer

² See Comments of NTCA – The Rural Broadband Association, PS Dockets No. 11-153 and 10-225 (*filed* April 4, 2014) at pp. 3-4.

³ A list of PSAPs that have deployed text-to-911 service as of June 30, 2014 is available at: http://transition.fcc.gov/pshs/911/Text_911_Deployments.pdf