

STATE OF COLORADO

PUBLIC UTILITIES COMMISSION



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Dept. of Regulatory Agencies

The Honorable Thomas E. Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

15 October, 2014

RE: Written Ex Parte filed in the proceeding captioned: *Improving 911 Reliability, PS Docket No. 13-75, Reliability and Continuity of Communications Networks, Including Broadband Technologies, PS Docket No. 11-60 and Inquiry into Circumstances of Major 911 Outage Centered in Washington State on April 9-10, 2014, PS Docket No. 14-72*

Dear Chairman Wheeler,

Thank you for the Commission's leadership and support in assuring that our nation's 911 networks continue to be the resilient and reliable networks our citizens expect and deserve. I also appreciate your willingness and actions to partner with the states' oversight of 911 systems. Federal and state coordination of regulatory authority, policy development, and information sharing promotes our shared goals of reliable and innovative 911 networks in the states and nationwide. I share the concern you articulated in your July 18, 2014, blog post where you stated that, "providers in the transition to a new 911 ecosystem are not operating in a manner that is transparent to system users, regulators and each other", and strongly support your conviction that, "no company will be allowed to hang up on 911."

In fact, 911 issues are occurring in the existing 911 ecosystem as well. As I discussed during my prior visit with Daniel Alvarez on July 29, 2014, Colorado continues to have concerns regarding 911 outages. ALI related service outages and the lack of 911 network diversity continue to put citizens at risk.

Two ALI outages were recently reported in Colorado, and affected multiple states. The first outage occurred on the evening of October 1, 2014. This outage was reported as a multi-state Intrado power outage that was restored in approximately one hour. The second outage occurred the next day, October 2, 2014, and was reported by CenturyLink as a routing configuration error that lasted approximately a half hour. The companies moved quickly to restore 911 capabilities, but the breadth and frequency of these and previous outages has necessitated our further inquiry of the cause so that we may determine whether remedial actions are necessary to prevent recurrences.

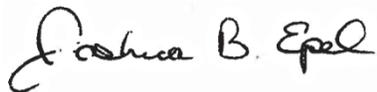
The Colorado PUC continues to be vigilant and engaged on 911 issues. Commissioner Pam Patton conducted an extensive investigation into 911 outages that occurred during the 2013 fires near Colorado Springs and floods in Boulder, Grand, Larimer, and Weld Counties. She toured these areas, spoke with 911 authorities and emergency responders, and conducted public hearings among all stakeholders. Commissioner Patton reported that Colorado's 911 systems and dedicated public servants responded extremely well, but that improvements are important in the areas of: (1) facility redundancy and diversity; (2) documentation of contingency planning; (3) 911 outage reporting; and (4) communications among the public, the 911 service providers, the 911 authorities, the Public Safety Answering Points, and the Commission. She also required CenturyLink to provide updates on deployment of diverse 911 facilities and expected completion dates.

Other 911 issues face Colorado today. As the industry innovates and new service providers emerge, we must consider how to promote new technologies and competitive providers without harming the goal of maintaining affordable 911 services to low density, rural areas of the state. In July, the Commission opened an emergency rulemaking to address new offerings of Automatic Location Identification service. After conferring with 911 authorities and PSAPs, our Staff identified the following items critical to a PSAP's transition to a new ALI service: accuracy of the ALI databases; operational reliability of different ALI services and connections; pricing and affordability for less populated jurisdictions; coordination among service providers to allow input of customers' names and addresses into the databases; adequacy of communications among service providers and the PSAPs and 911 authorities for the operational transition to a different ALI database or ALI provider; and, adequacy of testing of new or transitioned systems. Our emergency ALI rules require a new ALI service provider to obtain Commission approval by satisfying these criteria. For your convenience, I have attached the order adopting these emergency rules.

The PUC soon will open a permanent 911 rulemaking docket to address these emerging issues and the recommendations contained in Commissioner Patton's report.

The Colorado PUC shares the Commission's concerns that the transition to new technologies and deregulation of VoIP and information services may be creating a gap in ensuring critical emergency service communications. We believe vibrant Federal and State cooperation will assure that our emergency responders are able to receive critical emergency service communications and assist our citizens whenever and wherever needed.

Sincerely,



Joshua B. Epel
Chairman, Colorado PUC

cc: *David Simpson, Rear Admiral (ret.) & Chief of the FCC Public Safety & Homeland Security Bureau*
Daniel Alvarez, Esq., Legal Advisor to FCC Chairman Thomas Wheeler
Commissioner Phil Jones, Washington UTC
Commissioner Chris Nelson, South Dakota PUC