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**Re: Notice of *Ex Parte*, PS Docket Nos. 13-75, 15-80; ET Docket
No. 04-35**

On November 10, Mark Reddish, Alison Venable, and I met with representatives of the Public Safety and Homeland Security Bureau and Office of General Counsel (listed below) to discuss the draft Second Report and Order on 9-1-1 outage notifications.¹ We identified the following public safety priorities related to 9-1-1 outage notifications that were raised in the Notice of Proposed Rulemaking and public comments that are not addressed or only partially addressed in the draft order.

Outage Notification Thresholds

Emergency communications centers (ECCs) should be notified of outages and disruptions that could impact communications with ECCs, even if the outage does not meet the high thresholds that trigger a notification requirement in the existing rules. In the NPRM, the Commission estimated 37,000 annual outages potentially affect 9-1-1 and sought comment on whether to modify the notification requirements so that service providers are required to notify ECCs of disruptions that potentially affect 9-1-1 service but do not meet the current notification thresholds.² Several parties expressed support for lowering the notification thresholds.³ In comments, APCO pointed out that the current approach of basing the thresholds on the potential user minutes impacted does not align with public safety considerations and suggested establishing more effective reporting thresholds by gathering data from service providers to understand how many outages are going unreported, at what point in the

¹ Amendment of 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, PS Docket Nos. 15-80, 13-75, ET Docket No. 04-35, *Second Report and Order*, FCC-CIRC2211-01 (rel. Oct. 26, 2022) ("Draft Report and Order").

² Amendment of 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, PS Docket Nos. 15-80, 13-75, ET Docket No. 04-35, *Third Notice of Proposed Rulemaking*, FCC 21-45 at para. 16 (Apr. 23, 2021) ("NPRM").

³ Comments of APCO International at 2; Comments of NENA at 3; Comments of The Maryland 9-1-1 Board at 5-6.

course of an outage a service provider typically understands the scope and restoration time, and how accurately service providers estimate scope and restoration time.⁴

The draft order does not address modifying the notification thresholds. The Commission should seek information from service providers that would be helpful for modifying the notification thresholds to better align with public safety considerations and reduce the number of outages going unreported.

Graphical Outage Information

In the NPRM, the Commission asked about the extent to which service providers have or could have graphical outage information and how ECCs would use such information.⁵ APCO's comments explained that outage information that offers a visual representation of the impacted areas and real time data from the service providers – similar to the maps provided for consumers to track some electric utility outages – would improve ECCs' situational awareness and ability to respond to the outage.⁶ APCO's comments noted that at least one service provider already makes a "Network Status Map" available to certain public safety customers that provides enhanced situational awareness with site-level outage information and maps of local coverage, among other things.⁷

The draft order partially addresses this issue, but only with regard to the provision of geographical information system (GIS) data.⁸ This is unnecessarily limiting and fails to consider alternative methods for providing ECCs with visual information about outages. For example, emailed notifications could include an image of the affected area, and service providers could maintain web-based portals for real time network status maps.⁹

Compounding the problem of limiting consideration to service providers' ability to provide GIS data in outage notifications, the draft order incorrectly concludes that many ECCs are unable to receive or make use of GIS information.¹⁰ The sole basis cited for this conclusion is a comment from USTelecom that GIS information "may not be useful to the PSAP."¹¹ ECCs rely on GIS for a variety of mapping needs. While there might be implementation issues worth exploring with regard to how GIS data from service providers would be received and efficiently used by ECCs, the draft order lacks sufficient basis for concluding many ECCs are unable to use GIS data about outages. More importantly, as mentioned above, the draft order should consider the broader set of options for service providers to offer a visual representation of outages to ECCs. The Commission should require service providers to make this essential information available to ECCs.

⁴ Comments of APCO International at 3.

⁵ NPRM at para. 21.

⁶ Comments of APCO International at 5.

⁷ *Id.* (citing FirstNet Central, FirstNet Built with AT&T (last visited July 19, 2021) available at <https://www.firstnet.com/power-of-firstnet/firstnet-advantages/firstnet-central.html>).

⁸ Draft Report and Order at para. 15.

⁹ APCO does not take a position on whether such portals should be restricted to ECC access rather than made available to the public.

¹⁰ Draft Report and Order at para. 15.

¹¹ *Id.* at n.57.

Carrier-ECC Contact Database

In the NPRM, the Commission sought comment on whether to require service providers to offer contact information reciprocally to ECCs¹² and whether to require service providers to host and operate a centralized contact information database, noting that in 2016 several wireless providers had committed to establish a provider/ECC contact database as part of the Wireless Resiliency Cooperative Framework.¹³ The carriers have not established such a database. APCO's comments expressed support for requiring service providers to establish a two-way contact database, explaining that ECCs often detect outages before being notified by a service provider, and they need to know how to contact the relevant service provider.¹⁴ Additionally, APCO noted that establishing a single database would likely reduce costs for service providers and spare ECCs the burden of responding to contact information requests from numerous service providers multiple times a year.¹⁵

The draft order adopts a requirement for service providers to maintain ECC contact information but, in a footnote, defers action on a centralized database.¹⁶ The draft order does not discuss the need for ECCs to have service providers' contact information or the public safety benefits of a centralized database. Without addressing the public safety benefits of a centralized, two-way contact information database, the draft order misses an opportunity to meet ECCs' needs.

Respectfully submitted,

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¹² NPRM at para. 27.

¹³ *Id.* at para. 32.

¹⁴ Comments of APCO International at 6-8.

¹⁵ *Id.* at 7.

¹⁶ Draft Report and Order at para. 8 n.26.