

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	§	
	§	PS Docket No. 13-75
Improving 9-1-1 Reliability	§	

INITIAL COMMENTS OF THE TEXAS 9-1-1 ENTITIES

The Texas 9-1-1 Alliance,¹ the Texas Commission on State Emergency Communications,² and the Municipal Emergency Communication Districts Association³ (collectively, the “Texas 9-1-1 Entities”) respectfully submit the following brief initial comments regarding the Federal Communications Commission (the “Commission”) Public Notice in the above-referenced proceeding.⁴ In the Public Notice the Commission, among other things, seeks comments on the effectiveness of the existing 9-1-1 reliability rules and Covered 911 Service Provider annual certifications and on notifications to Public Safety Answering Points (“PSAPs”) of network outages affecting 9-1-1 service.

¹ The Texas 9-1-1 Alliance is an interlocal cooperation entity composed of 26 Texas emergency communication districts with E9-1-1 service and related public safety responsibility for more than 63% of the population of Texas. These emergency communication districts were created pursuant to Texas Health and Safety Code Chapter 772 and are defined under Texas Health and Safety Code Section 771.001(3)(B).

² The Texas Commission on State Emergency Communications (“CSEC”) is a state agency created pursuant to Texas Health and Safety Code Chapter 771, and by statute is the state program authority on emergency communications. CSEC’s membership includes representatives of the Texas 9-1-1 Entities and the general public, and directly oversees and administers the Texas state 9-1-1 program under which 9-1-1 service is provided in 206 of Texas’ 254 counties, covering approximately two-thirds of the state’s geography and one-fourth of the state’s population.

³ The Municipal Emergency Communication Districts Association (“MECDA”) is an association of 26 municipal emergency communication districts, as defined under Texas Health and Safety Code Section 771.001(3)(A), that are located primarily in the Dallas-Fort Worth area.

⁴ See *Public Safety and Homeland Security Bureau seeks Comment on 911 Network Reliability Rules*, No. 13-75 (rel. Jun. 13, 2018) (available at <https://ecfsapi.fcc.gov/file/06130379704175/DCA-18-612A1.pdf>).

On the effectiveness of the existing 9-1-1 reliability rules and Covered 911 Service Provider annual certifications, specific comments of substance beyond what is in the Commission's Summary of 9-1-1 Certification Data for 2017 are difficult to provide, because the individual Covered 911 Service Provider filings are not available to state and regional 9-1-1 authorities for review. In recent years there appear to be companies in the 9-1-1 public safety communications business providing the annual 9-1-1 reliability certifications for their communications services, while simultaneously there are companies not in the 9-1-1 public safety communications business making clear that use of their communications services must not result in them being deemed a Covered 9-1-1 Service Provider.⁵ In the absence of information to the contrary, such observations in opposite directions may be an indication that the existing Commission rules as currently written and the status quo strike a proper balance as to the appropriate level of regulation.

On the issue of PSAP notifications and the recent outage notification Technical Report and Template filed by the Alliance for Telecommunications Industry Solutions ("ATIS"), at this point in time the approach suggested in the ATIS Technical Report and Template seem to be positive steps in the right direction. This appears to be most especially the case for the specific template recommendations regarding clearer reporting of the "company performing PSAP notification,"

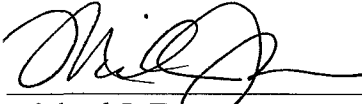
⁵ Cf., Spectrum Enterprise, Service Agreement – Terms and Conditions, Acceptable Use: "Customer shall not use, or allow the Services to be used, in any manner that would violate the applicable Spectrum Acceptable Use Policies or that would cause, or be likely to cause, Spectrum to qualify as a "Covered 911 Service Provider" as defined in 47 C.F.R. §12.4 or any successor provision of the rules of the Federal Communication Commission. For avoidance of doubt, Customer and Spectrum agree that any failure to satisfy the covenants set forth in the preceding sentence shall constitute a material breach of the Service Agreement." (*available at <https://enterprise.spectrum.com/legal/se-terms-and-conditions.html>*).

“company experiencing the outage event,” “impact of the outage event,” and “geography of the outage event,”⁶ where a lack of specificity in outage notifications in the past has created confusion.

The Texas 9-1-1 Entities appreciate the opportunity to provide the foregoing initial comments on these matters, and respectfully request that the Commission take action in this proceeding in a manner consistent with these initial comments.

⁶ See, *ATIS-0100066, Service Providers: Outage Reporting Structure and Potential Types of 9-1-1 Outages*, at pp. 2-3 (available at http://www.atis.org/01_committ_forums/nrsc/).

Respectfully submitted,

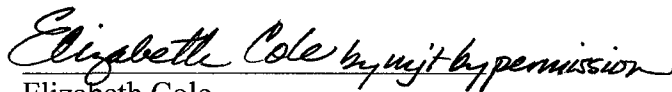


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On the comments:

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