

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Transition from TTY to Real-Time Text) CG Docket No. 16-145
Technology)
Petition for Rulemaking to Update the) GN Docket No. 15-178
Commission's Rules for Access to Support the)
Transition from TTY to Real-Time Text)
Technology, and Petition for Waiver of the Rules)
Requiring the Support of TTY Technology)
Nsighttel Wireless, LLC d/b/a Cellcom)

ORDER

Adopted: January 12, 2022

Released: January 12, 2022

By the Chief, Consumer and Governmental Affairs Bureau:

1. This Order grants the motion of Nsighttel Wireless, LLC d/b/a/ Cellcom (Cellcom), to withdraw a pending waiver request.¹

2. In 2016, in response to a request by the Competitive Carriers Association (CCA) on behalf of certain CCA members, the Commission granted such CCA members, including Cellcom, temporary, partial waivers of certain provisions of the Commission's rules that require support for text telephone (TTY) technology.² Those requirements were conditionally waived for Cellcom through December 31, 2017, to the extent that they require Cellcom to support TTY technology when providing voice communication service on an Internet Protocol (IP) based wireless network.³ The Commission subsequently amended its rules to allow service providers to support real-time text (RTT) technology in

1 Letter from Larry L. Lueck, Nsighttel Wireless, LLC d/b/a Cellcom, to Suzy Rosen Singleton, FCC, CG Docket No 16-145 and GN Docket No. 15-178 (filed Apr. 20, 2021) (Cellcom Motion to Withdraw). Cellcom, a Commercial Mobile Radio Service (CMRS) provider, offers voice and data services to customers in Wisconsin and Upper Michigan. See Declaration of Lee Thibaudeau, para. 2, attached to Petition of Certain Members of Competitive Carriers Association for Waiver or, in the alternative, Declaratory Ruling, CG Docket No. 16-145 and GN Docket No.15-178, at 1-2, 6-7 (filed June 16, 2020), https://ecfsapi.fcc.gov/file/1061682721453/REDACTED%20CCA%20RTT%20Petition.pdf (CCA Waiver Extension Request) (redacted).

2 See Petition for Waiver of Rules Requiring Support of TTY Technology; Competitive Carriers Association, GN Docket No. 15-178, Order, 31 FCC Rcd 3778 (CGB PSHSB WTB WCB 2016) (CCA Waiver Order). The rules subject to partial waiver were 47 CFR §§ 6.5(b), 7.5(b), 14.20(a), 20.18(c) (now 9.10(c)), and 64.603. The waivers granted in the CCA Waiver Order applied to all CCA members that chose to opt in by July 19, 2016. Id. at 3785, para. 21. CCA identified Cellcom as one of its members opting in. See CCA, Report, GN Docket No. 15-178, Attach. A, at 19 (filed July 19, 2016).

3 See CCA Waiver Order, 31 FCC Rcd at 3778, 3785, paras. 1, 21.

lieu of supporting TTY technology, and extended to June 30, 2020, the expiration date of all TTY support waivers previously granted to non-Tier I CMRS providers, including Cellcom.⁴

3. On June 16, 2020, on behalf of certain CCA members, including Cellcom, CCA requested a further extension of the June 30, 2020 expiration date of the TTY support waivers for non-Tier I service providers.⁵ Subsequently, Cellcom submitted additional information to the Commission regarding this request.⁶ On April 20, 2021, Cellcom filed a motion to withdraw its request for a further extension.⁷ Following discussions with FCC staff, Cellcom states, it has concluded that its request for further extension of the waivers was not necessary.⁸

4. We grant Cellcom's Motion to Withdraw. The waivers previously granted are only applicable if Cellcom provides voice service on an IP network.⁹ Further, under the rule amendments adopted by the Commission in 2016, if Cellcom *does* provide VoLTE or another voice service on an IP network, it may elect to support RTT in lieu of supporting TTY technology.¹⁰ Therefore, extension of the waivers previously granted to Cellcom is only necessary to avoid non-compliance with our rules if Cellcom is (or will be) providing voice service on an IP network *without* supporting RTT.¹¹ According to Cellcom's supplemental filing, Cellcom was not providing voice service on an IP network prior to September 9, 2020, and on that date it simultaneously launched VoLTE and RTT.¹² Therefore, the record does not indicate any need to further extend the waivers previously granted to Cellcom.¹³

5. Accordingly, IT IS ORDERED, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.141, 0.361, and 1.3 of the Commission's rules, 47 CFR §§ 0.141, 0.361, 1.3 that the Motion to Withdraw filed by Cellcom IS GRANTED.

⁴ *Transition from TTY to Real-Time Text Technology; Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology*, CG Docket No. 16-145 and GN Docket No. 15-178, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 13568, 13572-74, 13602, paras. 7, 66 (2016) (*TTY-RTT Transition Order*).

⁵ CCA Waiver Extension Request.

⁶ See Letter from Larry Lueck, Cellcom, to Suzy Rosen Singleton, FCC, CG Docket No. 16-145 and GN Docket No. 15-178, Attachment (filed Feb. 3, 2021) (February 3 Submission).

⁷ Cellcom Motion to Withdraw.

⁸ *Id.*

⁹ See *CCA Waiver Order*, 31 FCC Rcd at 3780-81, para. 7 (describing a request by AT&T for temporary waiver of "the Commission's requirements to support TTY technology for wireless devices and services on Voice over Internet Protocol (VoIP) networks"); *id.* at 3781, para. 9 (describing CCA request for "a waiver identical to that recently granted to AT&T").

¹⁰ See *TTY-RTT Transition Order*, 31 FCC Rcd at 13572-74, para. 6.

¹¹ See *TTY-RTT Transition Order*, 31 FCC Rcd at 13602, para. 66.

¹² February 3 Submission at 1, 4.

¹³ In granting Cellcom's motion to withdraw, we make no finding as to whether Cellcom is in compliance with the previously waived rules. We note that a service provider electing to comply with such rules by supporting RTT technology must ensure that its implementation of RTT conforms to the rules adopted by the Commission in the *TTY-RTT Transition Order*.

6. IT IS FURTHER ORDERED that the request for extension of Cellcom's waivers, filed June 16, 2020, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Patrick Webre
Chief
Consumer and Governmental Affairs Bureau