

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

In the Matter of	)	
	)	
Ensuring Customer Premises Equipment Backup	)	PS Docket No. 14-174
Power for Continuity of Communications	)	
	)	
Technology Transitions	)	GN Docket No. 13-5
	)	
Policies and Rules Governing Retirement Of	)	RM-11358
Copper Loops by Incumbent Local Exchange	)	
Carriers	)	
	)	
Special Access for Price Cap Local Exchange	)	WC Docket No. 05-25
Carriers	)	
	)	
AT&T Corporation Petition for Rulemaking to	)	RM-10593
Reform Regulation of Incumbent Local Exchange	)	
Carrier Rates for Interstate Special Access	)	
Services	)	

**Comments of the**

**National Association of State 911 Administrators**

The National Association of State 911 Administrators (NASNA) represents state 911 programs in the field of emergency communications. Established in the early 1990's as a 501(c)(3) non-profit organization, NASNA is the voice of the states on public policy issues impacting 911. NASNA members believe that state 911 leaders' expertise can assist industry associations, public policymakers, the private sector, and emergency communications professionals at all levels of government as they address complex issues surrounding the evolution of emergency communications.

The comments submitted below are based upon a consensus of our membership and their collective experience with the provisioning of 911 services.<sup>1</sup>

1. Continuity of Power for CPE

As the NPRM noted, American consumers of traditional voice telephone services have come to rely on the fact that they will continue to have phone service even during a commercial power outage. The transition from legacy copper loops to other network technologies means that an

---

<sup>1</sup> Individual members may provide separate comments to the Commission that agree with, amplify, differ from, or are in addition to the comments offered by NASNA in this matter.

important safety net – Central Office provisioning of line power to the customer premises – will disappear unless the Commission takes action to mitigate it.

The Commission proposes to make providers responsible for provisioning backup power during the first eight hours of an outage. NASNA believes that eight hours is not long enough. Twenty-four hours would be more useful and account for the fact that consumers in the midst of a power outage due to a natural disaster or other emergency will likely have urgent communication needs that may take time to accomplish.

With regard to the delineation of responsibility for CPE backup power, NASNA believes responsibility should be shared between providers and consumers. That said, we see a distinction between consumers who have already switched to wireless or VoIP and those who still rely on landlines at the time the copper facilities are retired. The former should already be aware of the limitations of their service and should have taken personal responsibility for ensuring they have extra batteries or an alternative means of communication during a power outage. The latter, by definition, do not have an alternative means of communication and will be impacted in a potentially way by the retirement of the copper facilities that serve them.

The provider should be responsible for the initial provisioning of backup power technology. The delineation of responsibility should depend on the nature of that technology. For example, if the provider chooses to deploy a backup power source that is external to the customer's premises, then the provider should be solely responsible for maintaining it. If the provider chooses to install backup power technology at the customer's residence, the consumer should be responsible for making sure the power supply is charged and ready, but the provider should be responsible for an annual maintenance check-up to ensure everything is in good working order and there hasn't been any degradation in the battery pack or power supply. If there has been, then the provider should replace it. If the consumer chooses to self-provision CPE backup power, the provider should assist by making information available and offering to help ensure the installation is done properly. In all cases, the provider should be responsible for consumer education.

Backup power requirements must afford sufficient power for minimally essential communications. Minimally essential communications should be outgoing 911 voice calls and texts, incoming emergency alerts and warnings, and outgoing calls to 211 and other community services. NG911 services such as images, video and other new data streams may become "essential" in the future, but that is not the case today. Consumers should be responsible for taking measures to conserve battery power.

## 2. Copper Retirement

NASNA's primary concern with regard to copper retirement is consumer protection. We agree with the Commission that consumers need to understand what is and is not happening during a copper retirement, and they need to understand their choices about service.

This will require providers to notify their retail customers, and NASNA thinks this should be done *both* by U.S. Mail and electronic mail (where a customer has provided the latter). Furthermore, notification should be issued more than once leading up to the copper retirement. Affected customers who must receive notice are those who will need new or modified CPE, who will see a change in the electrical power arrangements for his or her service, and who will need to give a technician access to his or her premises. This is reasonable. When a technician requires access to a customer's premises, the provider should additionally contact the customer by phone to set up an appointment for the work to be done.

The notice must provide retail customers with the information they need to understand what copper retirement will mean for them in a practical way, i.e., whether they will receive the same functionalities and features as the service they currently purchase. If not, the provider needs to explain *exactly* what will change. If the change involves electrical power, the consumers need to be informed of what their options will be as well as what the consequences will be in a long-term power outage of not having backup power or additional charged batteries.

The Commission's proposed rules would require incumbent LECs to provide notice of planned copper retirements to the public utility commission and to the Governor of the State(s) in which the network change is proposed. That may not go far enough if the network change might impact 911, people's access to 911, or require the consumer to be personally responsible programming a device with an E911 address in order to be located in an emergency. In such a situation, notification should also be made to the State 911 administrator, or to local 911 authorities where a state program does not exist.

### 3. Section 214 Discontinuances

With respect to PSAP and 911 service, provider must be required to demonstrate that a substitute retail service available to its customers will offer 911 capabilities that are consistent with the Commission's rules. Furthermore, providers should be required to affirm that the transition to such substitute retail service will not result in any reduction in 911 capability relative to that offered by the discontinued service.

There could be a major impact on PSAP operations if providers were to take different approaches in providing civic address ALI or just latitude and longitude ("x,y") when PSAPs previously had received specific information from such providers. First, x,y coordinates are not equivalent to a validated civic address. X,y coordinates may not be able to be processed at the PSAP serving the caller's location if that PSAP does not have mapping capability or the ability to process wireless calls today. Such a situation could cause additional work and cost to ensure 911 calls reach a PSAP that can handle them in the new format. Providers must comply with the jurisdiction's ALI data standards, both x,y and civic addresses, so that the information displays properly at the PSAP.

The nation's PSAPs are not all going to be at the same place in terms of their migration to IP based 911 systems. If a carrier were to seek to discontinue 911 service to PSAPs under section 214, this could force legacy PSAPs to replace, upgrade or reconfigure their equipment with very

little notice and before they are able or ready to do so. Planning a transition from legacy technologies to NG911 IP technologies takes time. It involves budgeting and procurement activities to engage the services of a consultant. It requires time to budget and secure funding for necessary equipment replacements, upgrades or reconfigurations. Most PSAPs operate on an annual budget cycle and funding for unanticipated expenses isn't available outside of the budgeting process. If the incumbent Local Exchange Carrier (ILEC) has heretofore provided everything to the 911 authority – 911 network, databases and PSAP CPE – being forced to go to bid to procure another service provider may be something the 911 authority has never done before. It may never have procured its own CPE before. Notice must be well enough in advance for 911 authorities to budget, secure funding, go to bid, enter into a contract, and do the work.

There is a close connection between this NPRM and the 911 Policy Statement and NPRM. The Commission has taken the position that all entities providing 911 communications services occupy a unique position of public trust. As noted previously, many, perhaps most 911 authorities rely on their 911 service provider for *everything*. Any incumbent 911 service provider filing a section 214 discontinuance of its legacy 911 services would be forcing a significant change in 911 service on its PSAPs and 911 authority customers. Providers must coordinate closely and well in advance not only with the Commission, but with the state and local 911 authorities.

With regard to tariffed and non-tariffed services, 911 services are very often tariffed, and 911 authorities contract and pay for service on that basis. In the interest of full disclosure to their 911 customers (i.e., state or local 911 authorities) providers should be required to file a section 214 application. "Functionally very similar" is not "functionally identical to" and may result in unanticipated impacts on 911 authorities and PSAPs. State and local 911 authorities and PSAPs should never be placed in the position of having to scramble to address an issue they weren't expecting and do not understand.

In conclusion, NASNA appreciates the care with which the Commission has considered the potential impacts a technology transition might have on 911, from the consumer's perspective as well as the PSAP and 911 authority's perspective. Thank you for your consideration of our comments.

Respectfully submitted,

A handwritten signature in cursive script that reads "Evelyn Bailey".

Evelyn Bailey, Director  
National Association of State 911 Administrators  
380 Blake Hill Road  
East Calais, Vermont 05650-8180  
(844) 381-3635  
[evelyn.bailey@nasna911.org](mailto:evelyn.bailey@nasna911.org)