

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

In the Matter of	)	
	)	
Facilitating the Deployment of Text-to-911 and	)	PS Docket No. 11-153
Other Next Generation 911 Applications	)	
	)	
Framework for Next Generation 911 Deployment	)	PS Docket No. 10-255

**REPLY COMMENTS OF THE VOICE ON THE NET COALITION**

The Voice on the Net Coalition (“VON”) hereby submits its reply to the comments on Section III.A of the Commission’s *Further Notice of Proposed Rulemaking* (“FNPRM”) in the above-referenced matter, regarding the Commission’s proposal to require providers of interconnected text applications to institute a process to alert users who try to send a text message to 911 when such service is not supported by the provider.

In its comments, VON urged the Commission not to adopt any new obligations on Over the Top (“OTT”) text applications before the implementation of Next Generation 911 capability, due to both the limits of Commission jurisdiction and the practical likelihood of generating consumer confusion. If the Commission nonetheless adopts an automatic alert obligation on non-CMRS interconnected text providers, VON urged the Commission to limit it to a message generated by the application notifying users that 911 is inaccessible from the application and that they should use alternative means to contact their local Public Safety Access Point (“PSAP”). Providing this kind of message, generated within the two-way interconnected text application, would be the only feasible way to implement the requirement since considerable development remains before these applications could deliver a text to 911; the development costs may be substantial; and even if all this can be overcome, the service still would not be as certain a means

of summoning help as a real-time voice call. For deaf users, CMRS texting would be available as an alternative to a voice call.

VON and other parties filing comments noted the difficulties of connecting OTT applications to PSAPs and none suggested a better alternative than VON's for alerting users to the limitations of the OTT applications. TextPlus discusses a bounce-back message that it has implemented that appears to be consistent with what VON proposes. MobileTREC discusses the option of sending the text first to a service provider with human operators who would provide the necessary interface between the user and any PSAP. This complex and costly approach may be practical for some application providers and users, but it represents an added expense that could be unsupportable for some OTT providers and their users. Confirming VON's concerns about uncertain costs, TeleCommunications Systems, Inc., one of the leading text-message vendors, states that it has not yet evaluated the cost of implementing a bounce-back message for OTT applications. *See* Comments of TCS, p. 4 at n.14.

Several parties commented on whether the Commission should provide standard language for the alert. *See, e.g.,* Comments of AT&T, p. 5 (opposing a "one size fits all" regime); Comments of APCO International, pp. 2-3 (supporting the adoption of common language). VON supports the Commission providing some "safe harbor" language and guidance on the minimum criteria for the text of the alert, since both will simplify the implementation. In that connection, the Commission should keep in mind the general inability of OTT application providers to connect users to 911. Thus, the language NENA proposes ("Please make a voice or relay call to 9-1-1. Text-to-9-1-1 service is not available *at this time.*" (emphasis added)) may inaccurately convey that the user should try again after a few minutes. If the Commission does adopt rules in this area, which it should not, better safe harbor language might be: "This

application is not capable of connecting to 911. Please make a voice or relay call to contact 911.” Users also might be encouraged to try their carrier’s SMS service, but suggesting that option raises the risk of another bounce-back message and further delay if the carrier’s service fails to connect to the PSAP.

### **Conclusion**

Therefore, based on the foregoing, the VON Coalition urges the Commission to take action consistent with these comments.

Respectfully submitted,

VOICE ON THE NET COALITION

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/s/

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