

**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 THE ALLIANCE FOR
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) hereby submits these comments in response to the comments submitted to the *Notice of Proposed Rulemaking (NPRM)*, released October 1, 2021, in the above-referenced dockets. As noted below, ATIS opposes recommendations that would: establish regulatory mandates regarding, or the extension of the voluntary Wireless Resiliency Cooperative Framework (Framework) to, backhaul or wireline networks; establish minimum backup power requirements; mandate the Framework or expand its scope to wireline carriers; require providers to provide mandatory mutual aid; and require service providers to inform electric utilities of the location of critical fiber and tag the fiber with provider’s name. Finally, ATIS NRSC supports the efforts of the Cross-Sector Resiliency Forum and the continued development of voluntary Best Practices aimed at improving communications network reliability, and urges the Commission to establish a process by which Best Practices developed outside of the Commission Communications Security,

Reliability, and Interoperability Council (CSRIC) can be incorporated into the Commission's Best Practices database.

I. Reply Comments

In its comments, the Edison Electric Institute (EEI) suggests that the Commission consider whether insufficient communications backhaul redundancy contributes to congestion or failure of commercial networks during emergencies and suggests that service providers ensure that there is sufficient network capacity during emergencies.¹ ATIS NRSC opposes the establishment of regulatory mandates regarding, or the extension of the voluntary Wireless Resiliency Cooperative Framework to, backhaul or wireline networks. ATIS NRSC believes that such actions are unnecessary. As noted in ATIS NRSC's comments, service providers must retain the flexibility to design and deploy assets to optimize site capacity and the Commission should allow the industry to address backhaul issues via contractual relationship.²

ATIS NRSC also opposes recommendations that the Commission establish minimum backup power requirements. For example, in its comments the California Public Utilities Commission (CA PUC) urged the Commission establish a minimum backup power duration of 72 hours.³ ATIS NRSC strongly believes that this recommendation is unrealistic and ignores the complexities that surround service providers' decisions related to backup power. As noted in ATIS NRSC's comments, many factors influence service providers' decisions regarding backup power, including site-specific space and weight constraints, site accessibility, local restrictions, and the technical needs of the network.⁴ This is why service providers are in the best position to

¹ EEI Comments at p. 23.

² ATIS Comments at pp. 3-4.

³ CA PUC Comments at p. 19.

⁴ ATIS Comments at pp. 10-11.

evaluate these factors and make decisions regarding backup power and the feasibility of implementing specific solutions.⁵

Public Knowledge in its comments would further extend this impractical suggestion to require that service providers maintain a minimum of seven days' on-site back-up power for "outside the home critical infrastructure."⁶ ATIS NRSC strongly opposes this recommendation, which fails to acknowledge that not all communications facilities can house a permanent generator at every location. In addition, ATIS NRSC notes that other factors also influence accessibility (e.g., safety concerns, road debris removal, access, evacuations, etc.) and impact whether or not generators or fuel can be safely delivered to the site. Communications networks are designed to operate on commercial power, and it would not be feasible to mandate seven days' backup for all critical infrastructure.

ATIS NRSC disagrees with Public Knowledge that the Commission should mandate the Framework.⁷ ATIS NRSC believes that such a mandate is unnecessary and could negatively impact network resiliency. Transforming voluntary industry efforts into mandates may disincentivize providers from proactively contributing resources and expertise to such efforts and can stifle efforts to evolve the Framework to advance network resiliency. As CTIA notes in its comments, the voluntary Framework has been effective at strengthening network resiliency and restoration and the industry continues to examine ways to improve upon the Framework.⁸ This work to build upon the lessons learned will be significantly more difficult if the Framework becomes a regulatory mandate and changes require Commission approval.

⁵ ATIS NRSC notes that this recommended mandate stands in contrast to the CA PUC's statements about "giving service providers discretion to manage their networks." CA PUC Comments at p. 15.

⁶ Public Knowledge Comments at p. 24.

⁷ Public Knowledge Comments at p. 4.

⁸ CTIA Comments at p. 12.

ATIS NRSC also opposes recommendation that the Framework be applied to non-wireless service providers.⁹ ATIS NRSC does not believe that there is any reason to apply this wireless Framework to wireline companies, particularly as wireline companies already participate in network resiliency efforts with wireless companies.

ATIS NRSC opposes efforts to require providers to provide mandatory mutual aid.¹⁰ Mandating mutual aid is not practical and would ignore the competitive nature of communications networks. During disasters, decisions regarding where and/or when to provide mutual aid must be made on a case-by-case basis based on the impacts of the disasters to their networks, available resources, and consideration of safety issues. Moreover, providers owe it to their customers to make restoration of their own network a priority. Mandates that interfere with providers' abilities to make most effective use of limited resources during an outage, or that require competitors to support the restoration of its competitors' networks before their own network, must be avoided. ATIS NRSC also notes that it is unclear what would be included in a mutual aid mandate and how it would practically be implemented. For example, would such a mandate require providers to share generators, equipment, or personnel with competitors and, if so, would a provider be required to share a resource for mutual aid even if this would delay or jeopardize the provider's own restoration efforts?

ATIS NRSC supports the efforts of the Cross-Sector Resiliency Forum (CSRF), which was established in 2020. As EEI noted in its comments, the CSRF builds on the established track record of coordination by individual communications providers and stakeholders in one venue to

⁹ Public Knowledge Comments at p. 4.

¹⁰ See Public Knowledge Comments at p. 4 (asking the Commission to make the Framework mandatory).

discuss resiliency and response efforts related to hurricanes, wildfires, and other emergency disaster events.¹¹ ATIS NRSC supports this collaborative voluntary effort.

ATIS NRSC opposes the suggestion by EEI that service providers should inform electric utilities of the location of critical fiber and tag the fiber with provider's name.¹² ATIS NRSC believes that such a requirement would be burdensome and will not be effective at preventing fiber cuts during emergencies. There are also concerns regarding the security of this important information, how it would be protected, and with whom it would be shared.

Finally, ATIS NRSC supports efforts to develop voluntary Best Practices and agrees with EEI that the Commission should consider encouraging prompt development of voluntary, industry-wide Best Practices aimed at improving communications network reliability and ensuring adequate backup power is in place.¹³ ATIS NRSC also agrees with EEI that the Commission should promote industry engagement and collaboration in the substantive development of any such Best Practices.¹⁴ As ATIS NRSC has noted many times, voluntary Best Practices provide valuable guidance that fosters network reliability and resiliency. ATIS NRSC encourages the Commission to support the continued use and development of Best Practices and to establish a process by which Best Practices developed outside of CSRIC, such as those developed by ATIS NRSC, can be incorporated into the Commission's Best Practice database in a timely manner.

¹¹ EEI Comments at p. 8.

¹² EEI Comments at pp. 20-21.

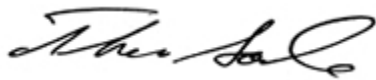
¹³ EEI Comments at p. 22.

¹⁴ *Id.*

I. CONCLUSION

ATIS appreciates the opportunity to respond to the comments to the *NPRM* and urges the Commission to consider the recommendations above.

Respectfully submitted,



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