



February 1, 2019

Michael J. Wilhelm
Chief, Policy and Licensing Division
Public Safety and Homeland Security Bureau
Federal Communications Commission (FCC)
445-12th Street, SW
Washington, DC, 20554

Dear Mr. Wilhelm,

Subject: State of California application for FCC Rule Waiver

The California Governor's Office of Emergency Services (Cal OES) previously requested an FCC Rule Waiver for an exemption from 47 CFR, Part 10 and 47 CFR, Part 11 rules (Waiver). Because of the Federal shutdown, the FCC was unable to act on the State of California's request for a February test date. We are seeking the Waiver to allow the execution of a special test of the Wireless Emergency Alert (WEA) System to transmit earthquake early warnings. The geographic area of the test will be within the City of Oakland in Alameda County. The California Governor's Office of Emergency Services (Cal OES) is the primary alert and warning authority for the State of California and the test will be performed in conjunction with the United States Geological Survey (USGS).

This test will provide an assessment of the feasibility for using the Integrated Public Alert and Warning System (IPAWS) WEA alert system to warn the public of imminent ground motion during an earthquake. Earthquake Early Warning requires notifications to be distributed within seconds of generation to allow people to take protective actions. This test will also provide critical findings that may be used to refine the future development of earthquake early warning integration with IPAWS. This test will occur between 11:00am and 12:00pm Pacific Standard Time (PST) on Wednesday, March 27, 2019. If this date is not available, an alternative testing date would be Wednesday, April 10, 2019. The test is needed in advance of the rule changes that will take place in May of 2019 because the next large, damaging earthquake could occur tomorrow. There is up to a 99 percent probability that a magnitude 6.7 or higher earthquake will occur within the state anytime within the next 30 years. Effective alerts and warnings are a critical emergency management tool to help prevent hazards from becoming disasters by empowering citizens to make informed decisions and take action to save lives and reduce property losses, enabling quicker recovery. Without this waiver, critical live testing cannot be conducted to evaluate the current capability and future feasibility of end-to-end earthquake early warning transmissions over WEA.

The text of the test will read: "TEST of the CA Earthquake Warning System. No action required. THIS IS A TEST."



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As part of this test, Cal OES will complete an outreach campaign with the participating region. The campaign includes the following elements:

1. There was an announcement and discussion at the California Earthquake Early Warning Advisory Board (Advisory Board) on September 27, 2018. The Advisory Board is composed of the representatives of a number of governmental, public, and private agencies representing Natural Resources, Transportation, Health and Human Services, Business Consumer Services and Housing for the State of California, along with representatives of counties, utilities, private businesses, and higher education institutions.
2. Cal OES conducted a conference call with members of the Cellular Telecommunications Industry Association on October 23, 2018 to discuss the nature of the test, coordinate actions with wireless providers to administer the test, and gather input to improve the test design. The proposed alert area polygon was sent to call participants on November 2, 2018.
3. Cal OES will conduct regional conference calls with, and distribute educational materials to, emergency managers in the surrounding areas to ensure that they have the information necessary to inform first responders and public safety answering points to confirm that the activity is only a test.
4. Cal OES will conduct a stakeholder call with local, state, federal, and private partners in Oakland in November to announce the test, communicate information, answer questions, facilitate local participation, and solicit feedback.
5. Cal OES plans to conduct a media campaign in the immediate and surrounding areas, including a press release, a public service announcement, conducting outreach to local broadcasters and newspapers, and posting pertinent information to websites and social media platforms.

CalOES will also provide the FCC a detailed account of any problems that occur in the distribution of the WEA test message, in addition to a post-test analysis. If you have any questions, or wish to discuss further, please contact Ryan Arba, Branch Chief of the Cal OES Seismic Hazards Program, at ryan.arba@caloes.ca.gov or (916) 845-8132.

Thank you for your consideration.

Sincerely,



CHRISTINA CURRY
Deputy Director

cc: Dr. Stephen Hickman, Director, Earthquake Science Center, United States Geological Survey
Robert Fenton, Regional Administrator, Federal Emergency Management Agency Region IX
Captain Pace Stokes, Alameda County Office of Homeland Security & Emergency Services
Toshia Shavies Marshall, Emergency Manager, Oakland Office of Emergency Services