

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
911 Governance and Accountability)	PS Docket No. 14-193
)	
Improving 911 Reliability)	PS Docket No. 07-250
_____)	

COMMENTS OF THE ALASKA RURAL COALITION

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I. Introduction.

The Alaska Rural Coalition¹ (“ARC”) files its Comments in this proceeding pursuant to the Policy Statement and Notice of Proposed Rulemaking released by the FCC (the “Commission”) on November 21, 2014 seeking comment on specific proposals to ensure the Commission’s 911 rules keep pace with changing technology.² The ARC is concerned that the Commission’s proposal overlooks the unique challenges 911 providers in Alaska face, and believes that the Commission may be creating more issues than it solves.

The ARC membership consists of most of the rate of return incumbent rural local exchange carriers (“RLECs”) in Alaska, all of whom serve some of the highest cost areas of the nation. ARC members are generally small, rural telephone companies and cooperatives that serve tribal lands and endeavor to bring the highest quality of service possible to Alaskans. Due to the vast size and low population density of their study areas, many of which are non-contiguous, and the general lack of middle mile transport in Alaska, ARC members work within a 911 system that is atypical of the Lower 48 and therefore are concerned that a standardized 911 proposal will increase their costs without adding any substantial benefits.

II. Alaska’s Network Infrastructure Poses 911 Challenges.

The Commission notes that it is uniquely positioned to “ensure 911 reliability on a national scale and across different communications platforms and technologies.”³ The

¹ The ARC is composed of Adak Telephone Utility, Alaska Telephone Company, Arctic Slope Telephone Association Cooperative, Inc., Bettles Telephone, Inc., Bristol Bay Telephone Cooperative, Inc., Bush-Tell, Inc., Circle Telephone & Electric, LLC, City of Ketchikan dba Ketchikan Public Utilities, Copper Valley Telephone Cooperative, Cordova Telephone Cooperative, Inc., Interior Telephone Company, Inc., Matanuska Telephone Association, Inc., Mukluk Telephone Company, Inc., North Country Telephone Inc., Nushagak Electric and Telephone Company, Inc., OTZ Telephone Cooperative, Inc., and The Summit Telephone and Telegraph Company, Inc.

² *911 Governance and Accountability, Improving 911 Reliability*, PS Docket Nos. 14-193, 13-75, Policy Statement and Notice of Proposed Rulemaking, before the FCC (Nov. 21, 2014) (“*NPRM*”).

³ *NPRM* at para. 2.

Commission is well aware of the unique problems that Alaska carriers endure.⁴ The ARC remains concerned that the Commission may lump Alaska into a national framework that fails to consider the network challenges facing Alaska.

The Commission recognizes that the role of state commissions is critical to the continuing vibrancy of the 911 ecosystem referenced by the Commission.⁵ “Governance of legacy 911 is shared between the state, local and federal levels, allowing for a range of localized approaches to achieving nationwide objectives of ubiquitous and reliable 911 service.”⁶ The ARC supports a policy of deferring most regulatory oversight of 911 reliability to the state commission.

The Regulatory Commission of Alaska (“RCA”) is best equipped to supervise network challenges. Growth of E911 services has been slower in Alaska than other states due to infrastructure challenges. Transition from the provision of legacy 911 service to an enhanced 911 service has been a challenge for Alaska carriers.⁷

⁴ See, e.g., *Comments of the Alaska Rural Coalition, Auction 902 Tribal Mobility Fund Phase I, AU Docket No. 13-53, before the FCC (May 10, 2013) (“ARC Tribal Mobility Comments”)* at 4 (“The Commission has recognized that ‘infrastructure generally is less developed on Tribal lands, particularly in Alaska.’ The cost of deploying mobile services in these areas of Alaska will be considerably greater because providers in the state face significantly higher costs for both ongoing operations and construction than do providers in the rest of the nation.”); see also *Connect America Fund, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-92, 96-45, GN Docket No. 09-51, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (Nov. 18, 2011) (“*Transformation Order*”) at para. 347 (“In Alaska, the average census block is more than 50 times the size of the average census block in the other 49 states and the District of Columbia, such that the large size of census areas poses distinctive challenges in identifying unserved communities and providing service.”).

⁵ *NPRM* at para. 2 (“State regulators and local emergency response agencies play critical roles in ensuring that 911 is available when needed and that every 911 call will be answered, and it is undoubtedly in the public interest that the Commission should work in close partnership with these stakeholders to carry out its responsibility.”), fn. 17 (“Decisions regarding purchasing, maintenance, and operation of CPE have primarily been left to state and local authorities.”).

⁶ *NPRM* at para. 28.

⁷ *NPRM* at para. 14 (“The transition to IP-based architecture is also altering the identity, relationship, and roles of 911 service providers.”).

For example, a PSAP may contract with an ILEC for 911 services, but the ILEC may then sub-contract with a third-party vendor to route those calls and provide ALI from databases that may be populated by multiple providers and may be located in a different state. In other cases, a PSAP may contract directly with a non-carrier SSP for call routing and ALI capabilities, bypassing the traditional role of the carrier entirely.⁸

Alaska carriers often have to contract with interexchange carriers to route 911 traffic to PSAPs located outside of their local service territory. The Borough that operates the PSAP is responsible for the cost of the transport. The cost was manageable under a traditional 911 system, but the upgrade to E911 requires expensive circuits. While Alaska law permits boroughs to impose an end-user surcharge to assist with the increased costs,⁹ small, rural carriers could not bear the burden for transport costs if the Borough refused to pay the cost for these circuits. The ARC appreciates that the Commission is deferring for “another day the complex issues of interconnection and cost recovery in an NG911 environment,”¹⁰ but putting the 911 burden on small ILECs is patently unfair and the lack of clarity risks the ability to upgrade. The ARC urges the Commission to affirmatively declare that external network costs ought to be allocated to the PSAP.

III. Additional Reporting Requirements Unwarranted For ILECs.

The Commission seeks comment on expanding annual certification procedures.¹¹ The ARC remains concerned about the ever increasing reporting obligations on small companies serving rural communities.¹² The expansion of certification requirements to “various entities in

⁸ *NPRM* at para. 14.

⁹ *See* Alaska Statutes § 29.35.131.

¹⁰ *NPRM* at fn. 25.

¹¹ *NPRM* at para. 43 (“We also propose to expand the range of network reliability practices covered by Rule 12.4 and the corresponding elements of the annual certification based on indications that the current rules may not capture relevant factors in the reliability of existing 911 networks.”).

¹² *See Comments of the Alaska Rural Coalition, Connect America Fund, et al.*, WC Docket Nos. 10-90, 14-58, 07-135, WT Docket No. 10-208, CC Docket No. 01-92, before the FCC (Aug. 8, 2014) at

the 911 ecosystem” introduces unwarranted confusion into the process. For example, many Alaska ILECs utilize third party interexchange carrier transport to get 911 traffic from the ILEC network edge to the requesting PSAP. The ARC is concerned that the proposed expansion of reporting requirements may unnecessarily introduce confusion into the process, and may impose reporting and certification burdens on ILECs for networks controlled by other carriers. ILEC certifications should be limited to the network elements under their direct control.

The Commission seeks comment on whether other “topics or practices should be incorporated into the “reasonable measures” and annual certification requirements.”¹³ The ARC remains opposed to additional reporting requirements for rural ILECs.¹⁴ None of the additional topics or practices offered by the Commission seems necessary to ensure 911 reliability. The annual certification requirements of Rule 12.4 are already burdensome, and small rural carriers would be better served if the Commission would focus on streamlining the reporting process instead of adding additional reporting requirements.

The Commission additionally requests comment on whether “any components of the certification require testing or analysis by an independent third party.”¹⁵ The ARC strongly opposes any requirement that a rural company invest scarce resources in an independent third party verification. There is no reason to require any entity, let alone rural carriers with the limited

51 (“The ARC understands the public policy value in holding support recipients accountable for the funds they receive, but the CAF regime has instituted many new requirements that in their aggregate have burdened small carriers disproportionately and depressed investment in rural broadband.”).

¹³ *NPRM* at para. 47.

¹⁴ *See Comments of Alaska Rural Coalition, Connect America Fund, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45, WT Docket No. 10-208, before the FCC (Jan. 18, 2012) (“*ARC USF Comments*”) at 16 (“It defies public policy to impose additional administrative obligations to retain necessary support at the same time the Commission is decreasing critical support of operations expenses. The burden on small, rural companies is already difficult to manage. There is simply no margin or budget for more paperwork.”).

¹⁵ *NPRM* at para. 47.

financial resources, to engage a third party to verify compliance. Requiring a third party verification adds no value to the information the Commission gathers; rather, it adds unnecessary costs onto those carriers who are least able to absorb such costs.

The Commission proposes to “require covered 911 service providers that seek to offer new services that affect 911 call completion to certify to the Commission that they have the technical and operational capability to provide reliable 911 service.”¹⁶ The ARC opposes any additional obligation premised on vague requirements. It is unclear what the new services referenced by the Commission might include or how they may affect 911 call completion. In Alaska, the transition to an IP network is progressing slowly due to middle mile challenges.¹⁷ Additionally, many locations in Remote Alaska lack the structured PSAP that is typical of the Lower 48. A common E911 arrangement elsewhere will not be the case in Remote Alaska, requiring different standards. It is also unclear what the Commission’s proposal would require new service providers to certify. The Commission notes that new providers may only seek to

¹⁶ *NPRM* at para. 59.

¹⁷ See *ARC USF Comments* at 4-5 (“Access to Affordable Middle Mile is Critical to Extend Broadband into Remote Areas of Alaska...The CAF Order recognizes that many areas of Alaska lack the viable backhaul options necessary to provide broadband services.”); see also *Comments of the Regulatory Commission of Alaska, Connect America Fund, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45, WT Docket No. 10-208, before the FCC (Jan. 18, 2012) (“*RCA Comments*”) at 19 (“Funding for middle mile infrastructure is essential to deployment of broadband in Alaska.”); *Comments of Alaska Communications Systems, Inc., Connect America Fund, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45, WT Docket No. 10-208, before the FCC at 8 (“The Commission’s model ignores the costs of extremely long haul middle mile transport in Alaska, especially by satellite and undersea cable, which are necessary to support delivery of the broadband speeds mandated by the Commission.”); *Comments of General Communication, Inc., Connect America Fund, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45, WT Docket No. 10-208, before the FCC (Jan. 18, 2012) at 28 (“As discussed above, middle-mile costs will be a significant (but not the only) component of the high costs of delivering any type of broadband –whether fixed or mobile – to Remote Alaska...middle mile is an essential component of providing affordable and reasonably comparable broadband services to rural Alaska, and of creating a communications infrastructure that can support critical public health, education and safety needs.”).

provide “critical links in 911 call completion,”¹⁸ but requires them to certify that they have the “technical and operational capability to provide reliable 911 service.”¹⁹ The ARC believes these requirements introduce needless complexity to the process.

IV. Creation of 911 NOC is Unnecessary and Burdensome in Alaska.

The Commission believes that “more must be done to address gaps in situational awareness and coordination when large-scale 911 outages affect multiple jurisdictions and service providers.”²⁰ The Commission proposes to designate 911 Networks Operations Center (“NOC”) providers to assume “primary responsibility for monitoring their networks to detect disruptions or degradations in 911 service, and for affirmatively communicating relevant information, as appropriate, to other stakeholders.”²¹ The Commission assumes that the role of the 911 NOC would be assumed by the ILEC in most circumstances.²²

The ARC opposes the imposition of a 911 NOC obligation. Given the non-contiguous nature of many ILECs in Alaska and the vast distances and terrain, it will be extremely difficult and costly to create such a NOC agreement. The ARC believes that this is a solution to a problem that does not exist, and is particularly problematic in Alaska. There has never been an issue coordinating responses to outages in Alaska, and therefore there is no obvious reason why adding another layering of observation and oversight will improve 911 reliability.

¹⁸ *NPRM* at para. 59.

¹⁹ *NPRM* at para. 59.

²⁰ *NPRM* at para. 65.

²¹ *NPRM* at para. 66.

²² *NPRM* at para. 67 (“In many cases, we expect that this role would be assumed by the incumbent LEC, because, as noted above, ILECs have historically provided transport of 911 traffic to PSAPs and have thereby occupied the best position to maintain comprehensive situational awareness, even as SSPs and vendors have come to provide component pieces of those networks.”).

It is unclear what size of jurisdiction the Commission is proposing each NOC oversee. The Commission “anticipate[s] the need for only one 911 NOC provider in each jurisdiction.”²³ If the Commission is envisioning a single NOC per state, then this is not a system that will work in Alaska. The size of Alaska makes it far more difficult to provide service than in the Lower 48.²⁴ The Commission states that it envisions the NOC will “serve as a hub for the collection, aggregation, and communication of available information among covered 911 service providers.”²⁵ If the Commission wishes to give oversight power to a single entity, the most logical choice is the state commission. Additional layers of reporting obligations will only complicate relationships that are already working.

The ARC also reiterates that Alaska’s lack of middle mile transport will make any oversight proposal difficult to apply.²⁶ As noted above, many Alaska ILECs are forced to purchase third party interexchange transport just to relay calls from their own network to the PSAP or other type of emergency responder. An ILEC with oversight responsibility would become needlessly involved in another carrier’s contractual relationship, complicating and already difficult situation.

V. Conclusion.

The ARC appreciates that the Commission is supportive of transitioning the nation’s 911 system to newer, more reliable technology. However, the Commission’s proposal does not take

²³ *NPRM* at para. 68.

²⁴ *Transformation Order* at para. 347 (“In Alaska, the average census block is more than 50 times the size of the average census block in the other 49 states and the District of Columbia, such that the large size of census areas poses distinctive challenges in identifying unserved communities and providing service.”).

²⁵ *NPRM* at para. 68.

²⁶ *See, e.g., ARC USF Comments* at 4-5 (“Access to Affordable Middle Mile is Critical to Extend Broadband into Remote Areas of Alaska...The CAF Order recognizes that many areas of Alaska lack the viable backhaul options necessary to provide broadband services.”).

into account the unique struggles of Alaskan carriers. ARC members are already overly burdened with reporting requirements and do not support adding any additional reporting that will give the Commission minimal benefits. The ARC also believes that the Commission's NOC proposal is unnecessary for Alaska, and instead believes the Commission's goals are better served leaving oversight authority in the hands of the state commissions.

Respectfully submitted on this 23rd day, March, 2015.

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