

Federal Communications Commission

§ 63.100

has notified the applicant that the grant will not be automatically effective. For purposes of this section, an application will be deemed filed on the date the Commission releases public notice of the filing.

[64 FR 39939, July 23, 1999]

§ 63.90 Publication and posting of notices.

(a) Immediately upon the filing of an application or informal request (except a request under § 63.71) for authority to close or otherwise discontinue the operation, or reduce the hours of service at a telephone exchange (except an exchange located at a military establishment), the applicant shall post a public notice at least 51 cm by 61 cm (20 inches by 24 inches), with letter of commensurate size, in a conspicuous place in the exchange affected, and also in the window of any such exchange having window space fronting on a public street at street level. Such notice shall be posted at least 14 days and shall contain the following information, as may be applicable:

- (1) Date of first posting of notice;
- (2) Name of applicant;
- (3) A statement that application has been made to the Federal Communications Commission;
- (4) Date when application was filed in the Commission;
- (5) A description of the discontinuance, reduction, or impairment of service for which authority is sought including the address or other appropriate identification of the exchange or station involved;
- (6) If applicant proposes to reduce hours of service, a description of present and proposed hours of service;
- (7) A complete description of the substitute service, if any, to be provided if the application is granted.
- (8) A statement that any member of the public desiring to protest or support the application may communicate in writing with the Federal Communications Commission, Washington, DC 20554, on or before a specified date which shall be 20 days from the date of first posting of the notice.

(b) Immediately upon the filing of an application or informal request of the nature described in paragraph (a) of this section, the applicant shall also

cause to be published a notice of not less than 10 column centimeters (4 column inches) in size containing information similar to that specified in paragraph (a), at least once during each of 2 consecutive weeks, in some newspaper of general circulation in the community or part of the community affected.

(c) Immediately upon the filing of an application or informal request or upon the filing of a formal application to close a public toll station (except a toll station located at a military establishment), applicant shall post a public notice at least A3 (29.7 cm × 42.0 cm) or 11 in × 17 in (27.9 cm × 43.2 cm) in size as provided in paragraph (a) of this section or, in lieu thereof, applicant shall cause to be published a newspaper notice as provided in paragraph (b) of this section.

(d) Immediately upon the filing of any application or informal request for authority to discontinue, reduce, or impair service, or any notice of resumption of service under § 63.63(b), the applicant shall give written notice of the filing together with a copy of such application to the State Commission (as defined in section 3(t) of the Communications Act of 1934, as amended) of each State in which any discontinuance, reduction or impairment is proposed.

(e) When the posting, publication, and notification as required in paragraphs (a), (b), (c) and (d) of this section have been completed, applicant shall report such fact to the Commission, stating the name of the newspaper in which publication was made, the name of the Commissions notified, and the dates of posting, publication, and notification.

[45 FR 6585, Jan. 29, 1980, as amended at 45 FR 76169, Nov. 18, 1980; 58 FR 44907, Aug. 25, 1993; 60 FR 35510, July 10, 1995]

§ 63.100 Notification of service outage.

(a) As used in this section:

(1) *Outage* is defined as a significant degradation in the ability of a customer to establish and maintain a channel of communications as a result of failure or degradation in the performance of a carrier's network.

(2) *Customer* is defined as a user purchasing telecommunications service from a common carrier.

(3) *Special offices and facilities* are defined as major airports, major military installations, key government facilities, and nuclear power plants. 911 special facilities are addressed separately in paragraph (a)(4) of this section.

(4) *An outage which potentially affects a 911 special facility* is defined as a significant service degradation, switch or transport, where rerouting to the same or an alternative answering location was not implemented, and involves one or more of the following situations:

(i) Isolation of one or more Public Service Answering Points (PSAPs) for 24 hours or more, if the isolated PSAPs collectively serve less than 30,000 or more access lines, based on the carrier's database of lines served by each PSAP; or

(ii) Loss of call processing capabilities in the E911 tandem(s), for 30 minutes or more, regardless of the number of customers affected; or

(iii) Isolation of one or more PSAP(s), for 30 or more minutes, if the isolated PSAPs collectively serve 30,000 or more access lines, based on the carrier's database of lines served by each PSAP; or

(iv) Isolation of an end office switch or host/remote cluster, for 30 minutes or more, if the switches collectively serve, 30,000 or more access lines.

(5) *Major airports* are defined as those airports described by the Federal Aviation Administration as large or medium hubs. The member agencies of the National Communications System (NCS) will determine which of their locations are "major military installations" and "key government facilities."

(6) *An outage which "potentially affects" a major airport* is defined as an outage that disrupts 50% or more of the air traffic control links or other FAA communications links to any major airport, any outage that has caused an Air Route Traffic Control Center (ARTCC) or major airport to lose its radar, any ARTCC or major airport outage that has received any media attention of which the carrier's reporting personnel are aware, any outage that causes a loss of both primary and

backup facilities at any ARTCC or major airport, and any outage to an ARTCC or major airport that is deemed important by the FAA as indicated by FAA inquiry to the carrier management personnel.

(7) *A mission-affecting outage* is defined as an outage that is deemed critical to national security/emergency preparedness (NS/EP) operations of the affected facility by the National Communications System member agency operating the affected facility.

(b) Any local exchange or inter-exchange common carrier or competitive access provider that operates transmission or switching facilities and provides access service or interstate or international telecommunications service, that experiences an outage which potentially affects 50,000 or more of its customers on any facilities which it owns, operates or leases, must notify the Commission if such outage continues for 30 or more minutes. Satellite carriers and cellular carriers are exempt from this reporting requirement. Notification must be served on the Commission's Duty Officer, on duty 24 hours a day in the FCC's Communications and Crisis Management Center in Washington, DC. Notification may be served on the Commission's Watch Officer on duty at the FCC's Columbia Operations Center in Columbia, MD, or at such other facility designated by the Commission by regulation or (at the time of the emergency) by public announcement only if there is a telephone outage or similar emergency in Washington, DC. The notification must be by facsimile or other record means delivered within 120 minutes of the carrier's first knowledge that the service outage potentially affects 50,000 or more customers, if the outage continues for 30 or more minutes. Notification shall identify a contact person who can provide further information, the telephone number at which the contact person can be reached, and what information is known at the time about the service outage including: the date and estimated time (local time at the location of the outage) of commencement of the outage; the geographic area affected; the estimated number of customers affected; the types of services affected

(e.g., interexchange, local, cellular); the duration of the outage, i.e. time elapsed from the estimated commencement of the outage until restoration of full service; the estimated number of blocked calls during the outage; the apparent or known cause of the incident, including the name and type of equipment involved and the specific part of the network affected; methods used to restore service; and the steps taken to prevent recurrences of the outage. When specifying the types of services affected by any reportable outage, carriers must indicate when 911 service was disrupted and rerouting to alternative answering locations was not implemented. The report shall be captioned Initial Service Disruption Report. Lack of any of the above information shall not delay the filing of this report. Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type.

(c) Any local exchange or interexchange common carrier or competitive access provider that operates transmission or switching facilities and provides access service or interstate or international telecommunications service, that experiences an outage which potentially affects at least 30,000 and less than 50,000 of its customers on any facilities which it owns, operates or leases, must notify the Commission if such outage continues for 30 or more minutes. Satellite carriers and cellular carriers are exempt from this reporting requirement. Notification must be served on the Commission's Duty Officer, on duty 24 hours a day in the FCC's Communications and Crisis Management Center in Washington, DC. Notification may be served on the Commission's Watch Officer on duty at the FCC's Columbia

Operations Center in Columbia, MD, or at such other facility designated by the Commission by regulation or (at the time of the emergency) by public announcement only if there is a telephone outage or similar emergency in Washington, DC. The notification must be by facsimile or other record means delivered within 3 days of the carrier's first knowledge that the service outage potentially affects at least 30,000 but less than 50,000 customers, if the outage continues for 30 or more minutes. Notification shall identify the carrier and a contact person who can provide further information, the telephone number at which the contact person can be reached, and what information is known at the time about the service outage including: the date and estimated time (local time at the location of the outage) of commencement of the outage; the geographic area affected; the estimated number of customers affected; the types of services affected (e.g., interexchange, local, cellular); the duration of the outage, i.e. time elapsed from the estimated commencement of the outage until restoration of full service; the estimated number of blocked calls during the outage; the apparent or known cause of the incident, including the name and type of equipment involved and the specific part of the network affected; methods used to restore service; and the steps taken to prevent recurrences of the outage. When specifying the types of services affected by any reportable outage, carriers must indicate when 911 service was disrupted and rerouting to alternative answering locations was not implemented. The report shall be captioned Initial Service Disruption Report. Lack of any of the above information shall not delay the filing of this report. Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the

Network Reliability Council to eliminate or ameliorate outages of the reported type.

(d) Any local exchange or inter-exchange carrier or competitive access provider that operates transmission or switching facilities and provides access service or interstate or international telecommunications service that experiences a fire-related incident in any facilities which it owns, operates or leases that impacts 1000 or more service lines must notify the Commission if the incident continues for a period of 30 minutes or longer. Satellite carriers and cellular carriers are exempt from this reporting requirement. Notification must be served on the Commission's Duty Officer, on duty 24 hours a day in the FCC's Communications and Crisis Management Center in Washington, DC. Notification may be served on the Commission's Watch Officer on duty in the FCC's Columbia Operations Center in Columbia, MD, or at such other facility designated by the Commission by regulation or (at the time of the emergency) by public announcement only if there is a telephone outage or similar emergency in Washington, DC. The notification must be by facsimile or other recorded means delivered within 3 days of the carrier's first knowledge that the incident is fire-related, impacting 1000 or more lines for thirty or more minutes. Notification shall identify the carrier and a contact person who can provide further information, the telephone number at which the contact person can be reached, and what information is known at the time about the service outage including: the date and estimated time (local time at the location of the outage) of commencement of the outage; the geographic area affected; the estimated number of customers affected; the types of services affected (e.g., interexchange, local cellular); the duration of the outage, *i.e.* time elapsed from the estimated commencement of the outage until restoration of full service; the estimated number of blocked calls during the outage; the apparent or known cause of the incident, including the name and type of equipment involved and the specific part of the network affected; methods used to restore service; and the steps taken to

prevent recurrences of the outage. When specifying the types of services affected by any reportable outage, carriers must indicate when 911 service was disrupted and rerouting to alternative answering locations was not implemented. The report shall be captioned Initial Service Disruption Report. Lack of any of the above information shall not delay the filing of this report. Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type.

(e) Any local exchange or inter-exchange common carrier or competitive access provider that operates transmission or switching facilities and provides access service or interstate or international telecommunications service, that experiences an outage on any facilities which it owns, operates or leases which potentially affects special offices and facilities must notify the Commission if such outage continues for 30 or more minutes regardless of the number of customers affected. Satellite carriers and cellular carriers are exempt from this reporting requirement. Notification must be served on the Commission's Duty Officer, on duty 24 hours a day in the FCC's Communications and Crisis Management Center in Washington, DC. Notification may be served on the Commission's Watch Officer on duty at the Columbia Operations Center in Columbia, MD, or at such other facility designated by the Commission by regulation or (at the time of the emergency) by public announcement only if there is a telephone outage or similar emergency in Washington, DC. The notification must be by facsimile or other record means delivered within 120 minutes of the carrier's first knowledge

that the service outage potentially affects a special facility, if the outage continues for 30 or more minutes. Notification shall identify a contact person who can provide further information, the telephone number at which the contact person can be reached, and what information is known at the time about the service outage including: the date and estimated time (local time at the location of the outage) of commencement of the outage; the geographic area affected; the estimated number of customers affected; the types of services affected (e.g., 911 emergency services, major airports); the duration of the outage, *i.e.* time elapsed from the estimated commencement of the outage until restoration of full service; the estimated number of blocked calls during the outage; the apparent or known cause of the incident, including the name and type of equipment involved and the specific part of the network affected; methods used to restore service; and the steps taken to prevent recurrences of the outage. When specifying the types of services affected by any reportable outage, carriers must indicate when 911 service was disrupted and rerouting to alternative answering locations was not implemented. The report shall be captioned Initial Service Disruption Report. Lack of any of the above information shall not delay the filing of this report. Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type. Under this rule, carriers are not required to report outages affecting nuclear power plants, major military installations and key government facilities to the Commission. Report at these facilities will be made according to the following procedures:

(1) When there is a mission-affecting outage, the affected facility will report the outage to the National Communications System (NCS) and call the service provider in order to determine if the outage is expected to last 30 minutes. If the outage is not expected to, and does not, last 30 minutes, it will not be reported to the FCC. If it is expected to last 30 minutes or does last 30 minutes, the NCS, on the advice of the affected special facility, will either:

(i) Forward a report of the outage to the Commission, supplying the information for initial reports affecting special facilities specified in this section of the Commission's Rules;

(ii) Forward a report of the outage to the Commission, designating the outage as one affecting "special facilities," but reporting it at a level of detail that precludes identification of the particular facility involved; or

(iii) Hold the report at the NCS due to the critical nature of the application.

(2) If there is to be a report to the Commission, a written or oral report will be given by the NCS within 120 minutes of an outage to the Commission's Duty Officer, on duty 24 hours a day in the FCC's Communications and Crisis Management Center in Washington, DC. Notification may be served on the Commission's Watch Officer on duty at the FCC's Columbia Operations Center in Columbia, MD, or at such other facility designated by the Commission by regulation or (at the time of the emergency) by public announcement only if there is a telephone outage or similar emergency in Washington, DC. If the report is oral, it is to be followed by a written report the next business day. Those carriers whose service failures are in any way responsible for the outage must consult with NCS upon its request for information.

(3) If there is to be a report to the Commission, the service provider will provide a written report to the NCS, supplying the information for final reports for special facilities required by this section of the Commission's rules. The service provider's final report to the NCS will be filed within 28 days after the outage, allowing the NCS to

then file the report with the Commission within 30 days after the outage. If the outage is reportable as described in paragraph (e)(2) of this section, and the NCS determines that the final report can be presented to the Commission without jeopardizing matters of national security or emergency preparedness, the NCS will forward the report as provided in either paragraphs (e)(1)(i) or (e)(1)(ii) of this section to the Commission.

(f) If an outage is determined to have affected a 911 facility so as to be reportable as a special facilities outage, the carrier whose duty it is to report the outage to the FCC shall as soon as possible by telephone or other electronic means notify any official who has been designated by the management of the affected 911 facility as the official to be contacted by the carrier in case of a telecommunications outage at that facility. The carrier shall convey all available information to the designated official that will be useful to the management of the affected facility in mitigating the affects of the outage on callers to that facility.

(g) In the case of LEC end offices, carriers will use the number of lines terminating at the office for determining whether the criteria for reporting an outage has been reached. In the case of IXC or LEC tandem facilities, carriers must, if technically possible, use real-time blocked calls to determine whether criteria for reporting an outage have been reached. Carriers must report IXC and LEC tandem out-

ages where more than 150,000 calls are blocked during a period of 30 or more minutes for purposes of complying with the required 50,000 potentially affected customers threshold and must report such outages where more than 90,000 calls are blocked during a period of 30 or more minutes for purposes of complying with the 30,000 potentially affected customers threshold. Carriers may use historical data to estimate blocked calls when required real-time blocked call counts are not possible. When using historical data, carriers must report incidents where more than 50,000 calls are blocked during a period of 30 or more minutes for purposes of complying with the required 50,000 potentially affected customers threshold and must report incidents where more than 30,000 calls are blocked during a period of 30 or more minutes for purposes of complying with the 30,000 potentially affected customers threshold.

(h)(1) Any local exchange or inter-exchange common carrier or competitive access provider that operates transmission or switching facilities and provides access services or interstate or international telecommunications services, the experiences an outage on any facilities that it owns, operates or leases that potentially affects 911 services must notify the Commission within the applicable period shown in the chart in this paragraph (h)(1) if such outage meets one of the following conditions, as defined in paragraph (a)(4) of this section:

Condition	Lines affected	Duration	Period
Loss of E911 Tandem capability	No limit	30 minutes or more	120 minutes.
Isolation of PSAP(s)	Under 30,000 access lines served	24 hours or more	120 minutes.
Isolation of PSAP(s)	50,000 or more access lines served	30 minutes or more	120 minutes.
Isolation of PSAP(s)	30,000 to 50,000 access lines served	30 minutes or more	3 days.
Isolation of EO switch, host/remotes from 911.	50,000 or more access lines served	30 minutes or more	120 minutes.
Isolation of EO switch, host/remotes from 911.	30,000 to 50,000 access lines served	30 minutes or more	3 days.

(2) Satellite carriers and cellular carriers are exempted from the reporting requirement in this paragraph (h). Notification must be served on the Commission's Duty Officer, on duty 24 hours a day in the FCC's Communications and Crisis Management Center in Washington, DC. Notifi-

cation may be served on the Commission's Watch Officer on duty at the Columbia Operations Center in Columbia, MD, or at such other facility designated by the Commission by regulation or (at the time of thee emergency) by public announcement only if there

Federal Communications Commission

§ 63.500

is a telephone outage or similar emergency in Washington, DC. The notification must be by facsimile or other record means delivered within the notification period indicated above from the time of the carrier's first knowledge that the service outage "potentially affects a 911 special facility" as described in paragraph (a)(4) of this section and summarized in the chart in paragraph (h)(1) of this section and the service outage has continued for the duration indicated in paragraph (a)(4) of this section and summarized in the chart in paragraph (h)(1) of this section. Notification shall identify a contact person who can provide further information, the telephone number at which the contact person can be reached, and the information known at the time notification is made about the service outage including: the date and estimated time (local time at the location of the outage) of commencement of the outage; the geographic area affected; the estimated number of customers affected; the types of services affected; the duration of the outage, *i.e.* time elapsed from the estimated commencement of the outage until restoration of full service; the estimated number of blocked calls during the outage; the apparent or known cause of the incident, including the name and type of equipment involved and the specific part of the network affected; methods used to restore service; and the steps taken to prevent recurrences of the outage. The report shall be captioned Initial Service Disruption Report. Lack of any of the information in this paragraph (h)(2) shall not delay the filing of this report. Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability

Council to eliminate or ameliorate outages of the reported type.

[59 FR 40266, Aug. 8, 1994, as amended at 60 FR 57196, Nov. 14, 1995; 62 FR 39452, July 23, 1997; 63 FR 37499, July 13, 1998]

CONTENTS OF APPLICATIONS; EXAMPLES

§ 63.500 Contents of applications to dismantle or remove a trunk line.

The application shall contain:

- (a) The name and address of each applicant;
- (b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;
- (c) Nature of proposed discontinuance, reduction, or impairment;
- (d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;
- (e) Proposed new tariff listing, if any, and difference, if any, between present charges to the public and charges for the service to be substituted;
- (f) Description of the service area affected including population and general character of business of the community;
- (g) Name of any other carrier or carriers providing telegraph or telephone service to the community;
- (h) Statement of the reasons for proposed discontinuance, reduction, or impairment;
- (i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;
- (j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction, or impairment of service to such community;
- (k) A map or sketch showing: