



Federal Communications Commission
Washington, D.C. 20554

January 15, 2016

DA 16-58

Robert S. Koppel
LUKAS NACE GUTIERREZ & SACHS
8300 Greensboro Drive, Suite 1200
McLean, VA 22102

Re: Modification of Order in the Matter of Cellular South's Petition for Waiver of Rules
Requiring Support of TTY Technology, GN Docket No. 15-178

Dear Mr. Koppel:

This letter order concerns the *Cellular South TTY-RTT Transition Waiver Order*, granted by the Consumer and Governmental Affairs Bureau (CGB), the Public Safety and Homeland Security Bureau (PSHSB), the Wireless Telecommunications Bureau (WTB), and the Wireline Competition Bureau (WCB)¹ in response to a petition filed by Cellular South on November 23, 2015, requesting a temporary, limited waiver of the Commission's requirements to support text telephony (TTY) technology on wireless networks to the extent that they use Internet Protocol (IP) technologies.² That order, issued on December 18, 2015, granted Cellular South's request with certain conditions.³

On January 5, 2016, by e-mail directed to Suzy Rosen Singleton of CGB, you requested clarification or modification of the following condition imposed by the *Cellular South TTY-RTT Transition Waiver Order*, which states that within 30 days after the effective date of the waiver, or by January 17, 2016, and throughout the waiver period:

Cellular South must apprise its customers, through effective and accessible channels of communication, including via Cellular South's website, billing statements, promotional materials, communications with national consumer organizations, and other effective means of communications, that (1) TTY technology will not be supported for calls to 911 services over IP-based wireless services; and (2) there are alternative public switched telecommunications network (PSTN)-based and IP-based accessibility solutions for people with communication disabilities for such calls. As part of meeting clause (2) of this condition, to the extent that Cellular South begins to make RTT available, it must ensure that all 911 calls made by persons seeking emergency assistance using this technology are delivered in accordance with the obligations of all telecommunications carriers, including wireless carriers, to transmit 911 calls to the appropriate PSAP or local emergency authority. The required notice must be prominently placed and in plain

¹ In this Order we refer to CGB, PSHSB, WTB, and WCB collectively as "the Bureaus."

² *Petition for Waiver of Rules Requiring Support of TTY Technology*, GN Docket 15-178, Order, DA 15-1458 (CGB/PSHSB/WTC/WCB Dec. 18, 2015) (*Cellular South TTY-RTT Transition Waiver Order*); Cellular South Petition for Waiver, GN Docket No. 15-178 (filed Nov. 23, 2015).

³ See *Cellular South TTY-RTT Transition Waiver Order*, paras. 12-14. The waiver granted by the *Cellular South TTY-RTT Transition Waiver Order* expires on December 31, 2017, or upon the effective date of Commission rules providing for alternative IP-based wireless accessibility solutions, whichever is earlier. *Cellular South TTY-RTT Transition Waiver Order*, para. 1.

language on Cellular South’s website and in the materials described above. It must further include a listing of text-based alternatives to 911, including, but not limited to, TTY capability over the PSTN, various forms of PSTN-based and IP-based TRS, and text-to-911 (where available).⁴

In your January 5th communication, you advised CGB that Cellular South “does not plan to commence the provision of IP-based wireless calling until this summer,” and raised a concern that the provision of premature notice “will create unnecessary customer confusion.”⁵ For these reasons, you asked that this condition not become effective until 10 days prior to the provision of such services.⁶

Given that Cellular South will not begin deploying IP-based wireless calling until the summer of 2016, we agree that it would be more appropriate to disseminate the notice required in the *Cellular South TTY-RTT Transition Waiver Order* closer to that time. However, we believe that a period of time greater than 10 days prior to the roll-out of such services is advisable to effectively notify the public about the impending lack of access to 911 services via TTY technology. Accordingly, in response to Cellular South’s request, the Bureaus hereby modify the *Cellular South TTY-RTT Transition Waiver Order* to require that Cellular South must comply with the above-mentioned condition beginning at least 20 days prior to the date it commences the provision of IP-based wireless calling services and continuing through the end of the waiver period. Additionally, Cellular South must inform us 20 days in advance of the date it commences the provision of IP-based wireless calling services.

Should there be any questions, please let us know. Thank you.

Sincerely,

Karen Peltz Strauss, Deputy Chief
Consumer and Governmental Affairs Bureau

David Furth, Deputy Chief
Public Safety and Homeland Security Bureau

Joel Taubenblatt, Acting Deputy Chief
Wireless Telecommunications Bureau

Randy Clarke, Acting Associate Chief
Wireline Competition Bureau

⁴ *Cellular South TTY-RTT Transition Waiver Order*, para. 12.

⁵ E-mail from Robert S. Koppel, on behalf of Cellular South, to Suzy Rosen Singleton, Disability Rights Office, CGB, FCC (Jan. 5, 2016).

⁶ *Id.*