

**STATEMENT OF  
COMMISSIONER MICHAEL P. O'RIELLY**

Re: *Transition from TTY to Real-Time Text Technology*, CG Docket No. 16-145; *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*, GN Docket No. 15-178, Report and Order and Further Notice of Proposed Rulemaking.

The wireless industry and the disabilities community have high expectations for Real-Time Text (RTT), and our action today removes an obstacle to or facilitates its development and deployment, depending on your perspective, by amending existing Commission rules pertaining to teletypewriters. Whether it will ultimately be successful will be up to consumers, but, going forward, wireless providers and manufacturers can choose – but are not required – to implement RTT. If these entities decide to offer RTT, then they no longer need to support outdated and rarely used TTY technology on their respective wireless networks.

TTY is a system from a bygone era that is incompatible with IP networks and has been long superseded by commercially available solutions tailored to a world of mobile devices, the Internet and applications. While it is about time that the Commission's antiquated rules are modified and updated, I am pleased that the move to alternative technologies is being done here without imposing further technology mandates. Although it appears that the wireless industry is united and committed to moving forward with RTT, the Commission should not be in the business of dictating technology choices and picking winners and losers. Instead, such decisions should be driven by the free market and industry innovation. To argue that disability needs cannot be addressed without mandates and force ignores the modern reality of technology advancement and the interest of many in serving a desirable group of consumers.

Similarly, the Commission should not mandate the design of service offerings. Although those entities choosing to offer RTT in lieu of TTY do need to provide some basic functionalities, many other attributes, including whether RTT should be offered natively or as an application, latency and error rates, and character and text capabilities, are better left as recommendations and not requirements. RTT is a brand new system that has yet to be deployed. By allowing flexibility in functionality, RTT should be able to develop in a manner that will provide the greatest benefits to all American consumers as expeditiously as possible. Under this structure, industry will be able to work with the disabilities community and others to hopefully reach RTT's full potential.

These improvements from what was in the notice allow me to support this item. But there are still some things I am not enamored with. For instance, I would have preferred that manufacturers have no requirements in this area. Wireless providers should be able to work with manufacturers to obtain the necessary handsets without Commission involvement. In this case, however, manufacturers already fall under the accessibility and TTY requirements, so it makes some sense to include the changes contained within.

Additionally, some wireless providers have expressed concern about the use of RTT on non-service initialized (NSI) devices, which this item punts to the NSI 911 proceeding. As I have stated before, it is time for the Commission to resolve the NSI 911 issue once and for all. The Commission also needs to consider how RTT affects our text-to-911 requirement. Not surprisingly, there has been a lack of adoption by localities and PSAPs in which only one out of every five counties have operational text-to-911.<sup>1</sup> Specifically, we should examine whether our text-to-911 mandate should be pursued or altered given that Commission finding here that RTT communications to 911 are superior to SMS. And this means that we need to contemplate how RTT fits into the overall paradigm of NG911 and whether PSAPs

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<sup>1</sup> See Adam Bender, *Text-to-911 Adoption Low Amid Local Cost Concerns*, Comm. Daily, Nov. 30, 2016.

should be required to support both technologies.

I thank the Chairman, my fellow commissioners, and staff for their efforts on this item and greatly appreciate the work that the wireless industry and disabilities community have done and will do to effectuate RTT.