

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendments to Part 4 of the Commission’s Rules Concerning Disruption to Communications	)	PS Docket No. 15-80
	)	
Improving 911 Reliability	)	PS Docket No. 13-75
	)	
New Part 4 of the Commission’s Rules Concerning Disruptions to Communications	)	ET Docket No. 04-35
	)	
	)	

**REPLIES OF NTCA – THE RURAL BROADBAND ASSOCIATION  
IN SUPPORT OF PETITION FOR RECONSIDERATION**

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these replies in support of the Petition for Reconsideration (Petition) filed by the Competitive Carriers Association (“CCA”)<sup>2</sup> in the above-captioned proceeding.<sup>3</sup> NTCA supports the Commission’s

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<sup>1</sup> NTCA represents approximately 850 independent, community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or are themselves engaged in the provision of such services.

<sup>2</sup> Petition for Reconsideration of Competitive Carriers Association (“CCA”), PS Docket Nos. 15-80, 13-75, and ET Docket No. 04-35 (filed March 17, 2023) (“CCA Petition”).

<sup>3</sup> *Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications; Improving 911 Reliability; New Part 4 of Commission’s Rules Concerning Disruptions to Communications*, Second Report and Order, FCC No. 22-88, PS Docket No. 15-80, PS Docket No. 13-75, ET Docket No. 04-35 (rel. Nov. 18, 2022) (“*Second Report and Order*”); *see also* *Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications; Improving 911 Reliability; New Part 4 of Commission’s Rules Concerning Disruptions to Communications*, Third Notice of Proposed Rulemaking, FCC No. 21-45, PS Docket No. 15-80, PS Docket No. 13-75, ET Docket No. 04-35 (rel. Apr. 23, 2021) (“*Third Notice of Proposed Rulemaking*”).

policy objective of ensuring that 911 special facilities receive timely, accurate, and pertinent information about service outages that most likely will impact these public safety answering point (PSAPs), but agrees with CCA that flexibility is needed in the Commission’s application of the new 30-minute deadline for initial PSAP notifications and that the Commission should create a centralized PSAP contact information database.

The rules adopted in the *Second Report and Order* require providers that deliver traffic to covered 911 service providers and cable, satellite, wireless, wireline and interconnected Voice over Internet Protocol (“VoIP”) providers that handle other aspects of 911 call processing (Originating Service Providers (“OSPs”)) to obtain and maintain up-to-date contact information for the 911 special facilities that offer service in their area to ensure that every potentially affected 911 special facility can receive notice about outages that may affect them.

The rules also require covered 911 service providers and OSPs to notify 911 special facilities of outages as soon as possible, but no later than within 30 minutes of when the outage that potentially affects 911 service is discovered, regardless of whether it is discovered by a third-party transport provider or covered 911 service provider. While NTCA supports the Commission’s objective of ensuring that 911 special facilities, including PSAPs, receive timely and actionable information about 911 service outages, NTCA agrees with CCA that reasonable flexibility is needed in the Commission’s application of the new 30-minute deadline for initial PSAP notifications. NTCA joins CCA and requests that the Commission reconsider its decision.

Compliance with the strict new notification deadline is not practical or feasible in all circumstances. As the Alliance for Telecommunications Industry Solutions (ATIS) notes, “until there is notification from a third-party (such as from a vendor or another service provider etc.), originating service providers would not know of an outage or its impact.”<sup>4</sup> Further, even after an OSP is notified of an outage, 30 minutes may not always be enough time to provide accurate information to the affected PSAPs. After an outage is discovered, providers need to identify the affected PSAPs, the root cause, the outage’s extent, and consider circumstances to determine when service will be restored. Requiring notifications before sufficient knowledge or time to investigate the outage “would likely be confusing to PSAPs and consumers.”<sup>5</sup>

The notification deadline is particularly troubling for small and rural carriers who frequently have small workforces and remote and diverse geographic territory. Small providers are also typically situated in the communities they serve. When a natural disaster causing an outage occurs, the staff may be sheltering in place or addressing losses more generally. For example, staff may be busy confirming where and what is causing a network problem or prioritizing network restoration. Even larger providers have noted the difficulty in meeting such a strict deadline. As CCA points out, both Lumen and AT&T found that updating PSAP contact information is very time consuming even without considering the outreach and follow-up processes.<sup>6</sup> The *Second Report and Order* fails to address the unique challenges faced by small and rural carriers when faced with a network outage.

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<sup>4</sup> See ATIS Comments at p. 3-4.

<sup>5</sup> *Id.*

<sup>6</sup> See CCA Petition at p. 1 (at Note 39).

If the Commission declines to grant the CCA petition and retain its previous rule which required OSPs to notify PSAPs and other 911 special facilities operators of an outage “as soon as possible,” it should, at a minimum, start the 30-minute timer when the originating service provider notifications are received from third-party vendors.

NTCA also agrees with CCA that the Commission should reconsider its new requirement that makes OSPs individually responsible for gathering and maintaining up to date information for the 911 special facilities in the area they serve. Although small and rural service providers may serve fewer 911 special facilities than larger carriers, they lack the resources to develop and maintain databases when PSAP personnel and contact information change. The Commission would minimize the burden on small providers – and promote efficiency and accuracy for all stakeholders – by hosting a centralized PSAP and 911 special facilities operator contact database.<sup>7</sup>

While APCO, a representative of the PSAP and 911 Emergency Communications Center (“ECC”) groups opposed the CCA petition, it agrees that a single database “would likely reduce costs for service providers, provide helpful information for ECCs, and spare ECCs the burden of responding to contact information requests from numerous service providers.”<sup>8</sup> However, the creation of such a database should not be the responsibility of the service providers. The Commission is in the best position to maintain a centralized contact information database, and to enforce requirements that information be kept up to date.

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<sup>7</sup> CCA Petition p. 9, citing Comments of AT&T in PS Docket Nos. 15-80., 13-75, ET Docket No. 04-35, at p. 14 (filed July 30, 2021).

<sup>8</sup> See Opposition of APCO International at p.1, note 4 (filed June 26, 2023).

## CONCLUSION

NTCA urges the Commission to grant the CCA petition and reconsider its rules requiring that: (1) service providers furnish 911 special facilities with all available material information they have about an outage 30 minutes from the time of discovery; and (2) service providers use special diligence in gathering and maintaining up to date contact information for the 911 special facilities in areas they serve.

Respectfully submitted,



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July 5, 2023