

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Accelerating Wireline Broadband Deployment by)	WC Docket No. 17-84
Removing Barriers to Infrastructure Investment)	

**REPLY COMMENTS OF THE
ALARM INDUSTRY COMMUNICATIONS COMMITTEE**

The Alarm Industry Communications Committee (“AICC”), on behalf of its members,¹ hereby files reply comments on the Commission's FNPRM² concerning proposed changes to the rules in connection with the discontinuance of legacy voice service. AICC urges the Commission to reject the streamlining and forbearance proposals outlined in the FNPRM and in the comments of Verizon and AT&T because they are not in the public interest.

AICC member companies protect over 30 million residential, business and sensitive facilities and their occupants from fire, burglaries, sabotage and other emergencies and, consequently, are an integral part of the public safety network. Alarm companies also provide

¹ The Monitoring Association (TMA) (formerly known as Central Station Alarm Association), Electronic Security Association (ESA), Security Industry Association (SIA), the National Public Safety Telecommunications Council, Ackerman Security, ADS, ADT, AES- IntelliNet, AFA Protective Systems, Alarm.com, Alarm Detection Systems, ASG Security, Axis Communications, Bay Alarm, Bosch Security Systems, COPS Monitoring, CRN Wireless, LLC, DGA Security, Digital Monitoring Products, Digital Security Control, Encore Networks, FM Approvals, Honeywell Security, Inovonics, Interlogix, Intertek Testing, iPDatatel, Napco Security, NetOne, Inc., Nortek, Protection One, Rapid Response Monitoring, Security Central NC, Select Security/Security Partners, Stanley Security, Supreme Security Systems, Inc., Telular Corp., Tyco Integrated Security, Tyco Security Products, Underwriters Laboratories, Universal Atlantic Systems, Vector Security, Inc., Vivint, and Wayne Alarm.

² *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, Order and Further Notice of Proposed Rulemaking*, WC Docket No. 17-84, FCC 17-154 (rel. Nov. 29, 2017) (FNPRM).

Personal Emergency Response System (PERS) service for obtaining medical services and ambulances in the event of medical emergencies.

Alarm service providers and their customers utilize many types of communication technologies and services in connection with the provision of alarm services, including traditional telephone service, wireline and wireless broadband services, and the Internet. However, many alarm customers still rely on legacy voice service, including interstate voice services, as their underlying communication service and a majority of customers of PERS service are connected by TDM-based telephone service. Further, AICC has demonstrated that many current broadband networks and technologies do not provide the reliability, stability and features of legacy services and, therefore, they cannot be substitutes for such services. Accordingly, the Section 214 process must be maintained to ensure that consumers continue to have access to adequate voice services before an incumbent LEC is authorized to discontinue legacy voice services.

STREAMLINING THE DISCONTINUANCE OF VOICE SERVICES IN NOT IN THE PUBLIC INTEREST

In the FNPRM, the Commission asks for comment on a Verizon proposal to streamline the "processing of section 214(a) discontinuance applications for legacy voice services where a carrier certifies: (1) that it provides interconnected VoIP service throughout the affected service area; and (2) that at least one other alternative voice service is available in the affected service area." In their comments, Verizon and AT&T argue that the standard for the discontinuance of legacy voice services should be even more lax. Verizon asks the Commission to "abandon the *2016 Technology Transitions Order's* 'adequate replacement' test for evaluating legacy voice

discontinuances"³ and only require "a provider discontinuing a legacy voice service to notify its customers and file an application with the Commission certifying that fixed or mobile voice service, including interconnected VoIP service, is available to the same community from the applicant or some alternative source."⁴ AT&T also asks the Commission to streamline the discontinuance of legacy voice service if either the carrier provides interconnected VoIP service or an alternative voice service is available, either interconnected VoIP or mobile services.⁵

AICC has demonstrated in previous comments filed with the Commission that entities offering services over fiber, cable and wireless networks, and IP-based services, oftentimes do not provide the same quality, reliability and functionality as the TDM-based services and legacy voice services on which consumers rely. Therefore, the presence of fiber, IP-based or wireless services does not mean that the public interest will not be adversely affected as a result of a 214 discontinuance.

In the FNPRM, the Commission asks what types of voice services should be considered as sufficient alternatives to legacy TDM-based voice service, whether there are specific characteristics that a voice service should be required to have to be considered an acceptable alternative and what types of fiber, IP-based or wireless services would constitute acceptable services to traditional TDM-based services. The Commission also asks whether the availability of third-party services would demonstrate the existence of an acceptable alternative service or whether only services offered by the discontinuing carrier would suffice.

³ Comments of Verizon on the FNPRM at 10. (Verizon Comments)

⁴ Verizon Comments at 10.

⁵ Comments of AT&T at 6. (AT&T Comments)

An acceptable alternative service should provide the same quality, reliability and functionality as the TDM-based services on which consumers rely. To be functionally equivalent to a TDM-based service, the new service must be equivalent with respect to dialing, dial plan, call completion, carriage of signals and protocols, loop voltage treatment, decibel loss, jitter, dual tone multi frequency (DTMF) signal performance, compression and latency. The service should meet these standards for the entire span of the connection, even when a call is routed to an intermediate provider in the call path. It also should include twenty-four (24) hours of standby power supply capacity for communications equipment deployed in the field and twenty-four (24) hours of standby power supply capacity for communications equipment at the central office or equivalent facility. In addition, a substitute service must support alarm signaling from premises, including medical alert or PERS systems and the ability for an alarm provider to reach a remote alarm system and control it as necessary.

It is clear that at least some, if not all, of the services being offered to consumers today over fiber, cable and wireless technologies are not of the same reliability and functionality as legacy voice service and do not meet these standards. The alarm industry has experienced serious issues in 2016 and 2017 as discussed in comments filed earlier in this proceeding, when alarm signals have not been completed in connection with Verizon's fiber facilities or, possibly, an alternative cable network provider. In previous comments, AICC discussed how alternative providers make changes to their networks that affect service reliability and quality on a regular basis- either by changing their own network parameters, for example, with respect to compression, or by using intermediary providers that do not meet the same reliability and quality standards. We also have seen the circumstance in Fire Island, NY where Verizon sought to replace POTS service with a substandard wireless alternative, Voice Link, which was not

capable of supporting alarm services. Therefore, the presence of fiber, IP-based or wireless services does not mean that the public interest will not be adversely affected as a result of a 214 discontinuance.

Further, a carrier should not be able to rely on services provided by other providers to justify the discontinuance of legacy voice services. A carrier simply cannot know that services provided by another provider will meet the necessary reliability and functionality standards, nor can it ensure that an alternative provider will not change its service parameters.

Thus, the Commission should examine alternative services, provided by the discontinuing carrier and other providers, as part of the Section 214 discontinuance process to make a specific determination as to whether each such service meets reliability and functionality standards such that the public interest will not be adversely affected by the discontinuance of legacy voice services. Accordingly, the Commission should not streamline the Section 214 process as proposed in the FNPRM and the comments of Verizon and AT&T.

FORBEARANCE FROM SECTION 214 FOR VOICE SERVICES IS NOT IN THE PUBLIC INTEREST

The Commission also asks for comment on Verizon's request that the Commission "forbear from applying section 214(a)'s discontinuance requirements to carriers seeking to transition from legacy voice services to next-generation replacement services." In its comments, Verizon makes a somewhat different request and asks the Commission to find that Section 214(a) "does not apply to a provider's discontinuance of a voice offering if the affected community's members can secure comparable service through a fiber, IP-based, or wireless

alternative, whether offered by that provider or by another one."⁶ In the alternative, if the Commission concludes that Section 214(a) applies to the discontinuance of legacy interstate voice offerings even where there are alternative voice service, Verizon asks the Commission to forbear from enforcing Section 214(a).⁷

In short, in its comments, Verizon asks the Commission to forbear from enforcing Section 214(a) for any and all interstate voice service that a carrier may wish to discontinue when there is any alternative voice service. However, Verizon makes no showing, as required by Section 10, that Section 214 approval is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that telecommunications service are just and reasonable; Section 214 approval is not necessary for the protection of consumers; and forbearance is in the public interest in all such cases. Further, we know that every and all alternative voice service is not an adequate substitute for legacy voice services, with Verizon's own Voice Link service as a prime example of an inadequate service. Accordingly, blanket 214 forbearance is not in the public interest and cannot be granted.

The forbearance option in the FNPRM also should not be adopted. In the FNPRM, the Commission asks whether it should "forbear from applying section 214(a)'s discontinuance requirements to carriers seeking to transition from legacy voice services to next-generation replacement services."⁸ It is not entirely clear what the Commission means. However, if the Commission is asking whether Verizon, for example, should be able to discontinue its regulated legacy interstate voice services when it offers unregulated FiOS service, such a result would not be in the public interest. Verizon has been allowed to retire its copper- TDM-based facilities and

⁶ Verizon Comments at 5.

⁷ Verizon Comments at 9.

⁸ FNPRM at ¶ 174.

replace them with digital fiber facilities, the same facilities used to provision FiOS service. In doing so, Verizon stated that there would be no change to the provision of tariffed voice services to subscribers. Rather, both tariffed voice services and FiOS voice service are offered over the same network facilities. In light of this, allowing Verizon to discontinue legacy tariffed voice services would have no impact on its provision of broadband service. However, many alarm customers rely on tariffed, legacy voice services in connection with their alarm services. Importantly, interstate toll free services are oftentimes used to transmit an alarm signal from the subscribers on-premise alarm system to the alarm monitoring service. Local exchange carriers should not be allowed to discontinue access to interstate services, such as toll free services, to their subscribers of regulated voice services.

AICC also notes that the Commission granted forbearance of the equal access requirement to incumbent local exchange carriers, in part, on the basis that equal access is of limited benefit because stand-alone long distance service is a "fringe market" and that the trend is toward all-distance voice services, where consumers have access to both local and long distance voice services.⁹ It would be contrary to the public interest and the Commission's rationale in the equal access forbearance order to allow incumbent local exchange carriers to discontinue tariffed interstate voice service and essentially create "in-state only" voice service. Indeed, such a result could lead to a growing demand for stand-alone long distance service and require the Commission to rethink its grant of equal access forbearance.

⁹ *In the Matter of Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete ILEC Legacy Regulations That Inhibit Deployment of Next-Generation Networks; Lifeline and Link Up Reform and Modernization; Connect America Fund, Memorandum Opinion and Order*, 31 FCC Rcd 6157 at ¶49 and ¶51 (2015).

CONCLUSION

The Section 214 process must be maintained to ensure that consumers continue to have access to adequate voice services before an incumbent LEC is authorized to discontinue legacy voice services. Therefore, AICC urges the Commission to abandon its efforts to streamline or eliminate Section 214 protections when carriers seek to discontinue legacy voice services.

Respectfully submitted,

**ALARM INDUSTRY COMMUNICATIONS
COMMITTEE**

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