

Communications
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July 9, 2015

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Ms. Dortch:

RE: Ex Parte Notice. In the Matter of Technology Transitions, GN Docket No. 13-5; Ensuring Customer Premises Equipment Power for Continuity of Communications, PS Docket No. 14-174; Policies and Rules Governing Retirement of Copper Loops 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, RM-10593.

On July 9, 2015, Debbie Goldman, Telecommunications Policy Director of the Communications Workers of America, spoke via telephone with David Simpson, Chief of the Public Safety and Homeland Security Bureau (PSHSB), Lauren Kravetz, Deputy Division Chief of the Cybersecurity and Communications Reliability Division of the PSHSB, and Nicole McGinnis of the PSHSB regarding the above-captioned proceeding.

The discussion centered on the issue of baseline requirements for ensuring continuity of power for consumer premise equipment (CPE) during commercial power outages. Because non-copper based technologies do not provide line power, consumers who receive voice telephony service over fiber, co-axial cable, or other non-copper networks are at risk during storms and other emergencies when commercial power fails. Therefore, in order to protect public safety during these critical periods, Ms. Goldman urged the Commission to establish a requirement that providers make available a minimum of eight hours CPE back-up power, increasing to a 24-hour minimum within a set number of years.¹

¹ See CWA Comments, In the Matter of Technology Transitions et al, GN Docket No. 13-5, PS Docket No. 14-174, RM-11358, WC Docket No. 05-25, RM-10593, March 9, 2015, p. 15 and CWA Reply Comments, In the Matter of Technology Transitions et al, GN Docket No. 13-5, PS Docket No. 14-174, RM-11358, WC Docket No. 05-25, RM-10593, March 9, 2015, pp. 2-3.

Ms. Goldman also discussed the critical issue of customer notification and disclosure about the limitations, availability, cost, and other features of CPE back-up power. Ms. Goldman emphasized that many consumers who use traditional copper-based landlines have come to expect and depend upon line power in times of power outages. In order to ensure that consumers are fully informed, prepared, and empowered to take responsibility for back-up power as they transition to new technologies, the Commission must require carriers to provide notification and disclosure at multiple points. This would include notification and disclosure 1) at the point of sale, 2) on all marketing and informational material, both print, over the phone, and online and 3) at the time of installation of the new technology.,

Ms. Goldman noted that educators, reporters, writers, and others who convey information to the public have all learned the maxim that one must repeat critical information at least three times to ensure that the audience hears and absorbs the information. “Tell them what you’re going to tell them, tell them, and then repeat what you’ve told them.” Similarly, the Commission must ensure that carriers provide clear notification and full disclosure to customers about the limitations, availability, cost, and other features of CPE back-up power at multiple opportunities, including the point of sale, on all marketing and informational material, and at the time of installation.

Ms. Goldman stated that limiting notification and disclosure requirements to point of sale only is not sufficient. At the point of sale, consumers are asking many questions related to price, service, date of installation, etc., and may not focus on the back-up power issue. They may later refer to written or online material that will reinforce the back-up power message. Most important, consumers are often most focused on the features of a new technology at the time of installation, particularly when they have the opportunity to talk face-to-face with the installer. This is an important moment to alert – or remind -- the customer that the new technology does not have line power during power outages, to instruct the customer about the options for back-up power, and to provide the back-up power equipment.

In summary, the Commission should require notification and disclosure regarding CPE back-up power at multiple points, including 1) at the point of sale, 2) on all marketing and informational material, and 3) at the time of installation of the new technology.

Sincerely,



Debbie Goldman
Telecommunications Policy Director
Communications Workers of America

cc: David Simpson, Nicole McGinnis, Lauren Kravetz