

May 25, 2018

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20054

Re: *Ex Parte* disclosure pursuant to 47 C.F.R. § 1.1206(b) in PS Docket No. 17-344 and WC Docket No. 17-287

Dear Ms. Dortch:

On May 23, 2018, Gloria Tristani, Francella Ochillo, and I, Carmen Scurato, from the National Hispanic Media Coalition (NHMC) alongside Matt Wood, Joseph Torres, Leo Fitzpatrick, and Barbara Boktor from Free Press, and Olivia Wein from National Consumer Law Center, met with Lisa Fowlkes, Debra Jordan, Chris Anderson, and Kenneth Burnley from the Federal Communications Commission's (FCC) Public Safety and Homeland Security Bureau (PSHSB) to discuss the Hurricane Response PS Docket No. 17-344 and Lifeline WC Docket No. 17-287 proceedings.

We discussed the comments filed by NHMC and Free Press in the above-referenced proceedings<sup>1</sup> with a focus on the specific recommendations to the FCC's PSHSB which are summarized in the attached handout.

I respectfully submit this notice of ex parte meeting pursuant to 47 C.F.R. § 1.1206(b).

Respectfully submitted,



Carmen Scurato  
Vice President, Policy & General Counsel  
National Hispanic Media Coalition

CC: Lisa Fowlkes  
Chris Anderson  
Debra Jordan  
Kenneth Burnley

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<sup>1</sup> See National Hispanic Media Coalition and Free Press, Comments, PS Docket No. 17-344 and WC Docket No. 17-287 (April 17, 2018), <https://ecfsapi.fcc.gov/file/10418925501553/Joint%20Comments%20of%20NHMC%20and%20Free%20Press%20on%202017%20Hurricane%20Season.pdf>

# **THE FCC MUST DO MORE TO ENSURE PUERTO RICO HAS RESILIENT COMMUNICATIONS IN THE WAKE OF HURRICANES IRMA AND MARIA**

## **The FCC Must Create Story Collection Tools and Conduct Direct Outreach to Puerto Ricans in Both English and Spanish**

- The Commission should open up a story collection tool asking Puerto Ricans to share feedback about their user experience before and after Hurricanes Irma and Maria struck.
- To do so, the Commission must engage with the people of Puerto Rico, taking into account that Spanish is the dominant language on the island. Information and outreach that is not provided, conducted, and collected in Spanish is incomplete.

## **The Commission and the Hurricane Task Force Need to be Transparent About Their Work and Efforts to Assist Puerto Ricans Before and After Hurricanes Irma and Maria Struck**

- The Commission's total lack of transparency around its Hurricane Recovery Task Force ("Task Force") has been yet another barrier preventing Puerto Ricans and the public at large from engaging with the FCC.
- The public can only glean information on the Task Force's few actions in passing mentions. More detailed information is not available, making it impossible for the public to know what those actions are, let alone assess whether the actions are adequate. The public does not know how often the Task Force meets; how many times it has traveled to Puerto Rico beyond accompanying the Chairman in his recent visit to the island; what work it has done; and with whom it met when on the island.
- The Commission should immediately make the work of this Task Force public so that the communities in Puerto Rico can engage and participate in their own recovery.

## **The FCC Needs to Hold Field Hearings in Puerto Rico to Hear Directly From Residents in All Communities, Especially Those That Remain Disconnected**

- The Commission must hold field hearings, town halls, and roundtables in Puerto Rico to hear directly from Puerto Ricans in their respective communities.
- Residents can offer the most meaningful accounts of how the hurricanes and the communications systems collapse upended the lives of people on the island from all walks of life. Not only would the Commission be richly informed by hearing directly from the people who lived through the hurricanes, but the Commission's public safety and public interest mandate require it.
- It would also would allow those to whom the recovery efforts are directed to have some say in their implementation. Any hearings, town halls and roundtables

should be conducted in both English and Spanish to ensure that all Puerto Ricans can participate by hearing and being heard.

### **The Commission Has a Duty to Compile a Comprehensive Report That Documents the Impact of the 2017 Hurricane Season and Subsequent Recovery Efforts**

- The Commission should use this record to issue a comprehensive and thorough report on the impact of, and lessons learned from, the 2017 hurricane season. The FCC's report should at a minimum:
  - (1) address the impact of the storms on the island's infrastructure;
  - (2) analyze the effectiveness of government and industry efforts to restore communications;
  - (3) assess its own recovery response to the island after Hurricane Maria made landfall;
  - (4) make specific regulatory recommendations to ensure the resiliency of the communications networks before the next hurricane or other major natural disaster hits;
  - (5) analyze and evaluate what measures must be in place to keep communications intact if the power grid were to collapse; and
  - (6) prepare an extended contingency plan to safeguard communications systems and emergency communications, especially since power has yet to be fully restored to Puerto Rico eight months after Hurricane Maria struck, and with the island continuing to experience massive and localized power outages.
- Additionally, the Commission must begin to publicly answer additional questions such as:
  - (1) Did and does the FCC have adequate plans in place to render assistance to Puerto Rico and to other island territories in the aftermath of Hurricanes Irma and Maria and in the event of future storms?
  - (2) Did and do those plans include how to ensure that island territories had or have bare bones emergency communications networks?
  - (3) Given that Puerto Rico's FCC field office was closed after January 2017, how did the lack of on-the-ground FCC personnel impact the FCC's response to recovery efforts in Puerto Rico and the neighboring U.S. Virgin Islands?
  - (4) How many FCC staff were first deployed to Puerto Rico, and when did they arrive? What levels of staff are currently there?
  - (5) Were and are staff deployed to the island fluent in Spanish?
  - (6) Given the continuing impact of the 2017 Hurricane season and the projections for above-normal active future hurricane seasons, should the FCC reopen a field office in Puerto Rico to better "safeguard life and property?"
  - (7) Are the reporting requirements on the operational status of the networks adequate to assess not only the status of recovery but also the

measures needed to ensure a more robust and resilient communications network in the future?

**(8)** Has the Commission collected and analyzed data on patterns of service restoration on the island to determine whether there were any disparities in service restoration across geographic regions, and if so, the reason for the disparities; and if there is a need to give reasoned guidance to communications providers and/or put in place regulations to deter disparities in the future?

**The Commission Must Abandon Its Lifeline Proposals Given the Devastating Impact on Puerto Ricans and Other Victims of the 2017 Hurricane Season**

- The Commission's Lifeline proposals would disconnect approximately 369,000 Puerto Ricans from Lifeline, which is particularly cruel given the unprecedented devastation and disruption that the 2017 hurricane season has already brought to Puerto Ricans impacted by the storm.
- The next hurricane season starts on June 1st. Puerto Ricans must be reassured that they will continue to have affordable access to critical and life saving communications services and the ability to connect with emergency responders and their loved ones when the next natural disaster strikes.

*Comments Filed by the National Hispanic Media Coalition and Free Press in PS Docket No. 17-344 and WC Docket No. 17-287 can be located at:*

<http://www.nhmc.org/wp-content/uploads/2018/04/Joint-Comments-of-NHMC-and-Free-Press-on-2017-Hurricane-Season.pdf>