



Alarm Industry Communications Committee

May 31, 2018

**WRITTEN EX PARTE
VIA ECFS**

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Accelerating Wireline Deployment by Removing Barriers to Infrastructure Investment
WC Docket No. 17-84

Dear Ms. Dortch:

The Alarm Industry Communications Committee (“AICC”), on behalf of its members, hereby submits this letter to provide additional comments for the Commission’s consideration regarding the draft *Second Report and Order* in WC Docket No. 17-84,¹ which is tentatively included on the agenda for the next Open Meeting. Specifically, AICC is concerned that the Commission’s draft decision adopt a new “alternative options test” will adversely affect the present or future public convenience and necessity because it does not ensure that any such options will meet the Commission’s interoperability requirements.

In the *Draft Order*, the Commission states that, “[t]he stand-alone interconnected VoIP service option required to meet the alternative options test embodies managed service quality and underlying network infrastructure, and disabilities access and 911 access requirements, key components of the Commission’s 2016 streamlining action.”² However, in 2016 the Commission also recognized “the importance of specified key applications and functionalities that today are associated with legacy voice services,” such as alarm services.³ It is unclear how the Commission’s alternative options test will embody this key component of the Commission’s 2016 action. §9.3 of the Commission’s rules defines interconnected VoIP service as:

¹ *Accelerating Wireline Deployment by Removing Barriers to Infrastructure Investment*, DRAFT Second Report and Order, WC Docket No. 17-84, FCC-CIRC1806-02 (*Draft Order*).

² *Draft Order* at ¶34.

³ *In re: Technology Transitions*, Declaratory Ruling, Second Report and Order, and Order on Reconsideration, 31 FCC Rcd 8283 (2016) at ¶¶157-159.

an interconnected Voice over Internet protocol (VoIP) service is a service that: (1) Enables real-time, two-way voice communications; (2) Requires a broadband connection from the user's location; (3) Requires Internet protocol-compatible customer premises equipment (CPE); and (4) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.⁴

Nothing in this definition requires the provider to ensure interoperability for key applications and functionalities, as is required under the adequate replacement test. Furthermore, there is no indication in the *Draft Order* that the other stand-alone facilities-based voice service from another provider required for the alternative options test needs to meet any such requirement. Accordingly, the Commission's conclusion that "under either test, customers will be assured a smooth transition to a voice replacement service that provides capabilities comparable to legacy TDM-based voice services" is incorrect. As drafted, a carrier could feasibly obtain streamlined discontinuance under the alternative options test, even if neither its stand-alone interconnected VoIP service nor the alternatives ensure interoperability of key applications and functionalities. While AICC supports the Commission's decision to retain the adequate replacement test, it appears that based on the *Draft Order*, the alternative options test creates a loophole around at least one key requirement of the adequate replacement test.

To address these concerns, AICC supports ADT's request to require carriers seeking streamlined treatment of applications to discontinue legacy voice service under the alternative options test to demonstrate that their replacement interconnected VoIP service is interoperable with alarm and medical alert equipment. Satisfying the interoperability obligation should not impose an undue burden on carriers. When it adopted the interoperability prong of the adequate replacement test, the Commission stated that adherence to industry standards such as the Managed Facilities-Based Voice Network ("MFVN") standards "would be persuasive evidence" that the interoperability prong of the adequate replacement test has been satisfied. AT&T, for example, had already agreed to the MFVN standard with respect to wireless IP-based replacement services.⁵ The MFVN standard, as described by AT&T, means:

[A] physical facilities network that (a) is managed and maintained (directly or indirectly) by the service provider to ensure service quality and reliability from the service subscriber location to the Public Switched Telephone Network ("PSTN") or other MFVN peer network; (b) utilizes similar signaling and related protocols as the PSTN with respect to dialing, dial plan, call completion, and the carriage of alarm signals and protocols, loop voltage treatment (in accordance with FCC Part 68/TIA-968A); and (c) provides real-time transmission of voice signals, carrying alarm formats unchanged.

⁴ 47 CFR §9.3

⁵ Letter from Frank Simone, Vice President of Regulatory Affairs, AT&T, to Marlene H. Dortch, Secretary, FCC, PS Docket 14-174, GN Docket 13-5, RM-11358 (filed June 8, 2015).

Furthermore, an MFVN provider supplies professional installation that preserves primary line seizure for alarm signal transmission. If an MFVN provider offers self-installation, the MFVN provider supplies its subscribers who have alarm monitoring systems with information on wiring practices intended to ensure that such installation also will preserve primary line seizure for alarm signal transmissions. Finally, MFVN providers have major and minor disaster recovery plans to address outages and widespread events, which could include consumer battery backup options.”⁶

As AICC has repeatedly advised the Commission, replacement services deployed as part of a technology transition have resulted in numerous alarm signaling failures.⁷ Given the availability of a standard that readily meets the Commission’s requirements, there is no reason for the Commission to permit carriers to apply for streamlined discontinuance without making an interoperability showing.

Sincerely,

**THE ALARM INDUSTRY
COMMUNICATIONS COMMITTEE**



Louis T. Fiore
Chairman

⁶ *Id.* Exhibit A, IP Transition and Alarm Monitoring Services Principles.

⁷ *See, e.g.*, Comments of the Alarm Industry Communication Committee, WC Docket No. 17-84, at 8 (filed June 15, 2017) (describing failures due to compression of a VoIP signal below accepted specifications); Reply Comments of the Alarm Industry Communications Committee, WC Docket No. 17-84 at 6 (filed July 17, 2017) (noting serious issues in 2016 and 2017 when alarm signals have not been completed in connection with Verizon's fiber facilities); Notice of Ex Parte of the Alarm Industry Communications Committee, WC Docket No. 17-84, at 2 (filed November 9, 2017) (discussing issues in the wake of Hurricane Sandy, when consumers found that their alarm systems did not function on Verizon’s alternative product).