

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

In the Matter of)	
)	
Public Safety and Homeland Security Bureau)	PS Docket No. 13-75
Seeks Comment on 911 Network Reliability)	
Rules)	

REPLY COMMENTS OF CENTURYLINK

I. INTRODUCTION

CenturyLink¹ files these reply comments in response to the Public Notice issued by the Public Safety and Homeland Security Bureau on June 13, 2018 seeking comment on the Commission’s rules regarding 911 network reliability and public safety answering point (“PSAP”) notification of network outage events affecting 911 service.² CenturyLink appreciates this initiative to review the 911 reliability rules that were established in 2013 to determine if those rules remain necessary or should be modified to better ensure the reliability and resiliency of 911 communications networks.³ As many commenters note, the 911 reliability rules are generally working well and have been effective at both maintaining reliable 911 service and identifying areas where additional safeguards would make 911 service more robust and resilient.⁴

¹ These reply comments are filed by and on behalf of CenturyLink, Inc. and its subsidiaries.

² Public Notice, PS Docket No. 13-75, Public Safety and Homeland Security Bureau Seeks Comment on 911 Network Reliability Rules, DA 18-612, rel. June 13, 2018 (“Public Notice”).

³ *Improving 911 Reliability; Reliability and Continuity of Communications Networks, Including Broadband Technology*, PS Docket Nos. 13-75, 11-60, Report and Order, 28 FCC Rcd 17476 (2013) (“*911 Reliability Order*”).

⁴ See, e.g., Verizon Comments at 1; West Safety Services, Inc. Comments at 1; Alaska Communications Comments at 2.

However, in CenturyLink’s view and experience, there are some opportunities to better align these regulatory obligations with the rapidly evolving 911 ecosystem. Specifically, CenturyLink suggests limiting the current definition of “covered 911 service provider” to the entities that provide service directly to PSAPs. In addition, CenturyLink supports the work of the ATIS Network Reliability Steering Committee (“NRSC”) to provide more useful and actionable notifications to PSAPs. Aside from these areas, CenturyLink recommends retaining much of the current audit framework because it provides important flexibility for 911 service providers to manage as PSAPs migrate to advanced technologies and demand customized 911 network solutions.

II. THE CURRENT 911 AUDIT RULES HAVE HELPED IMPROVE 911 RELIABILITY

CenturyLink is acutely aware of the critical nature of 911 communications and is strongly committed to providing reliable service to benefit the communities it serves. CenturyLink echoes the positions expressed by many commenters that the current 911 audit rules have been effective at safeguarding and improving 911 reliability.⁵ The audit process is a very substantial undertaking, requiring CenturyLink to expend thousands of man-hours annually to complete the mandated review and certification.⁶ Since the audit requirement was adopted, CenturyLink has invested millions of dollars in compliance efforts to improve diversity and backup power capabilities, as well as to facilitate expeditious distribution of outage notifications to PSAPs. While the first years of the 911 audit were certainly the most resource-intensive, as Verizon notes, the annual audit “remains an important ongoing reminder of the need to operationalize 911

⁵ West Safety Services, Inc. Comments at 1; INdigital Comments at 1; Motorola Solutions Inc. Comments at 2.

⁶ See also, USTelecom – The Broadband Association Comments at 2.

reliability into network planning, change, and maintenance decisions and practices.”⁷ Although the 911 audit helps identify potential risks or vulnerabilities in the 911 network for the portion of the network subject to the audit, it does not guarantee that an outage will never occur. Despite companies’ best efforts, outages unfortunately still occur. The rigorous focus on 911 reliability through the audit process, however, has assisted with mitigating the impact of those events while also making 911 service more resilient than it would have been absent those requirements.

III. THE DEFINITION OF “COVERED 911 SERVICE PROVIDER” SHOULD BE LIMITED TO THE ENTITY(IES) UNDER DIRECT CONTRACT TO THE PSAP

One area where the current 911 reliability rules could benefit from modification is the definition of “covered 911 service provider.” The current definition of “covered 911 service provider” is over-inclusive and should be limited to those entities that contract to provide 911 services directly to PSAPs. A “covered 911 service provider” is defined in Section 12.4(a)(4)(i) of the Commission’s rules as an entity that:

(A) Provides 911, E911, or NG911 capabilities such as call routing, automatic location information (ALI), automatic number identification (ANI), or the functional equivalent of those capabilities, directly to a public safety answering point (PSAP), statewide default answering point, or appropriate local emergency authority as defined in §§64.3000(b) and 20.3 of this chapter; and/or

(B) Operates one or more central offices that directly serve a PSAP. For purposes of this section, a central office directly serves a PSAP if it hosts a selective router or ALI/ANI database, provides equivalent NG911 capabilities, or is the last service-provider facility through which a 911 trunk or administrative line passes before connecting to a PSAP.⁸

Thus, it covers both entities that contract with PSAPs to provide 911 service as well as those entities that operate one or more central offices that directly serve a PSAP. CenturyLink and other commenters agree that it is appropriate for the entity(ies) that contract directly with a PSAP

⁷ Verizon Comments at 1.

⁸ 47 C.F.R. §§ 12.4(a)(4)(i)(A) and (B).

to be treated as a “covered 911 service provider” under the Commission’s rules, as these entities have visibility and control over how 911 service is provisioned and delivered to the PSAP.⁹ However, this is not the case for the second category of “covered 911 service providers” in Section 12.4(a)(4)(i) of the Commission’s rules. As a company with incumbent local exchange carrier (“ILEC”) interests, CenturyLink may find itself owning the last service-provider facility through which a 911 trunk or administrative line passes before connecting to a PSAP. But unless CenturyLink is also the contracted 911 service provider to the PSAP, CenturyLink often lacks visibility into or knowledge about how 911 service is provisioned and whether there is a 911 service-affecting event even though it ostensibly meets the definition of a “covered 911 service provider.”¹⁰

To remedy this inconsistency and better align regulatory obligations with operational awareness, the better approach would be to designate only the entity or entities that have a direct contractual relationship with the PSAP as a “covered 911 service provider.” This would help eliminate uncertainty by clearly assigning this role and function to the entity or entities likely to have the most visibility and situational awareness regarding the provision of 911 service to the subject PSAP, as well as any service disruption that may occur. In addition, this modification would enable service providers to manage risk more effectively because they could affirmatively choose whether to take on the responsibility of being a “covered 911 service provider” by directly contracting – or not – with PSAPs. This step also stands to reduce duplicative PSAP

⁹ Verizon Comments at 2-3; Motorola Solutions Inc. Comments at 6.

¹⁰ Additional challenges can arise under the current rules if the entity that has the last service-provider facility also provides transport on a wholesale basis to another entity that, in turn, is under contract to provide 911 service directly to a PSAP. In this scenario, both entities fit the current definition of “covered 911 service provider,” but the transport provider lacks the visibility and situational awareness that the contract provider to the PSAP has and, therefore, should have lesser regulatory obligations.

notifications that may be sent by multiple providers trying to comply with the more stringent PSAP notification obligations applicable to “covered 911 service providers.” For all of these reasons, the current definition should be amended as described above to provide additional certainty, clarity and efficiency.

IV. INDUSTRY WORK TO IMPROVE PSAP COMMUNICATIONS SHOULD CONTINUE

As the Public Notice states, last year the Public Safety and Homeland Security Bureau convened a workshop of various public safety entities, service providers – including CenturyLink, and consumer groups to discuss best practices and situational awareness during 911 outages.¹¹ Some of the common themes of this workshop were the desire for more uniform and consistent PSAP notifications as well as the reduction in duplicate notifications related to the same event.¹² The NRSC, with stakeholder participation, has been addressing these items and is in the process of developing a PSAP outage notification template. CenturyLink has been participating in these efforts and urges the Commission to allow this productive work to continue. This collaborative forum is better suited to develop an effective solution that works better for all parties than a regulatory mandate would. The NRSC template that has been created is a reasonable model that should form the basis for a PSAP notifications template.

In addition, the NRSC is considering how to streamline PSAP notifications related to the same network event, which may ultimately reduce duplicate PSAP notifications, and this work should continue. Duplicate notifications can result when another provider, that may or may not be a “covered 911 service provider” but is not the contracted 911 service provider of the subject PSAP, becomes aware of a service-affecting condition potentially impacting the PSAP. Out of

¹¹ Public Notice at 3.

¹² *Id.* at 4.

an abundance of caution, that provider may send PSAP outage notifications to ensure that the impacted PSAP is aware of the outage.¹³ This is more likely to occur if there are multiple “covered 911 service providers” for a particular PSAP. Given the critical public safety impact outages can have, as well as the liability attached to failing to comply with the PSAP notification rules, it is understandable how duplicate notifications can occur as providers work to ensure PSAPs are aware of potential disruptions in 911 service and comply with the notification rules. While, as stated above, a collaborative forum is better suited to develop a solution that works for all parties than a regulatory mandate, should the Commission conclude that regulatory action is necessary, CenturyLink recommends that the Commission adopt CenturyLink’s proposal to modify the definition of “covered 911 service provider” as discussed in Section III. As previously stated, this step would reduce the number of entities qualifying as “covered 911 service providers” and, therefore, should reduce the number of potentially duplicative notifications directed to PSAPs.

V. THE OTHER 911 RELIABILITY RULES SHOULD REMAIN IN THEIR CURRENT FORM BECAUSE THEY PROVIDE IMPORTANT FLEXIBILITY TO MANAGE A WIDE RANGE OF 911 SERVICE CONFIGURATIONS

Aside from the items mentioned above, CenturyLink supports retaining the 911 reliability rules in their current form because they have the flexibility that is essential to manage a diverse and evolving 911 ecosphere. The current rules account for the transition from legacy networks to more advanced next generation 911 networks, and adequately cover entities involved in the provision of traditional, transitional, and next generation 911 services. In addition, the current audit rules provide important flexibility to capture “alternative measures” information associated

¹³ This is analogous to service providers filing “sympathy” outage reports with the Commission when they notice a network event on another provider’s network.

with the wide variety of 911 network configurations in place today.¹⁴ Motorola observed that more than 70% of “covered 911 service provider” certifications “indicated that reasonable alternative measures had been implemented to ensure circuit diversity and diverse network monitoring[.]”¹⁵ This high percentage shows how vital some degree of flexibility and reasonableness is in the certification process given the variety of PSAP locations, network configurations, and resources across the country. The Public Notice proposes replacing the existing rules with a framework based on general reasonableness.¹⁶ CenturyLink agrees with Verizon and questions what benefits would be achieved through this change since a “general reasonableness” standard seems to be consistent with and not appreciably different from the existing “alternative measures” criteria.¹⁷ Absent any meaningful difference or deficiency that needs to be addressed, CenturyLink recommends retaining the current “alternative measures” standard the industry has come to rely upon in the audit process.

The existing audit framework is also preferable to the Public Notice’s proposal of requiring certification of certain (unnamed) best practices.¹⁸ CenturyLink agrees with ATIS that best practices are distinguishable from and should not be substituted for sweeping regulatory mandates.¹⁹ CenturyLink strongly affirms ATIS’s position that the success of best practices stems from their voluntary nature and the collaborative and consensus-based environment in

¹⁴ 47 C.F.R. § 12.4(c).

¹⁵ Motorola Solutions Inc. Comments at 4-5 (footnote omitted).

¹⁶ Public Notice at 2.

¹⁷ Verizon Comments at 2.

¹⁸ Public Notice at 2.

¹⁹ Alliance for Telecommunications Industry Solutions Comments at 4.

which they are developed.²⁰ CenturyLink believes the audit is appropriately concentrated on the areas of diversity and backup power and that the Commission should retain this focus. These are areas that have proven to be critical for 911 reliability and resiliency in the past,²¹ and they will remain so going forward even as technology evolves and advances. It is neither necessary nor appropriate to extend the certification process to additional best practices.

The Public Notice questions whether the Commission should continue to require annual certification of the measures in the audit.²² Some commenters support retaining the current cycle, while others favor modifying the frequency with which audits are submitted or eliminating them entirely.²³ To the extent the Commission retains the audit requirement, CenturyLink prefers retaining the current annual cycle. Even though there may not be much change in the audit results over the course of a single year, the annual cycle ensures that employees remain trained and resources remain available to perform the work needed to complete the audit. Motorola recommends clarifying the time period covered by the annual certification, suggesting that, for example, “the annual certification made in mid-October applies to network information as of June 30 of that same year...”²⁴ CenturyLink disagrees with this change and instead prefers to keep the current rules and timeframes without establishing an arbitrary cutoff for data collection that may be substantially in advance of the October filing deadline. It takes CenturyLink several months to complete the audit and it would have to modify its existing

²⁰ *Id.*

²¹ *Improving 911 Reliability*, 28 FCC Rcd at 17483 ¶ 21.

²² Public Notice at 2.

²³ Motorola Solutions Inc. Comments at 5 (supporting the current annual audit cycle); Alliance for Telecommunications Industry Solutions Comments at 4 (seeking to eliminate audits entirely or make them less frequent).

²⁴ Motorola Solutions Inc. Comments at 5.

processes if network data review and collection were subject to a hard deadline well in advance of the October filing date.

VI. CONCLUSION

CenturyLink appreciates the Commission reviewing its current 911 reliability rules to analyze whether the purpose of the rules is still being served and if any changes are warranted. Based on CenturyLink's experience, the rules have improved 911 reliability and resiliency and generally work well. The rules could be improved, however, by narrowing the definition of "covered 911 service provider" as discussed above to more reasonably align the enhanced regulatory obligations applicable to those providers with the entities that have the most visibility and control over the 911 network. The industry work underway to improve PSAP notifications should be allowed to continue so those notifications can be made more useful and actionable to PSAPs for the benefit of public safety.

Respectfully submitted,

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August 13, 2018