

November 19, 2018

BY ELECTRONIC FILING

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

Re: NOTICE OF EX PARTE

PS Docket No. 15-80: *Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications;*

ET Docket No. 04-35: *New Part 4 of the Commission's Rules Concerning Disruptions to Communications*

Dear Ms. Dortch:

On November 15, 2018, Courtney Neville and I of Competitive Carriers Association ("CCA"),¹ spoke via teleconference with Brenda Villanueva, James Wiley, and Tiffany Wong of the Federal Communications Commission's ("FCC" or "Commission") Public Safety and Homeland Security Bureau to discuss the above-referenced proceedings.

CCA commends the FCC for its emergency preparedness agenda and for ensuring that communications remain reliable and secure. CCA's members allocate many resources to provide dependable, uninterrupted service to their subscribers, including and especially during emergencies. Consistent with its prior advocacy, CCA reiterated on the call that any modified procedures for outage reporting should preserve competitive carriers' ability to continue to meet consumers' needs, while minimizing reporting burdens and maintaining data confidentiality.²

Data submitted to the Network Outage Reporting System ("NORS") often is sensitive and proprietary, and the Commission should pursue policies that are grounded in confidentiality to curb against the potential for misuse and misinterpretation of data. If the FCC is to allow jurisdiction-specific state entities, like state Public Utility Commissions, to access NORS data, it should establish adequate safeguards. Specifically, data should be made available in a read-only format and limited to jurisdictions that can demonstrate that they are located in an affected area. The entity also should certify that it will maintain appropriate data confidentiality.³

¹ CCA is the nation's leading association for competitive wireless providers and stakeholders across the nation. CCA's membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents vendors and suppliers that provide products and services throughout the mobile communications supply chain.

² Reply Comments of Competitive Carriers Association, PS Docket No. 15-80 (filed July 31, 2015) ("CCA Reply Comments").

³ See, e.g., CCA Reply Comments; Letter from Shellie Blakeney, Director, Federal Regulatory Affairs, T-Mobile, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-80 (filed Nov. 9, 2018); Reply Comments of T-Mobile, PS Docket No. 15-80 (filed July 31, 2015).

The Commission should further implement procedures⁴ to preserve this confidentiality and ensure that data is accessed only for the purposes of “protecting public health and safety.”⁵ Together, these policies will safeguard sensitive data while ensuring access to information is provided to appropriate entities.

CCA looks forward to continuing to work with industry and the Commission to provide emergency officials and consumers relevant information and the most innovative and secure wireless services, especially during disasters and emergencies. This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission’s rules. Please do not hesitate to contact me with any questions or concerns.

Respectfully submitted,

/s/ Alexi Maltas

Alexi Maltas
SVP & General Counsel
Competitive Carriers Association

cc (via email): Brenda Villanueva
James Wiley
Tiffany Wong

⁴ For example, the FCC should consider requiring state PUCs to immediately notify the affected party of a breach; implement internal staff training; and establish adequate database protections to protect against unauthorized third-party access. The FCC also could consider whether to impose penalties for a breach.

⁵ *Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications*, Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, 31 FCC Rcd 5817 ¶ 82 (rel. May 26, 2016).