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Re: Notice of *Ex Parte*, PS Docket No. 21-479

On October 27, the undersigned met with staff from the Commission's Public Safety and Homeland Security Bureau (listed below) to discuss the Notice of Proposed Rulemaking on Facilitating Implementation of Next Generation 9-1-1 Services.¹ As explained below, we reiterated recommendations from APCO's comments and reply comments, and provided background information to explain the public safety community's objectives for NG9-1-1. Where APCO suggests that further information might be required before adopting rules, we discussed the prospect of the Bureau performing its own research in lieu of the Commission issuing a further notice of proposed rulemaking.

We began by describing public safety's vision for NG9-1-1 as expressed in pending federal funding legislation. Regardless of the status and prospects of this legislation, we explained that the legislation embodies the consensus of the public safety community, as well as industry, for how NG9-1-1 should be implemented. The legislative approach is based upon key public safety principles for ensuring ECCs' operational goals are met. These principles and goals should guide any actions the Commission takes to facilitate NG9-1-1 deployment.

The Commission Should Require Interoperability to Benefit ECCs and Facilitate NG9-1-1.

The greatest impact the Commission can have on facilitating the transition to NG9-1-1 and supporting public safety's vision for NG9-1-1 would be to require interoperability between originating service providers (OSPs) and 9-1-1 service providers, and among 9-1-1 service providers. To achieve the Commission's intent that the nation's 9-1-1 systems function with

¹ Facilitating Implementation of Next Generation 911 Services (NG911), PS Docket No. 21-479, *Notice of Proposed Rulemaking*, FCC 23-47 (June 9, 2023).

interoperability, the Commission must affirmatively require it. APCO concurred with the Bureau that, in some cases, ECCs have even faced interoperability challenges with ESInets provided by the same vendor. This is unacceptable.

ECCs should have access to solutions that are interoperable as a baseline feature, not something that can only be achieved with expensive, time-consuming customized interfaces. Interoperability will drive the technologies, innovation, and competition needed to serve public safety's operational needs. APCO and Bureau staff discussed the need for an interoperability requirement that would establish clear responsibilities, primarily upon NG9-1-1 service providers, to ensure such a rule is effective and enforceable.

The Commission Should Further Evaluate the Options for Requiring Delivery of 9-1-1 Traffic in an IP-based Format.

The Commission should not adopt a specific "NG9-1-1" standard into its rules. Several comments demonstrate the risks of this approach, and doing so would conflict with the public safety community's legislative efforts to require the use of "commonly accepted standards" rather than a particular method for achieving the capabilities envisioned for NG9-1-1. By refraining from adopting any particular standard into its rules, the Commission can help promote a technology-neutral approach that ensures that ECCs can continually benefit from ongoing innovation.

One issue that likely warrants further consideration is whether to permit a phased approach to delivering 9-1-1 traffic in an IP format, starting with basic SIP and eventually reaching an end state of "NG9-1-1" IP traffic. Several parties favor a phased approach. However, a phased approach may needlessly slow the transition to NG9-1-1, adding unnecessary delays, complexity, and costs. Thus, the Commission should gather additional information about how a phased approach could be beneficial to ECCs and how it would be implemented, with consideration given to arguments parties have made regarding the need for ECCs and 9-1-1 authorities to demonstrate "readiness" to receive IP-based 9-1-1 traffic.

The Commission should evaluate this issue from the perspective of facilitating a comprehensive, end-to-end NG9-1-1 solution in which 9-1-1 traffic consists of more than just voice, but also multimedia and other forms of broadband-enabled communications to ECCs, in contrast with a more limited objective to get OSPs to deliver IP-based voice traffic to ESInets. While there may be benefits to a rule that requires OSPs to deliver voice calls in IP format where ESInets exist, the Commission should proceed with caution to ensure that such a requirement ultimately facilitates end-to-end, multimedia capabilities.

The Commission Should Further Evaluate the Options for Connectivity and Related Impacts on Costs and Service for ECCs and 9-1-1 Authorities.

The Commission should gather additional information on whether 9-1-1 traffic must be delivered over traditional dedicated lines or instead can leverage alternative methods such as a virtual private network over the Internet. The disparate methods for delivering 9-1-1 traffic have significant implications for costs, reliability, quality of service, and security. Insight into these implications will assist 9-1-1 authorities and ECCs working with service providers to meet their needs, and may assist the Commission with resolving conflicting recommendations over how OSPs, particularly rural LECs, should deliver 9-1-1 traffic to the point(s) designated by 9-1-1 authorities. APCO continues to strongly support the Commission's proposal to require OSPs to transmit IP-based 9-1-1 traffic to the point(s) determined and designated by the 9-1-1 authority or ECC,

which could include an ESInet, individual ECCs, or other designated point(s). This is essential for giving 9-1-1 authorities and ECCs the flexibility they need to pursue innovative, efficient approaches to NG9-1-1.

Finally, we discussed the value of engaging with companies that provide over-the-top solutions that enable the receipt, processing, and sharing of “Next Generation” data such as multimedia communications from 9-1-1 callers to ECCs. Several technology providers have developed solutions for delivering live video and other data from 9-1-1 callers to ECCs without the need to download an app, and even without the use of an ESInet. These solutions are relatively new and are still being explored by ECCs, but they are changing the way the 9-1-1 community thinks about how to achieve NG9-1-1. Understanding these technologies will assist the Bureau with resolving several issues, such as whether 9-1-1 traffic must be delivered over traditional dedicated lines or the Internet, as well as whether the current scope of the Commission’s rules for 9-1-1 service providers is adequate for regulating the appropriate parties in an NG9-1-1 ecosystem.

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