

**BEFORE THE
NEBRASKA PUBLIC SERVICE COMMISSION**

In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions.

Application No. 911-060/PI-191

**FURTHER COMMENTS OF CTIA – THE WIRELESS ASSOCIATION® IN
RESPONSE TO THE COMMISSION’S JULY 29, 2014 PROGRESSION ORDER**

On July 29, 2014, this Commission issued Progression Order No. 1 in this proceeding, seeking additional input on Nebraska Text-to-911 issues following the Commission’s hearing held on July 7. CTIA-The Wireless Association® (“CTIA”) commends the Commission on its continued efforts to address the important public safety issue of Text-to-911 deployment. CTIA appreciates the consideration the Progression Order gives to concerns raised by CTIA about stranded costs and the choice of an appropriate transitional methodology. CTIA also appreciates the determination that Text-to-911 is not Next Generation 911 (“NG911”)¹, a determination which makes support funding possible in this transition while NG911 issues continue to be

¹ As part of that same finding, the Commission determined that Text-to-911 is “a purely wireless service.” While CTIA understands the context in which that determination was made after the July hearing, the Federal Communications Commission (“FCC”) released a key order in its Text-to-911 and NG 911 dockets on August 8, 2014 that provides a substantial amount of additional information for this Commission to consider. One particular aspect of the Order is that the rules it adopts apply not only to CMRS-based Text-to-911, but also to interconnected text messaging providers, including some applications on mobile platforms. To the extent that the FCC’s action may impact the scope of Nebraska’s Text-to-911 efforts going forward, the Commission should consider that it may not always be the case that Text-to-911 services are “purely wireless.” The full FCC order, which touches on many issues in this docket, can be found here:

http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0822/FCC-14-118A1.pdf (last visited August 24, 2014).

considered. CTIA looks forward to continuing to work with the Commission and the stakeholders in Nebraska on Text-to-911, and to that end, is pleased to provide these additional comments.

CTIA addresses Questions 5, 6 and 7 at this time. These questions raise issues on which CTIA has focused throughout this proceeding. CTIA believes that all stakeholders should work collaboratively to educate the public about Text-to-911, with the public safety community taking a leadership role.² CTIA further believes that the Commission should consider, on a case-by-case basis, the most reasonably cost-efficient of available technical options to implement Text-to-911 for each PSAP (or group of PSAPs) seeking funding, while keeping NG911 implementation and Nebraska's wireless consumers in mind.

Question 5: How should the public be engaged and educated on text to 911? Whose responsibility should it be to educate?

CTIA's Response:

CTIA believes that public education regarding Text-to-911 availability is critical. While automated bounce-back messages will play an important role in providing wireless subscribers with information about the availability of Text-to-911³, other steps must be taken to manage public expectations for the specific capabilities and limitations of Text-to-911 compared to Enhanced 9-1-1 calls.

² Similarly, public safety needs to take a leadership role with regard to training PSAPs to use Text-to-911 technologies.

³ See 47 C.F.R. 20.18 (n); see also, Facilitating the Deployment of Text-to-911 & Other Next Generation 911 Applications, PS Dockets No. 11-153, 10-255, Report and Order, 28 FCC Rcd 7556 (2013) ("Text to 911 Bounce Back Order"). On reconsideration, the Commission clarified the scope of the bounce-back rule when emergency text messages are placed by consumers roaming on another carrier's network. See Facilitating the Deployment of Text-to-911 & Other Next Generation 911 Applications, PS Dockets 11-153, 10-255, Order on Reconsideration, 28 FCC Rcd 14422 (2013).

All stakeholders, including wireless providers and the public safety community, should work collaboratively to educate the public about the capabilities and limitations of Text-to-911. Different participants in the process will be positioned differently with regard to where their efforts can be most effective. For example, CTIA has partnered with the public safety community through the National 9-1-1 Education Coalition's efforts to generate awareness for Text-to-911, including the "Call if You Can, Text if You Can't" campaign.⁴

When it comes to coordinating these efforts, the public safety community must take the lead in educating the public. Specifically, CTIA has called on the Federal Communications Commission ("FCC"), in association with the public safety community, to lead the coordination of Text-to-911 education efforts in order to promote consistency of the messaging and the efficiency of distribution.⁵ Public education campaigns must be consistent with these national efforts to avoid public confusion and to manage public expectations about the capabilities and limitations for Text-to-911.

One important piece of information in these education campaigns will be current information – communicated to the Commission, the FCC, and the public – as to which PSAPs are accepting Text-to-911 messages. Towards that end, the FCC has established and maintains a

⁴ See, National 911 Education Campaign, www.Know911.Org (last accessed Aug. 25, 2014); see also, Bergmann, Scott, "Nationwide Wireless Providers Met Voluntary Text to 911 Commitment," CTIA Blog (May 16, 2014), available at <http://blog.ctia.org/2014/05/16/text-to-911-commitment/> (last visited August 20, 2014).

⁵ CTIA has filed a number of comments before the Federal Communications Commission calling for the FCC to lead this concerted effort, *e.g.* "[T]he FCC and appropriate public safety representatives, in coordination with the wireless industry and representatives of individuals with disabilities, must lead the effort to educate the public about the availability and limitations of text-to-9-1-1." Comments of CTIA – The Wireless Association, PS Docket Nos. 11-153, 10-255 (Jan. 29, 2013) at 11, available at <http://www.ctia.org/docs/default-source/fcc-filings/ctia-text-to-911-bounce-back-message-comments.pdf?Status=Master&sfvrsn=0> (last visited August 20, 2014).

list of PSAPs that are accepting Text-to-911 messages.⁶ The Commission might consider whether this docket can assist in that effort – if not directly through Commission involvement, perhaps through requiring PSAPs to inform the FCC of their progress. However, regardless of the manner in which the Commission chooses to collect and disseminate this information, to avoid duplicative (and potentially different) efforts and information regarding the status of Text-to-911 deployments, the effort should be coordinated among all stakeholders.

Question 6: Whose responsibility is training for PSAPs to use text to 911 technologies?

CTIA's Response:

The local public safety community is in the best position to lead efforts to train PSAP and call takers to consistently and uniformly handle Text-to-911 communications. Public safety advocacy organizations, such as the National Emergency Number Association (“NENA”), can provide appropriate materials and information for training PSAP call-takers.⁷

Question 7: Text to 911 solution technologies. How should the Commission determine which technology option (TTY, web browser, or direct IP) should be funded for different PSAPs?

CTIA Response:

As CTIA discussed in its previous comments and highlighted during its hearing testimony, there is no single right answer among the three presently available technology options referenced in Question 7. It is important that the Commission ensure that a PSAP application for funding demonstrates a choice that is the most reasonable and cost-efficient for that PSAP's particular circumstances, especially when committing funding from the state's limited Enhanced

⁶ At the time of this filing the most recent list of deployments, which is current as of August 7, 2014, is available at http://transition.fcc.gov/pshs/911/Text_911_Deployments.pdf (last visited August 25, 2014).

⁷ Towards these efforts, the Commission should consider NENA's resources and planning guides. See NENA, SMS Text-to-9-1-1 Resources for PSAPs & 9-1-1 Authorities, <http://www.nena.org/?page=textresources> (last visited August 20, 2014).

Wireless 911 Fund. While CTIA believes that PSAPs should adopt a Text-to-911 technology solution that meets their needs, CTIA also believes that the Commission should take steps to ensure PSAPs have considered the most reasonable and cost-efficient solution when requesting Enhanced Wireless 911 Funds to support a particular solution.

For example, IP-based solutions for Text-to-911 are likely to be the most complete, but also may be the most costly, solution. An IP-based solution may be an appropriate long-term goal in the context of NG911, but an IP-based solution for Text-to-911 may encounter technical, operational and funding issues. As a predicate to piecemeal PSAP adoption of IP-based solutions for Text-to-911, the Commission should consider whether to require PSAPs to first establish a statewide coordinated public safety IP-based network, which may be a more efficient and effective investment than PSAP adoption of inconsistent IP-based solutions for Text-to-911.⁸ In the absence of tangible advances toward a statewide NG911 implementation, new hardware and software expenditures for an IP-based Text-to-911 solution may also carry a higher risk of stranded investment.

Alternatively, web browser and TTY solutions are typically less expensive, use existing or easily obtainable PSAP equipment, and have generally provided acceptable performance in other states. For example, Maine representatives recently stated that they had “no problems” with implementation of their TTY-based Text-to-911 solution, which they implemented while still preparing for a NG911 rollout.⁹ Particularly for smaller PSAPs, a TTY solution may be

⁸ Vermont, the first state to roll out Text-to-911 statewide, uses an IP-based solution. See, Ring, Wilson, “VT first for statewide text-to-911 service”, Burlington Free Press (May 19, 2014) available at <http://www.burlingtonfreepress.com/story/news/local/vermont/2014/05/19/vermont-text-help/9291599/> (last visited August 25, 2014).

⁹ Nolan, Jill, “Jurisdictions show steady increase in text-to-911 service adoptions”, Urgent Communications (Jul. 9, 2014) available at <http://urgentcomm.com/ng-911/jurisdictions-show-steady-increase-text-911-service-adoptions> (last visited August 20, 2014).

feasible. And for many implementations, the “middle ground” of a web browser solution may decrease the risk of stranding large investments in the interim before NG911 decisions are made.

The Commission should consider each of these options and their associated costs when reviewing requests to use Nebraska’s Enhanced Wireless 911 Fund to support Text-to-911 deployments. Specifically, when allocating resources to support Text-to-911, the Commission should consider the impact on the state’s NG911 progression plans, and the costs ultimately borne by consumers. As the Commission is aware, the implementation of Text-to-911 is a complex issue from a technical, operational and funding perspective, and the Commission should choose the most reasonably efficient solutions when reviewing requests for support from the Enhanced 911 fund.

In this regard (and as raised by the Commission in Question 3), CTIA agrees with the Commission’s approach of reviewing applications from specific PSAPs that are ready to implement Text-to-911 solutions while it considers a more comprehensive structure for statewide rollout. At present there is a lack of reliable data on actual costs of implementation for the various participants in Nebraska. All stakeholders could benefit from data on issues surrounding utilization and implementation. The ability to obtain real data from pilot projects of various types prior to the conclusion of this broader docket is an opportunity the Commission should take full advantage of. This will allow the Commission to use the results of early implementations to refine its questions and shape Text-to-911 considerations going forward. This, too, will help ensure that any solutions that consumers are asked to help fund are the most efficient and effective solutions for this interim period prior to NG911.

Respectfully submitted this 27th day of August, 2014.



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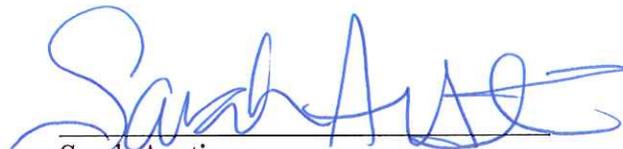
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 27th day of August, 2014, an original, five copies and an electronic copy of the Further Comments of CTIA – The Wireless Association®, in Application No. 911-060/PI-191 were delivered to:

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