

August 1, 2014

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Presentation, PS Docket Nos. 10-255 & 11-153

Dear Ms. Dortch:

On August 1, 2014, Brian Josef, Assistant Vice President, CTIA–The Wireless Association® (“CTIA”), communicated via telephone with Daniel Alvarez, Legal Advisor to Chairman Wheeler, Louis Peraertz, Legal Advisor to Commissioner Clyburn, David Goldman, Senior Legal Advisor to Commissioner Jessica Rosenworcel, Brendan Carr, Legal Advisor to Commissioner Pai, and Erin McGrath, Legal Advisory to Commissioner O’Rielly to discuss the Federal Communications Commission’s Second Report and Order and Further Notice of Proposed Rulemaking in the above-captioned proceeding. The calls occurred prior to release of the FCC’s “Sunshine Notice.”

During the discussions, CTIA urged the Commission to continue encouraging voluntary industry initiatives to support text-to-911 services and not codify or attempt to enforce a voluntary agreement. CTIA explained that the Carrier-NENA-APCO Agreement represents the culmination of significant efforts by wireless and public safety stakeholders to bring about an interim solution for text-to-911 that is technically feasible, serves the needs of consumers, including the deaf, hard of hearing and speech impaired, and does not inhibit the long-term development and deployment of Next Generation 9-1-1.

CTIA noted that codifying a voluntary agreement in mandatory rules will undermine the efficiency, flexibility, and creativity values of voluntary efforts that the Commission has lauded in the past. Additionally, taking action to codify or attempt to enforce voluntary commitments risks inhibiting stakeholders’ inclination to undertake future voluntary efforts. The chilling effect of the Commission’s proposed enforcement role would be particularly powerful in situations where, as here, the voluntary agreement involves new functionalities that face unique and challenging technical obstacles to implementation. Rather than stifling voluntary efforts to solve complex technical challenges, the Commission should continue to encourage stakeholders to develop creative solutions that benefit wireless consumers and allow the flexibility to adapt to new situations as technology evolves.

CTIA noted that the nationwide carriers’ voluntary initiative has already met the Commission’s goal of offering PSAPs the opportunity to accept text-to-911 messages from wireless consumers. CTIA explained that the Commission should allow this process to



continue and afford all stakeholders the flexibility to develop creative, voluntary solutions to evolving text-to-911 issues and technologies.

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this letter is being electronically filed via ECFS. Please direct any questions to the undersigned.

Sincerely,

/s/ Brian M. Josef

Brian M. Josef

cc: Daniel Alvarez
Louis Peraertz
David Goldman
Brendan Carr
Erin McGrath