Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Ensuring Customer Premises Equipment Backup Power for Continuity of Communications	)	PS Docket No. 14-174
	)	
Technology Transitions	)	GN Docket No. 13-5
	)	
Policies and Rules Governing Retirement Of Copper Lines by Incumbent Local Exchange Carriers	)	RM-11358
	)	
Special Access for Price Cap Local Exchange Carriers	)	WC Docket No. 05-25
	)	
AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services	)	RM-10593

REPLY COMMENTS OF THE ALARM INDUSTRY COMMUNICATIONS COMMITTEE

The Alarm Industry Communications Committee ("AICC"), on behalf of its members[1] hereby files reply comments on the Commission's Notice of Proposed Rulemaking (NPRM) addressing a number of issues in connection with copper retirement and the transition of networks to Internet Protocol (IP), including backup power, the network change notification

[1] Central Station Alarm Association (CSAA), Electronic Security Association (ESA), Security Industry Association (SIA), Bosch Security Systems, Digital Monitoring Products, Digital Security Control, Telular Corp, Honeywell Security, Vector Security, Inc., ADT Security Services, AES-Intellinet, Alarm.com, Bay Alarm, Intertek Testing, NetOne, Inc. (formerly, Security Network of America), United Central Control, AFA Protective Systems, Vivint (formerly APX Alarm), COPS Monitoring, DGA Security, Universal Atlantic Systems, Axis Communications, Interlogix, LogicMark, Napco Security, Alarm Detection, ADS Security, ASG Security, Monitronics, Select Security, Inovonics, Linear Corp., Numerex, Tyco Integrated Security, FM Approvals, Underwriters Laboratories, CRN Wireless, LLC and ipDatatel.

process and Section 214 discontinuance. In its comments, AICC supported the Commission's proposals to ensure reliable backup power for consumers of IP-based voice and data services; to protect consumers by ensuring they are informed about their choices and the services provided to them; and to ensure that the change of a network facility or discontinuance of service does not deprive consumers of the ability to choose the services they need. Herein, AICC addresses the arguments made by commenters opposing the Commission's proposals.

The Comments Support a Backup Power Requirement

In its comments, AICC supported the Commission's proposal to require facilities-based fixed voice services that are not line-powered to provide backup power that is capable of powering their customers' CPE during the first eight hours of an outage. A number of commenters, including consumer advocates and state commissions, also support the Commission's proposal.

In addition, however, AICC also argued that the Commission should require all broadband network providers, both wireline and wireless, to provide twenty-four (24) hours of standby power supply capacity for communications equipment that is field deployed (such as DSLAMS and VRADS) and for communications equipment located at the central office or its equivalent. AICC argued that backup power for CPE and network equipment is necessary to meet the Commission's mandate in Title I Section 1 of the Communications Act of 1934, as amended, to make available communication service to all people of the United States "for the purpose of the national defense" and to promote "safety of life and property through the use of wire and radio communication." AICC also argued that backup power requirements are necessary to protect consumers because many consumers have come to expect and rely on the ability of the traditional TDM-based network and, as a result, their life/safety applications, to

remain operational during power outages. AICC noted that many alarm customers and most customers of Personal Emergency Response System (PERS) service still rely on TDM-based telephone service as their underlying communication service. Because the TDM-based network was engineered to be highly reliable, with quality of service standards and with an independent power source, traditional TDM-based telephone service provides alarm customers with a highly reliable service that meets the standards necessary for fire protection and other life/safety applications.

The commenters that oppose the Commission's proposals concerning backup power argue, among other things, that: 1) consumers are voluntarily switching to broadband services and sometimes they chose not to obtain backup power; and 2) consumers can use a wireless service as a backup communications device when their wireline broadband service fails. As to the first argument, it is clear that many consumers want a backup power option and as to the claim that some do not, it is not clear that these consumers understand the significance of their decision and/or whether the decision is motivated by cost. In addition, we appear to be moving in the direction where consumers may no longer have a choice about switching to a broadband service, which would entirely undercut this argument.

As to the second argument, some consumers may not have a wireless device and even for those who do, it may not work in emergency situations. There is ample evidence that some consumers have poor wireless reception in their homes and offices. Also, wireless networks oftentimes become overwhelmed by call volume during emergency situations, preventing any calls from going through. This argument also should be rejected because it shifts the burden and cost for reliability to the consumer by requiring the consumer to purchase a redundant service. It would be far more cost effective for broadband providers to provide backup power.

Customers and Businesses Should be Provided Notice of Copper Retirement

The comments support the Commission's proposal to require carriers to provide retail customers with direct notice of copper retirement and its "practical consequences." As argued by AICC, customers must be given direct notice when a carrier intends to retire the copper facilities that serve the customer and the customer must be informed of the consequences of that action, including the fact that the customer will not have communication service during a power outage without a source of backup power. The notice should fully inform the customer of the cost, if there is one, to obtain backup power, and the obligations of the customer, if there are any, to maintain backup power, including purchasing and installing batteries. Notice should be provided well in advance of the retirement of copper facilities to provide customers with a realistic opportunity to object or otherwise provide comment to the Commission and/or to seek an alternative service provider.

In addition, general notice to the community should be provided in an area with a planned copper retirement. ILECs should file an annual forecast with the Commission listing the central offices in which they intend to retire copper during the year. An ILEC also should be required to publish notice in the general media when it provides notice to customers that copper facilities will be retired in a specific area. The combination of these two notices will go far in allowing ISPs, like alarm companies, operating in the area with a planned copper retirement to be informed of the change and to work with the ILEC and their alarm service customers to ensure that alarm services will continue to operate properly once copper facilities are retired.

Although some commenters argue that notice is not necessary or only a short notice period is necessary because consumers should not have the ability to delay copper replacement,

this argument ignores the need for notice to allow consumers a reasonable opportunity to understand the nature of the change and to select a different service provider, if necessary. It also ignores the need for a sufficient notice for companies, like alarm companies, operating in the area with a planned copper retirement to be informed of the change and to work with the ILEC and their alarm service customers to ensure that alarm services will continue to operate properly once copper facilities are retired.

An Alternative Service, for Purposes of Section 214, Should be Functionally Equivalent to TDM-Based Service

The comments also demonstrate that there is a need for the Commission to strengthen the Section 214 rules that govern the process when a telecommunications carrier (except for a wireless carrier) or VoIP provider seeks to discontinue, reduce or impair legacy services. As shown by AICC, the Commission should consider a broad list of attributes when determining whether a service is an adequate substitute for a retail service a carrier seeks to discontinue. In addition, the Commission also should consider whether the alternative service is functionally equivalent to traditional TDM-based telephone service with respect to dialing, dial plan, call completion, carriage of signals and protocols, and loop voltage treatment and whether it includes eight (8) hours of standby power supply capacity for provider provided CPE and twenty-four (24) hours of standby power supply capacity for the network provider's facilities, both field deployed and at the central office or equivalent facility. These standards will ensure that service providers using new technologies continue to meet the rigorous quality assurance, operational stability and consistent features that were the hallmarks of the traditional networks operated by telephone companies. Further, an alternative service that results in a change in 911 service, device interoperability, or call functionality that is available to the consumer, or that fails to

provide the consumer with the ability to maintain communication service during a power outage, would result in a reduction or impairment of service sufficient to deny a request for Section 214 discontinuance of service.

It is clear that at least some, if not all, of the alternative services being offered to consumers today (including wireless service and IP-based wireline services) are not of the same reliability and functionality as traditional, basic local exchange service. A major issue with IP-based wireline service is that it does not operate during power outages without the provision of a backup power source. In addition, wireline and wireless services may not offer the same functionality in connection with 911 service or support third party medical, fire, and burglary alarm services. We have already seen the circumstance in Fire Island, NY where Verizon sought to replace POTS service with a substandard wireless alternative, Voice Link, which was not capable of supporting alarm services and both the U-Verse voice service and the AT&T Wireless Home Service, by their own warranty disclaimers, may not support third party medical, fire, and burglary alarm services. In addition, alarm companies have encountered cases where broadband services do not transmit alarm signals accurately. Accordingly, Commission action is necessary.

Conclusion

Based on the foregoing, AICC urges the Commission to adopt the backup power requirements and the notice requirements in connection with copper retirement

proposed herein and in its comments. In addition, AICC urges the Commission to define an alternative service, for purposes of Section 214, as functionally equivalent to TDM-based services, as discussed herein and in its comments.

Respectfully submitted,

ALARM INDUSTRY COMMUNICATIONS COMMITTEE

/s/ Louis T. Fiore
Chairman

Dated: March 9, 2015