SUPPORTING STATEMENT

A. Justification: _

1. The Commission is submitting this revision to the Office of Management and Budget (OMB) for approval to update the Public Safety Answering Point (PSAP) text-to-911 Registration Form to include PSAP requests for real-time-text (RTT) service. PSAPs complete and electronically file the PSAP Text-to-911 and RTT Registration Form with the Commission to (1) indicate that the PSAP is text-ready and (2) provide the PSAP's contact information and other information necessary to notify covered text providers of the PSAP's readiness. The information collection burdens (excluding the annual in-house costs) associated with the submission of the updated PSAP Text-to-911 and RTT Registration Form are generally the same as the burdens associated with the previous of the PSAP Text-to-911 Registration Form. However, the number of respondents has increased because the Commission estimates that most PSAPs which have already filed the form to indicate their readiness to receive text-to-911 will file again when they are ready to receive RTT. Additionally, the Commission submits this modification to reflect new dispatchable location requirements applicable to covered text providers.

In a *Second Report and Order*, released August 13, 2014 in PS Docket No. 10-255 and PS Docket No. 11-153, FCC 14 -118, the Commission adopted requirements for all Commercial Mobile Radio Service (CMRS) providers and interconnected text providers (collectively, "covered text providers") to support text-to-911 and deliver 911 texts to requesting PSAPs. The *Second Report and Order* recognized that current trends in mobile wireless usage reflect recent change from a predominantly voice-driven medium of communication to one based more on text and data transmissions. The need to expeditiously provide text-to-911 service is made more pressing because many consumers believe text-to-911 is already an available service, because of the unique value of text-to-911 for the millions of Americans with hearing or speech disabilities, and because of the crucial role it can play in protecting life and property when making a voice call would be dangerous, impractical, or impossible, *e.g.*, transmission problems.

To ensure that the potentially life-saving benefits of text-to-911 are available to all consumers as swiftly as possible, the *Second Report and Order* established a single, uniform deadline of December 31, 2014 for all covered text providers to be "text capable," meaning they can process a text-to-911 from a subscriber and route it to the proper PSAP. By the December 31, 2014 "text-capable" deadline, a covered text provider should have taken any preparations necessary to provide text-to-911, including, for example, determining the solution it will use for delivering texts to 911 and obtaining location information sufficient to route texts to 911 to the appropriate PSAP. Under the *Second Report and Order*, covered text providers would then have a six-month implementation period – they must begin routing all 911 text messages to a PSAP by June 30, 2015 or within six months of a valid PSAP request for text-to-911 service, whichever is later. *See* 47 CFR §9.10(q)(10)(iii).

The information collections contained in the adopted rules are necessary and vital to the swift implementation of text-to-911, a service by which the public will be able to reach 911 emergency services

by sending text messages to PSAPs. The *Second Report and Order* noted that the rule sections containing information collection requirements were subject to Office of Management and Budget (OMB) approval under the Paperwork Reduction Act. OMB approved these requirements on an emergency basis for a period of six months on October 27, 2014. *See* 79 FR 68132 (Nov. 14, 2014). OMB subsequently approved these requirements for a three-year period on April 20, 2015. *See* 80 FR 28271 (May 18, 2015). OMB renewed these requirements for a three-year period on April 12, 2018 under ICR Reference No: 201802-3060-012.

The Bureau has prepared a form for PSAPs to complete and electronically file with the Commission to (1) indicate that the PSAP is text-ready and (2) provide the PSAP's contact information and other information necessary to notify covered text providers of the PSAP's readiness. This form assists the Commission in continuing to compile the database until the database is fully interactive. OMB approved the form as part of its approval of these collections for a three-year period on April 20, 2015. OMB renewed the collections for a three-year period on April 12, 2018.

The Commission now seeks OMB approval for updating the form. The Commission seeks to update the form to include the option for PSAPs to request Real Time Text (RTT) as a method for receiving texts. RTT is merely an addition to the options of methods already in the form, which are Text to TTY, Web Browser, Direct IP, and Other. An example of the updated form is attached to this Supporting Statement.

Real-Time Text. In a Report and Order and Further Notice of Proposed Rulemaking, released on December 16, 2016, in CG Docket No. 16-145 and GN Docket No. 15-178, the Commission amended its rules to facilitate a transition from text telephone (TTY) technology to RTT as a reliable and interoperable universal text solution over wireless Internet protocol (IP) enabled networks for people who are deaf, hard of hearing, deaf-blind, or have a speech disability. Section 9.10(c) of the rules requires Commercial Mobile Radio Service (CMRS) providers to be "capable of transmitting 911 calls from individuals with speech or hearing disabilities through means other than mobile radio handsets, e.g., through the use of [TTY devices]." Additionally, "CMRS providers that provide voice communications over IP facilities are not required to support 911 access via TTYs if they provide 911 access via [RTT] communications, in accordance with 47 CFR Part 67, except that RTT support is not required to the extent that it is not achievable for a particular manufacturer to support RTT on the provider's network." Section 9.10(c). The Commission's Report and Order provides that once a PSAP is so capable, the requested service provider must begin delivering RTT communications in an RTT format within six months after a valid request is made – to the extent the provider has selected RTT as its accessible text communication method.

Dispatchable Location. Section 506 of RAY BAUM'S Act requires the Commission to "consider adopting rules to ensure that the dispatchable location is conveyed with a 9-1-1 call, regardless of the technological platform used […]." In a Report and Order released on August 2019, in PS Docket Nos. 18-261 and 17-239 and GN Docket No. 11-117, the Commission amended its rules to implement Kari's Law and Section 506 of RAY BAUM'S Act. Specifically, for mobile text, the Commission adopted Section 9.10(q)(10)(v) to provide that no later than January 6, 2022, covered text providers must provide the following location information with all 911 text messages routed to a PSAP:

> Automated dispatchable location, if technically feasible; otherwise, either end-user manual provision of location information, or enhanced location information, which may be coordinate-

based, consisting of the best available location that can be obtained from any available technology or combination of technologies at reasonable cost.

47 CFR 20.18 renumbered as 47 CFR 9.10. Additionally, the Commission renumbered Section 20.18 as new Section 9.10. Accordingly, we update the references to Section 20.18 with Section 9.10 in this supporting statement.

The information collection requirements are set forth below.

Information Collection Requirements

To implement the text-to-911 service requirements, the *Second Report and Order* imposed the following notification measures that constitute an information collection:

Section 9.10(q)(10)(i) – *Delivery of 911 text messages*. This rule is the general text-to-911 requirement, mandating that no later than December 31, 2014, all covered text providers must have the capability to route a 911 text message to a PSAP. The rule further requires covered text providers to obtain location information sufficient to route text messages to the same PSAP to which a 911 voice call would be routed, unless the responsible local or state entity designates a different PSAP to receive 911 text messages and informs the covered text provider of that change.

With respect to information collections specifically, the rule requires all covered text providers using device-based location information requiring consumer activation to clearly inform individual consumers that they must grant permission to the covered text provider to access the wireless device's location information, which will enable routing of the 911 text message to the appropriate PSAP. This consumer notification requirement ensures that consumers are aware of how to provide covered text providers with location information sufficient to route 911 text messages to the appropriate PSAP.

Section 9.10(q)(10)(ii) – This rule generally requires covered text providers to begin routing all 911 text messages to a PSAP by June 30, 2015, or within six months of the PSAP's valid request for text-to-911 service, whichever is later, unless an alternate timeframe is agreed to by the PSAP and the covered text provider.

With respect to information collections specifically, the rule requires that if an alternative timeframe is agreed to by the PSAP and the covered text provider, "[t]he covered text provider must notify the Commission of the dates and terms of the alternate timeframe within 30 days of the parties' agreement." This notification requirement is necessary to enable the Commission to follow up directly with those individual PSAPs or covered text providers in cases where the explanation for additional time is insufficient and to help monitor the transition to text-to-911. Covered text providers must file such notifications in the Commission's PS Docket Nos. 10-255 and 11-153.

Section 9.10(q)(10)(iii)(C) – The obligation of covered text providers to route 911 text messages is dependent on their receiving a valid PSAP request for service, indicating that the PSAP is capable of receiving 911 text messages. Under Section 9.10(q)(10)(iii), there are two initial criteria to constitute a valid PSAP request. First, the requesting PSAP must be technically ready to receive 911 text messages in the format requested and must certify its readiness. *See* Section 9.10(q)(10)(iii)(A). Second, the appropriate local or State 911 service governing authority must have specifically authorized the PSAP to

accept, and by extension the covered text provider to provide, text-to-911 service. *See* Section 9.10(q)(10)(iii)(B).

Section 9.10(q)(10)(iii)(C) adds that a valid PSAP request also include the PSAP providing notification to the covered text provider that the PSAP meets the foregoing two criteria. The *Second Report and Order* provided that as PSAPs become text-ready, they may either voluntarily register in the PSAP database made available by the Commission or provide other written notification reasonably acceptable to the covered text provider. Either measure taken by the PSAP shall constitute sufficient notice to covered text providers of their obligation to deliver text-to-911 service. PSAPs that were already accepting texts as of December 31, 2014 were presumed to be text-ready and automatically registered in the database.

To implement the RTT service requirements the Commission observed that because the Commission's text-to-911 rules are technology neutral, the six-month period applies regardless of whether SMS or RTT is provided. Similar to the Commission's text-to-911 rules in 47 CFR § 9.10(q)(10)(iii), when a PSAP has taken the necessary measures, it may then make a "valid request" for CMRS providers to deliver 911 texts to it. The Commission stated that a "'valid PSAP request' means that: (1) the requesting PSAP is, and certifies that it is, technically ready to receive 911 RTT messages; (2) the appropriate local or state 911 service governing authority has specifically authorized the PSAP to accept and, by extension, the covered RTT service provider to provide, RTT-to-911 service; and (3) the requesting PSAP has notified the covered RTT service provider that it is technically ready to receive 911 RTT messages." For purposes of RTT messages to 911 under 47 CFR § 9.10(q)(1), a PSAP's "valid request" would apply only to CMRS voice providers and not to interconnected text providers, which are also "covered text providers" pursuant to Section 9.10(q)(1).

Section 9.10(q)(10)(v) – *Dispatchable Location*. This rule provides that covered text providers must provide location information with all 911 text messages routed to a PSAP: "Automated dispatchable location, if technically feasible; otherwise, either end-user manual provision of location information, or enhanced location information, which may be coordinate-based, consisting of the best available location that can be obtained from any available technology or combination of technologies at reasonable cost."

Dispatchable location means "A location delivered to the PSAP with a 911 call that consists of the validated street address of the calling party, plus additional information such as suite, apartment or similar information necessary to adequately identify the location of the calling party[.]" Automated dispatchable location means "automatic generation of dispatchable location."

Prior to the Commission's adoption of Section 9.10(q)(10)(v), the Text-to-911 rules required mobile carriers and other covered text providers to obtain location information sufficient to route text messages to the appropriate PSAP, but the rules did not require text providers to convey additional location information to the PSAP. The Commission stated that this approach has always been viewed as *an interim solution*, and noted the prior pending proposal in the Text-to-911 docket to require covered text providers to deliver enhanced location information (consisting of the best available location information that covered text providers can obtain from any available location technology or combination of technologies, including device-based location). In the 2019 Order, the Commission observed that location technology options available to covered text providers have significantly expanded since the Commission adopted its text-to-911 rules in 2014. The Commission noted that the record indicated recent improvements in technology that have the potential to provide location information for an

increasing percentage of 911 texts. The Commission noted that wireless carriers are starting to transition mobile wireless text services from SMS to more robust IP-enabled platforms, such as RTT, which can support the provision of location information with 911 texts using some of the same location methodologies that are used to support IP-based voice services. The Commission recognized that implementing dispatchable location capabilities in SMS-based text-to-911 would require changes to legacy SMS networks that were not designed to support the provision of location information. Therefore, the Commission adopted a flexible approach to text-to-911 location requirements and clarified that "enhanced location information" does not require covered text providers to retrofit SMS-based text networks or to upgrade legacy mobile handsets that are only SMS-capable. The Commission also recognized that as a practical matter, covered text providers are unlikely to be capable of providing dispatchable location for most 911 texts, and the quality of "best-available" location information provided with 911 texts may vary. Nevertheless, the Commission stated that over time this requirement will encourage development of improved location capabilities for text-to-911, while accounting for technical feasibility issues raised in the current record. Accordingly, the Commission deferred the effective date of the rule until January 6, 2022.

At that time, covered text providers that support location information capability for text-to-911 are expected to inform individual subscribers that they must grant permission to the covered text provider to access the wireless device's location information in order to enable delivery of location information with the 911 text message to the appropriate PSAP and/or that end users may manually update their location on their device for the purpose of delivering location information to the appropriate PSAP. We anticipate that covered text providers will also inform subscribers the limitations in delivering 911 location information and obtaining acknowledgement from subscribers. In sum, we anticipate that covered text providers will update their consumer notifications consistent with the requirements of Section 9.10(q)(10)(i).

Section 9.10(q)(11) - *Access to SMS networks for 911 text messages*. This rule provides that to the extent CMRS providers offer Short Message Service (SMS), they shall allow access by any other covered text providers to the capabilities necessary for transmission of 911 text messages originating on such other covered text providers' application services.

Concerning information collections, this rule provides that covered text providers using the CMRS network to deliver 911 text messages must clearly inform consumers that absent an SMS plan with the consumer's underlying CMRS provider, the covered text provider may be unable to deliver 911 text messages. The rule also requires that CMRS providers may migrate to other technologies and need not retain CMRS networks solely for other covered text providers' 911 use, but they must notify the affected covered text providers not less than 90 days before the migration is to occur.

Further, as the *Second Report and Order* stated, CMRS providers are expected to make any necessary specifications for accessing their networks available to other covered text providers upon request, and to inform such covered text providers in advance of any changes in these specifications.

This information collection affects individuals or households. However, personally identifiable information (PII) is not being collected by the Commission or made available to or accessible by the Commission. The Commission therefore has no direct involvement in the collection of this information with respect to individuals and households. Instead, covered text providers using device-based location

information requiring consumer activation must clearly inform individual subscribers that they must grant permission to the covered text provider to access the wireless device's location information in order to enable routing of the 911 text message to the appropriate PSAP. As discussed below in Question 11, any personally identifiable information that is submitted by individuals to their covered text providers should be protected to the extent it is considered Customer Proprietary Network Information (CPNI) pursuant to 47 U.S.C. § 222(h)(1)(A) and 47 CFR § 64.2001 *et seq*.

Statutory authority for this collection is contained in Sections 1, 2, 4(i), 4(j), 4(o), 251(e), 303(b), 303(g), 303(r), 316, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i), 154(j), 154(o), 251(e), 303(b), 303(g), 303(r), 316, 403, and Section 4 of the Wireless Communications and Public Safety Act of 1999, Pub. L. No. 106-81, Sections 101 and 201 of the New and Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283, and Section 106 of the Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-260, as amended 47 U.S.C. §§ 615a, 615a-1, 615b, 615c.

2. The Commission's Public Safety and Homeland Security Bureau (the Bureau) uses the data generated by the information collections concerning a valid PSAP request for text-to-911 service to implement and maintain a centralized text-to-911 PSAP database. Using a centralized database allows PSAPs to provide notification in one place of their readiness to receive texts to 911. A PSAP's listing in the database serves as notice to all covered text providers, regardless of whether the PSAP has a previous relationship with the covered text provider. The database includes contact information so that covered text providers may coordinate with PSAPs regarding the PSAP's specific implementation criteria, such as the PSAP's selected method of receiving texts. The centralized database facilitates covered text providers periodically reviewing the text-readiness of PSAPs in their service areas and reaching out to these PSAPs as necessary to coordinate implementation of text-to-911 service. This text-to-911 PSAP registry simplifies the PSAP request process for both PSAPs and covered text providers.

3. Most records are kept electronically. Once the centralized database is fully implemented, PSAPs will be able to access the text-to-911 PSAP database electronically from the Commission's website and provide updated information as often as they wish. Further, the Commission believes that information technology, including electronic mail, reduces the burdens on the public with respect to the notifications required by the rules.

4. The Commission does not impose similar information collections that can be used to implement text-to-911 service. Additionally, the information collection will support RTT and the discontinuance of TTY over IP-based wireless networks as envisioned in the RTT Order. OMB previously approved the information collections of the RTT Order under OMB Control No. 3060-1248.

5. In conformance with the PRA, the Commission allows 100 percent of respondents to file or mutually exchange their notification information electronically. The Commission has limited the information requirements to those necessary either for evaluating and including the incoming data in the PSAP text-to-911 database or for facilitating the exchange of third-party notification information as set forth by the rules. The PSAP text-to-911 database is intended to facilitate and streamline the exchange of information between the PSAP and the covered text providers to make the notification process more efficient and less burdensome. Many entities subject to the information collections for text-to-911 will therefore be able to determine the PSAP service areas that are text-ready and thereby comply with the six-month timeframe to

deliver 911 text messages. The database will facilitate similar benefits to PSAPs and CMRS providers supporting RTT.

6. The information collected will assist the Commission in ensuring public safety and will improve the public safety capabilities of PSAPs throughout the nation to receive 911 text messages and facilitate the RTT transition. The information that the Commission has made available through the text-to-911 PSAP database enables covered text providers to determine which PSAPs are text-ready and to comply with the six-month timeframe for delivering 911 text messages to those PSAPs. In addition, the rules adopted by the Commission also include other information collections for third party notifications that need to be effective to implement text-to-911, including necessary notifications to consumers, covered text providers, and the Commission. These notifications are essential to ensure that affected parties are aware of the limitations, capabilities, and status of text-to-911 services. The information that the Commission has made available through the text-to-911 PSAP database will also enable CMRS providers to determine which PSAPs are RTT-ready and to comply with the six-month timeframe for delivering RTT messages to those PSAPs.

7. No special circumstances exist that would cause this data collection to be conducted in any manner that is inconsistent with the guidelines in 5 CFR § 1320(d)(2).

8. The Commission published a notice in the *Federal Register* on June 2, 2020 (85 FR 33665) to solicit the views of industry and the general public. The Commission has received no comments in response to the Notice in the *Federal Register*.

9. No payment or gift to respondents has been or will be made.

10. The Commission is not requesting that respondents submit confidential information to the Commission. The information collections pursuant to the *Second Report and Order* would not impact or modify any of the existing confidentiality procedures. As noted in the *Second Report and Order*, however, for any notifications by covered text providers informing the Commission of alternative arrangements and deployment schedules within 30 days of entering into such an agreement with a PSAP, pursuant to 47 CFR § 0.459 of the Commission's rules, covered text providers may request confidential treatment for the notification or a portion of it when they file such notification in PS Docket Nos. 10-255 and 11-153. The Commission will work with respondents to ensure that their concerns regarding the confidentiality of any proprietary, business-sensitive, or security-sensitive information are resolved in a manner consistent with the Commission's rules.

11. As noted above in Question 1, this information collection may affect individuals or households to the extent that covered text providers using device-based location information requiring consumer activation must clearly inform individual consumers that they must grant permission to the covered text provider to access the wireless device's location information in order to enable routing of the 911 text message to the appropriate PSAP. Any personally identifiable information that is submitted by individuals to their covered text providers should be protected to the extent it is considered Customer Proprietary Network Information (CPNI) pursuant to 47 U.S.C. § 222(h)(1)(A) and 47 CFR § 64.2001 *et seq*.

12. The Commission is updating the burden estimates for these collections in several respects. First, the Commission is revising the burden calculations to reflect the fact that an increasing number of PSAPs

have now completed the requirement to request text-to-911 service (1,842 PSAPs have registered with the Commission to request text-to-911 service). Second, the Commission is updating the certification form to enable PSAPs to request RTT service from CMRS providers. Finally, the Commission is revising the burden calculations to reflect that the 1842 PSAPs that have already requested text-to-911 service and the 3,964 PSAPs that have yet to request text-to-911 service may use the updated Text-to-911 and RTT Registration Form to request RTT service.

a. Notification to Current Subscribers under Section 9.10(q)(10)(i) – includes the notification requiring all covered text providers using device-based location information that requires consumer activation to clearly inform consumers that they must grant permission for the text messaging application to access the wireless device's location information in order to enable text-to-911.

The Commission estimates that there are 784 CMRS providers. This number is based on data from the U.S. Census Bureau, 2007 Economic Census, Sector 51, 2011 NAICS code 517210 for the category of Wireless Telecommunications Carriers (except Satellite). We also estimate that there are 17 interconnected text messaging application providers, based on a Commission staff survey of text messaging applications available through the Apple, Google, and Microsoft application stores. Accordingly, the Commission estimates that there are a total of 801 covered text providers. We also assume that to provide the required notification to consumers, the respondents will, on a one-time basis, either modify their current terms and conditions of service or provide initial notice when a consumer initially subscribes for an interconnected text messaging application. We estimate that it will take 8 hours to draft, review, and provide the required notification.

Total Number of Respondents on an Annual Basis: 17.

Frequency of Response: 1.

Total Number of Responses Annually:

17 covered text providers x 1 notification/annually = **17 responses.**

Total Annual Burden Hours:

17 covered text providers x 1 notification / annually x 8 hours/report = **136 hours.**

b. Notification related to Section 9.10(q)(10)(i): The Commission expects CMRS providers to make any necessary specifications for accessing their networks available to other covered text providers upon request, and to inform such covered text providers in advance of any changes in these specifications. We estimate that the 784 CMRS providers will provide information on the necessary specifications once per year to the 17 other covered text providers (providers of interconnected text messaging applications). We also estimate that a wireless carrier staff engineer will spend two hours providing and communicating this information to the other covered text providers.

Total Number of Respondents on an Annual Basis: 784.

Frequency of Response: 1.

Total Number of Responses Annually: 784 CMRS providers x 17 notifications/annually = **13,328 responses.**

Total Annual Burden Hours:

784 CMRS providers x 17 notifications/other covered text providers annually x 2 hours/notification = **26,656 hours.**

c. Section 9.10(q)(10)(ii) – the notification by covered text provider to the Commission of the dates and terms of an alternative timeframe for text-to-911 implementation within 30 days of agreement between the covered text provider and the PSAP. As noted above, NENA estimates that there are 5,806 PSAPs in the U.S. The Commission estimates that over the three-year period of the information collection, one-quarter of the 801 (or 200, rounded-down) covered text providers will reach agreement on an alternative timeframe for implementation with one-quarter (1,451) of the 5,806 PSAPs in the U.S. On an annual basis, we estimate that 67 covered text providers will reach agreement with 484 PSAPs. We also estimate that a covered text provider will need one hour to file the notification with the Commission.

Total Number of Respondents on an Annual Basis: 67 (rounded to a whole number).

Frequency of response: 1.

Total Number of Responses Annually:

67 covered text providers x 484 notifications/annually = **32,428 responses.**

Total Annual Burden Hours:

67 covered text providers x 484 notifications annually x 1 hour/notification = **32,428 hours.**

d. Section 9.10(q)(10)(iii)(C) – includes the PSAPs providing notification to the covered text providers that the PSAP meets the criteria for a valid PSAP request for text-to-911 service. The *Second Report and Order* provided that as PSAPs become text-ready, they may either voluntarily register in the text-to-911 PSAP database made available by the Commission or provide other written notification reasonably acceptable to the covered text provider. Additionally, when a PSAP has taken the necessary measures to receive RTT, it may then make a "valid request" for CMRS providers to deliver 911 texts to it.

As noted above, we estimate that there are 5,806 PSAPs nationwide. As of the end of May 2019, approximately 1,842 PSAPs are already registered in the Commission's database. We estimate that those 1,842 PSAPs that have already registered in the Commission's database may also file the updated certification form to request RTT service. We estimate that the remaining 3,964 PSAPs will either file notifications certifying text-to-911 or RTT readiness with the Commission or provide written notification to covered text providers and/or CMRS providers over the three-year period of the information collection.

(1) PSAPs' Notification to the Commission – The Commission estimates that over the three-year period of the information collection, 90 percent of the remaining 3,964 PSAPs (or 3,567 PSAPs) will file a T911 certification with the Commission either by filing in PS Docket Nos. 11-153 and 10-255 or filling out the form that they can electronically transmit to the Commission. Of the 1,842 PSAPs that have

already filed T911 certifications with the Commission, the Commission estimates that 90 percent of those PSAPs will submit the certification form to include RTT (or 1,657 PSAPs). See the updated form attached to this Supporting Statement (containing a check box for PSAPs to certify that they are technically ready to receive 911 text messages and/or RTT). We also estimate that PSAPs will need one hour to fill out the form and transmit it to the Commission. The estimates below assume one-time reporting by PSAPs when they register in the database. Further, we expect that PSAPs will implement text-to-911 and/or RTT on a rolling basis as their technical capability and funding permit. Therefore, on an annual basis, we estimate that 1,742 PSAPs (3,567 + 1,657 / 3 = 1,742) will file a notification with the Commission, which represents an annual increase of 389 PSAPs.

(1)

Total Number of Respondents Notifying the Commission on an Annual Basis: (3,964 x .90 /3) + (1,842 x .90/3) = **1,742.**

Frequency of Response: 1.

Total Number of Responses Annually:

1,742 PSAPs x 1 notification/annually = **1,742 responses**.

Total Annual Burden Hours:

1,742 PSAPs x 1 notification/annually x 1 hour/notification = **1,742 hours**.

(2) PSAPs' Notification to Covered Text Providers for text-to-911 and/or CMRS providers for RTT service: The remaining 10 percent of the 5,806 PSAPs (3,964 + 1,842 x .10, or 580 PSAPs) will provide written notification to covered text providers and/or CMRS providers to inform them that the PSAP is ready to receive text-to-911 and/or RTT. The estimates below assume one-time reporting by PSAPs when they notify covered text providers. As noted above, we expect PSAPs to implement text-to-911 and/or RTT on a rolling basis as their technical capability and funding permit. Therefore, we estimate that on an annual basis 193 PSAPs will provide notification to covered text providers for text-to-911 service and/or CMRS providers for RTT service.

(3) PSAPs will notify covered text providers. We also estimate that PSAPs will need two hours to draft a notification, and we expect PSAPs to notify covered text providers on a one-time basis, *e.g.*, through a statewide announcement, a local public notice, or a public web page posting.

Total Number of Respondents Notifying Covered Text Providers on an Annual Basis: (3,964 + 1,842 x .10 / 3) = **193**

Frequency of Response: 1.

Total Number of Responses Annually:

193 PSAPs x 1 notification/annually = **193 responses.**

Total Annual Burden Hours:

193 PSAPs x 1 notification/annually x 2 hours/notification = **386 hours.**

e. Section 9.10(q)(10)(v) – no later than January 6, 2022, this rule requires covered text providers to provide location information with all 911 text messages routed to a PSAP as follows:

> Automated dispatchable location, if technically feasible; otherwise, either end-user manual provision of location information, or enhanced location information, which may be coordinate-based, consisting of the best available location that can be obtained from any available technology or combination of technologies at reasonable cost.

For this information collection, the Commission estimates that all 801 covered text providers will be respondents. Under the general rule, covered text providers must notify consumers that they must grant permission to covered text providers to access the device's location information to enable the delivery and routing of text messages to PSAPs (i.e. Text-to-911) under Section 9.10. In the 2019 Order, the Commission amended section 9.10's text-to-911 requirements to facilitate the provision of location information with 911 text messages. The Commission anticipated that to meet the new requirements, covered text providers will update customer notification at a cost that would be comparable to the existing text-to-911 requirements, which OMB approved. For purpose of this information collection, we anticipate that by the January 6, 2022, effective date of the new Text-to-911 location rule, the respondents will update their consumer notification to inform end-users that location information will be transmitted with 911 texts sent to the appropriate PSAP and the limitations regarding location information delivered with 911 texts, and that end-users many manually update location information for the purpose of delivering location information to the appropriate PSAP. We estimate that notifying end-users of the capability to provision location information with 911 texts will take 8 hours for one attorney to successfully update the covered text provider's notification to consumers.

As text platforms migrate from SMS to RTT and other IP-enabled platforms, text providers may use other means to provide location information to PSAPs. The Commission is unable at this time to anticipate whether these means will involve information collections under the PRA. The Commission will update the burden estimate associated with this rule in connection with upcoming renewals of this information collection.

> **Total Number of Respondents on an Annual Basis: 801.**
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> **Frequency of Response: 1**.
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> **Total Number of Responses Annually:**
>
> 801 covered text providers x 1 modification to consumer notification = **801**
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> **Total Annual Burden Hours:**
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> 801 covered text providers x 1 modification to location information system x 8 hours/modification = **6,408 hours**

f. Section 9.10(q)(11) – requires the following two notifications:

(1) Notification to consumers – covered text providers using the CMRS network to deliver 911 text messages must clearly inform consumers that absent an SMS plan with the consumer's underlying CMRS provider, the covered text provider may be unable to deliver 911 text messages. For this information collection, we estimate that the 17 providers of interconnected

text messaging applications using the CMRS network will be respondents. We also assume that to provide the required notification to consumers, the respondents will, on a one-time basis, either modify their current terms and conditions of service or provide initial notice when a consumer initially subscribes to an interconnected text messaging application.

Total Number of Respondents on an Annual Basis: 17.

Frequency of Response: 1.

Total Number of Responses Annually:

17 covered text providers x 1 notification/annually = **17 responses**.

Total Annual Burden Hours:

17 covered text providers x 1 notification/annually x 8 hours/report = **136 hours**.

(2) Notification to affected covered text providers – CMRS providers that migrate to networks using technologies other than SMS text-to-911 networks must notify the affected covered text provider not less than 90 days before the migration is to occur. As noted above, we estimate that there are 784 CMRS and 17 interconnected text messaging application providers. Further, we estimate that over the three-year period of the information collection, all of the 784 CMRS providers will migrate to networks using technologies other than SMS or that 261 (rounded-down) CMRS providers will migrate annually. We estimate that a CMRS provider staff engineer will spend two hours providing this notification to each of the 17 interconnected text messaging application providers.

Total Number of Respondents on an Annual Basis: 261.

Frequency of Response: 1.

Total Number of Responses Annually:

261 covered text providers x 17 notifications/annually = **4,437 responses**.

Total Annual Burden Hours:

261 covered text providers x 17 notifications/annually x 2 hours/notification = **8,874 hours**.

Burden to the Respondents:

a.	Covered Text Providers' Notification to Current Subscribers	=	136 hours
b.	CMRS Wireless Carriers' Notification to Other Covered Text Providers	=	26,656 hours
c.	Covered Text Providers' Notification to the Commission of Agreement	=	32,428 hours
d.	PSAPs' Notification to Commission	=	1,742 hours

		PSAPs' Notification to Covered Text Providers	=	386 hours
e.		Covered Text Providers' Location Requirements	=	6,408 hours
f.	(1)	Other Covered Text Providers' Notification to Subscribers	=	136 hours
	(2)	CMRS Covered Text Providers' Notification to Other Covered Providers	=	8,874 hours
				76,766 hours

Total Number of Respondents: 17+784+67+1,742+193+801+ 17+261 = 3,882 Respondents

Total Number of Responses: 17+13,328+32,428+1,742+193+801+ 17+4,437 = 52,963 Responses

Total Annual Burden Hours: 136+26,656+32,428+1,742+386+6,408+136+8,874+ = 76,766 Hours

ANNUAL IN-HOUSE COSTS TO RESPONDENTS:

The Commission estimates the hourly wage of a full-time in-house regulatory staff employee of the covered text providers that will be providing the notifications to be $70.00/hour. The Commission also estimates the hourly wage of a full-time senior public safety official submitting notifications to either the Commission or covered text providers to be equivalent to a GS-14 Step 5 @ $65.88/hour.[1] Therefore, the in-house costs to the respondents are as follows:

a. *Covered Text Providers' Notification to Current Subscribers*: 17 responses x 8 hrs. x $70/hr. = **$9,520**

b. *CMRS Wireless Carriers' Notification to Other Covered Text Providers*: 13,328 responses x 2 hr. x $70/hr. = **$1,865,920**

c. *Covered Text Providers' Notification to the Commission of Agreement*: 32,428 responses x 1 hrs. x $70/hr. = **$2,269,960**

d. *PSAPs' Notification to Commission*: 1,742 responses x 1 hr. x $63.64/hr. = **$114,762.96**

PSAPs' Notification to Covered Text Providers: 193 responses x 2 hrs. x $63.64/hr. = **$25,429.68**

e. Covered Text Provider's Dispatchable Location Requirements: 801 responses x 8 hours x $70/hr. = **$448,560**

f. (1) *Other Covered Text Providers' Notification to Subscribers*: 17 responses x 8 hrs. x $70/hr. = **$9,520**

(2) *CMRS Covered Text Providers' Notification to Other Covered Providers*: 4,437 responses x 2 hrs. x $70/hr. = **$621,180**

[1] Based on Office of Personnel Management (OPM), 2020 General Schedule (GS) Locality Pay Table, Hourly Rate https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/DCB_h.pdf (locality: DC-MD-VA-WVA-PA).

Total Annual "In-House" Costs:

$9,520 + $1,865,920 + $2,269,960 + $114,762.96+ $25,429.68+ $9,520 + 621,180 + $448.560 = $5,364,852.64

13. There is no cost to the respondents.

14. There are no costs to the Commission beyond what we consider to be part of the FCC's normal operating costs.

15. The Commission is reporting adjustments/increases to this information collection since the last submission to OMB. The total respondents increased from 2,649 to 3,882 (+1,233), the total annual responses increased from 51,730 to 52,963 (+1,233), and the total annual burden hours increased from 69,883 to 76,766 (+6,883). These adjustments are based on the most current data from NENA regarding the number of PSAPs. The adjustments also reflect the fact that a significant number of PSAPs that have filed the previous form to request text-to-911 service may request RTT service using the updated Text-to-911 Form. The adjustments also reflect the covered text providers must comply with dispatchable location requirements by January 2022.

16. The data will not be published for statistical use.

17. We do not seek approval not to display the expiration date for OMB approval of the information collection.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.