

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

In the Matter of	)	
	)	
The Development of Operational, Technical, and Spectrum Requirements for Meeting	)	WT Docket No 96-86
Federal State and Local Public Safety	)	
Agency Communications Requirements	)	
Through the Year 2010	)	
	)	

**REPLY COMMENTS OF THE ALLIANCE FOR  
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) hereby submits these comments in response to the *Public Notice* released July 30, 2019, in the above-referenced docket. As a key stakeholder representing service providers and others that support the Commission’s Telecommunications Service Priority (TSP) Program, ATIS is pleased to have the opportunity to respond to the comments in this proceeding. ATIS supports efforts to update and provide greater clarity regarding the Commission’s TSP rules. However, as explained below, ATIS is concerned with some of the proposals contained in the National Telecommunications and Information Administration (NTIA) *Petition for Rulemaking (Petition)* regarding the reporting of performance data and service providers’ obligations concerning facilities provisioning and restoration.

**I. BACKGROUND**

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS’ diverse membership includes key

stakeholders from the Information and Communications Technologies (ICT) industry – wireless and wireline service providers, equipment manufacturers, broadband providers, software developers, consumer electronics companies, public safety agencies, and internet service providers. ATIS is also a founding partner and the North American Organizational Partner of the Third Generation Partnership Project (3GPP), the global collaborative effort that has developed the Long Term Evolution (LTE) and LTE-Advanced wireless specifications. Nearly 600 industry subject matter experts work collaboratively in ATIS’ open industry committees and incubator solutions programs.

ATIS’ Network Reliability Steering Committee (NRSC) was formed in 1993 at the recommendation of the first Network Reliability and Interoperability Council. The NRSC strives to improve network reliability by providing timely, consensus-based technical and operational expert guidance to all segments of the public communications industry. The NRSC addresses network reliability improvement opportunities in an open environment and advises the communications industry through the development of standards, technical requirements, reports, bulletins, Best Practices, and annual reports. The NRSC is comprised of industry experts with primary responsibility for examining, responding to, and mitigating service disruptions for communications companies. NRSC participants are the industry subject matter experts on communications network reliability and outage reporting.

## **II. REPLY COMMENTS**

### **A. Performance Data Reporting**

In its *Petition*, NTIA recommends changes to the TSP rules to require service providers to provide TSP performance data related to provisioning and restoration times for areas covered by the activation of the Commission’s Disaster Information Reporting System (DIRS). The specific data and associated reporting timeframes would be developed cooperatively by the

Department of Homeland Security (DHS) and the Commission. ATIS strongly opposes this proposal, noting that each commenter has voiced concerns about this recommendation.

AT&T notes that “[c]ollection of this data is unlikely to yield meaningful conclusions and would only add to carriers’ responsibilities in the critical time following a disaster.”<sup>1</sup> As Verizon explains, each DIRS event raises unique implementation issues that affect provisioning and restoration efforts.<sup>2</sup> AT&T also notes that a disaster could affect different carriers and/or their customers differently.<sup>3</sup> USTelecom – the Broadband Association (USTelecom) explains that “mere statistical comparisons of restoration time will in many instances not tell a complete picture of the prioritization or restoration activities in a disaster scenario and thus not accomplish DHS’s stated goal.”<sup>4</sup> ATIS therefore believes the performance data that would be collected during a DIRS activation would likely not be actionable and/or useful.

Given the range of technical and physical issues affecting service restoration, the actual time of restoration may not necessarily reflect the priority given to a specific service.<sup>5</sup> USTelecom correctly notes that “[s]ervice providers take seriously their obligations under the TSP program, but if a TSP circuit requires a significantly more difficult operation to repair, then restoration may take longer to accomplish than other simultaneous non-TSP restorations in the affected area even though the TSP circuit is prioritized.”<sup>6</sup> Verizon adds that TSP restoration may occur at the same time as non-TSP services when both are served by a common facility.<sup>7</sup> NCTA - The Internet & Television Association (NCTA) similarly notes that restoration efforts are

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<sup>1</sup> AT&T comments at p. 3.

<sup>2</sup> Verizon comments at pp. 5-6.

<sup>3</sup> AT&T comments at p 3.

<sup>4</sup> USTelecom comments at p. 3.

<sup>5</sup> USTelecom comments at p. 2.

<sup>6</sup> USTelecom comments at pp. 2-3.

<sup>7</sup> Verizon comments at p. 6.

dependent on factors outside the provider's control, including access to disaster sites.<sup>8</sup> Due to these factors, in some cases the restoration of non-TSP facilities may occur first if access to TSP facilities is not available.

Even aside from the questions about the utility of any performance data that may be collected during a DIRS activation, there may be other practical issues regarding the collection of this data. Depending on what data would be requested, there may be impacts to provider's information technology systems, as some providers may not have the capability to report more granular data and/or tie this to a particular DIRS activation area.<sup>9</sup> As USTelecom explains, "it is not a matter of pulling data that is already submitted" because the data that NTIA proposes to collect regarding specific circuit restoration timing would expand the scope of DIRS reporting.<sup>10</sup> Verizon notes a further complexity in that transport facilities that serve a particular DIRS activation area may not be located in that area.<sup>11</sup>

ATIS agrees with the concerns expressed by NCTA that requiring service providers to gather performance data during an emergency could detract from restoration efforts.<sup>12</sup> As ATIS has said before in other proceedings, the Commission must consider the impact of any new data collection and reporting requirements on service restoration efforts. ATIS strongly believes that the Commission should avoid creating new requirements that could distract providers during disasters from their important service restoration efforts.

ATIS also agrees with USTelecom that the voluntary nature of DIRS must not be impacted by the proposed reporting requirement.<sup>13</sup> ATIS believes that the success of DIRS is due

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<sup>8</sup> NCTA comments at p. 3.

<sup>9</sup> Verizon comments at p. 6.

<sup>10</sup> USTelecom comments at p. 4.

<sup>11</sup> Verizon comments at p. 5.

<sup>12</sup> NCTA comments at p. 3.

<sup>13</sup> USTelecom comments at pp. 3-4.

in no small part to the voluntary nature of this reporting. Creating mandatory reporting obligations related to a voluntary reporting system could undermine the voluntary nature of DIRS or create an incentive for providers not to participate in DIRS.

Finally on this issue, ATIS agrees with AT&T that, should the Commission impose new reporting requirements, it should provide ample time for reporting.<sup>14</sup> ATIS recommends that the reporting should take place only after the disaster and restoration efforts have concluded. If the Commission does decide to move forward with NTIA's proposal, ATIS would welcome the opportunity to work with the Commission and DHS to develop recommendations that may provide useful data while allowing carriers to focus on all aspects of restoration activities.

### **B. Facility Provisioning and Restoration**

NTIA also recommends changes to offer clarity to service providers regarding their obligations concerning facilities provisioning and restoration, suggesting that the Commission add the word "promptly" to describe providers' obligations in this regard.<sup>15</sup> Under this recommendation, service providers would be required to promptly allocate:

- All resources necessary to provide National Security and Emergency Preparedness (NS/EP) services by the requested due date;
- Resources to meet requested service dates for Essential NS/EP services; and
- All resources necessary to restore NS/EP services.<sup>16</sup>

ATIS opposes this proposal and notes that there is no support among commenters for these proposed rule revisions. ATIS agrees with AT&T that adding the word "promptly" will not offer meaningful clarity.<sup>17</sup> As USTelecom notes, "promptness" must be defined within the context of

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<sup>14</sup> AT&T comments at p. 4.

<sup>15</sup> *Petition* at p. 5.

<sup>16</sup> *Petition* at p. 6.

<sup>17</sup> AT&T comments at p. 4.

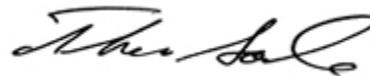
the event and within the scope of the provider's control.<sup>18</sup> ATIS agrees with NCTA that requiring providers to act without consideration of costs (as could be the case if the NTIA's recommendations were to be adopted) is "untenable."<sup>19</sup> Providers must retain the flexibility to meet unique provisioning and restoration needs without unnecessary and potentially confusing regulations.

NTIA's proposal to require prompt TSP provisioning or restoration by allocating "all resources" necessary to provide/restore service is particularly problematic. As USTelecom notes, this proposed requirement could place unreasonable demands on service providers. "Taken to the extreme, 'allocating all resources' arguably would require a provider to summon its entire fleet of operations from all areas of its service territories to TSP restoration."<sup>20</sup>

### III. CONCLUSION

ATIS appreciates the opportunity to provide its input to the *Public Notice* and urges the Commission to consider the recommendations above.

Respectfully submitted,



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<sup>18</sup> USTelecom comments at p. 5.

<sup>19</sup> NCTA comments at p. 5.

<sup>20</sup> USTelecom comments at p. 5.