

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

In the Matter of)	
)	
Resilient Networks)	PS Docket No. 21-346
)	
Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications)	PS Docket No. 15-80
)	
New Part 4 of the Commission’s Rules Concerning Disruptions to Communications)	ET Docket No. 04-35
)	

**REPLY COMMENTS
OF
NTCA–THE RURAL BROADBAND ASSOCIATION**

NTCA–The Rural Broadband Association (“NTCA”)¹ hereby submits these reply comments to discuss the record compiled in response to the Notice of Proposed Rulemaking released by the Federal Communications Commission (“Commission”) on October 1, 2021 in the above-captioned proceedings.² The Notice seeks comment on how to improve the reliability and resiliency of communications networks during emergencies.³ NTCA and its members recognize the important role that small and rural providers have in ensuring safety and network reliability for their customers. However, NTCA joins numerous commenters in encouraging the

¹ NTCA represents approximately 850 providers of high-quality voice and broadband services in the most rural parts of the United States. In addition to voice and broadband, many NTCA members provide wireless, video, and other advanced services in their communities.

² In the Matter of Resilient Networks, PS Docket No. 21-346, Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications, PS Docket No. 15-80, New Part 4 of the Commission’s Rules Concerning Disruptions to Communications, ET Docket No. 04-35, Notice of Proposed Rulemaking (rel. Oct. 1, 2021) (“Notice”).

³ Notice.

Commission to recognize that the wireless resiliency cooperative framework (“Framework”) can best serve the intended purpose by remaining flexible and voluntary.⁴ The voluntary nature of the Framework allows carriers to allocate critical resources dynamically in response to disasters and emergencies. Furthermore, providers’ ability to implement the Framework depends upon technical feasibility, the scope of the emergency, and likely impacts on the community. As USTelecom notes, the Framework “allows providers to tailor their response to the requirements of each emergency situation, fostering efficiency and cooperation.”⁵ Notably, each provider’s network is unique, as are the resources available to serve distinctive topographies. Additionally, each disaster presents its own challenges. Maintaining the flexible and voluntary nature of the Framework best allows providers to account for these many different circumstances, to focus on the immediate needs of consumers and communities in the face of emergencies, and best adapt aspects of the Framework to the circumstances and specifics of each emergency.

Furthermore, the Framework’s origins render unnecessary and problematic any efforts to expand its scope. As ACA Connects notes, “wireless backhaul services do not lend themselves readily to a “cooperative framework” structure. These services are provided under bilateral contracts with Service Level Agreements (SLAs) that dictate, often in highly precise and exacting terms, the resiliency standards and related obligations the backhaul provider must follow in supplying service to the wireless carrier customer.”⁶ It would represent forcing a

⁴ See Comments of Competitive Carriers Association, PS Docket Nos. 21-346 and 15- 80; ET Docket No. 04-35 (fil. Dec. 16, 2021), pp. 5-7. Comments of CTIA, PS Docket Nos. 21-346 and 15- 80; ET Docket No. 04-35 (fil. Dec. 16, 2021) pp.11-12, Comments of USTelecom-The Broadband Association (“USTelecom Comments”), PS Docket Nos. 21-346 and 15- 80; ET Docket No. 04-35 (fil. Dec. 16, 2021) pp. 3-5.

⁵ USTelecom Comments at p. 4.

⁶ Comments of ACA Connects (“ACA Connects”), PS Docket Nos. 21-346 and 15- 80; ET Docket No. 04-35 (fil. Dec. 16, 2021), p. 8.

square peg into a round hole to attempt to graft the Framework without careful thought and attention to detail onto such services. Moreover, the provision of backhaul to unaffiliated wireless providers can represent a significant source of revenue. Thus, providers have a strong incentive to ensure the resiliency of their facilities and to restore any damaged or destroyed facilities as promptly as possible in the event of outages or other disruption. In addition, NTCA continues to assert that a lack of functional bilateral roaming agreements between the large wireless providers and rural wireless carriers is of far greater concern to resiliency than individualized procedures for restoration and recovery.

Rather than seeking to extend the Framework in potentially unworkable ways, the Commission should increase its coordination of disaster information reporting with other government agencies and examine how reports made to the Commission's Disaster Information Reporting System are being used by the Commission and other federal agencies to assist communities during a disaster. Specifically, prior to making changes to the Framework, the Commission should determine whether filing reports leads to greater coordination between government and industry or offers a benefit to a company or community in crisis. As NCTA notes, "Obligations to collect and report detailed service quality information on an ongoing basis would impose tremendous costs and burdens while flooding the Commission with highly technical data that is of little use to emergency managers who simply want to know if service is working or not."⁷

For the reasons set forth above, changes to the Framework would not benefit the public and would impose an unnecessary burden on providers at a time when their limited resources are

⁷ See Comments of NCTA -The Internet & Television Association, PS Docket Nos. 21-346 and 15-80; ET Docket No. 04-35 (fil. Dec. 16, 2021), p. 34.

best devoted to maintaining and restoring important communications services during an emergency.

Respectfully Submitted,



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