

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications	)	PS Docket No. 15-80
	)	
New Part 4 of the Commission’s Rules Concerning Disruptions to Communications	)	ET Docket No. 04-35
	)	

**COMMENTS OF APCO**

The Association of Public-Safety Communications Officials-International, Inc. (APCO) hereby submits the following reply comments in response to the Commission’s *Notice of Proposed Rulemaking* (NPRM) in the above-captioned proceeding.<sup>1</sup>

Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 24,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including Public Safety Answering Points (PSAPs), dispatch centers, emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies.

APCO appreciates the Commission’s initiative to update its Part 4 outage reporting rules, which have helped improve the reliability and resiliency of the Nation’s communications networks, including 911 systems. APCO’s comments focus on those proposals that would impact 911 and public safety communications networks, including the Commission’s efforts to

---

<sup>1</sup> Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications, PS Docket No. 15-80, New Part 4 of the Commission’s Rules Concerning Disruptions to Communications, ET Docket No. 04-35, *Notice of Proposed Rulemaking, Second Report and Order and Order on Reconsideration*, FCC 15-39 (rel. Mar. 30, 2015).

“safeguard the public safety attributes of networks as critical communications transition to Internet Protocol-based platforms.”<sup>2</sup>

While APCO concentrates on matters specific to public safety communications networks in these comments, APCO notes that the general public, public safety communications professionals, and first responders increasingly rely upon a variety of services, devices, mobile applications,<sup>3</sup> and social media platforms for assistance during emergencies. While commercial communications services are not designed to the level of security and reliability required of public safety communications networks, their increasing role and value to the safety of life and property deserve consideration by the Commission as it considers updates to its Part 4 rules.

I. Reporting of Outages that Significantly Degrade Communications to PSAPs

Section 4.5(e) defines when an outage potentially affects a 911 special facility, which then triggers the reporting requirements of Section 4.9. The NPRM focuses on the first element of this rule, 4.5(e)(1): “a loss of communications to PSAP(s) potentially affecting at least 900,000 user-minutes.” The Commission notes that some providers may interpret this provision to trigger a report only when there is a complete loss, i.e., “when a PSAP is rendered unable to receive *any* 911 calls for a long enough period.”<sup>4</sup> Accordingly, the NPRM proposes to revise this section to “clarify that any network malfunction or higher-level issue that significantly degrades or prevents 911 calls from being completed constitutes a ‘loss of communications to PSAP(s),’ regardless of whether the PSAP is rendered completely unable to receive 911 calls.”<sup>5</sup>

---

<sup>2</sup> NPRM at para. 8.

<sup>3</sup> A simple look at AppComm, APCO’s website dedicated to mobile apps serving public safety and emergency response purposes, [www.AppComm.org](http://www.AppComm.org), illustrates the growing variety of mobile apps in use by the general public and the public safety community.

<sup>4</sup> NPRM at para. 9 (emphasis in original).

<sup>5</sup> Id. at para. 12.

APCO supports this proposed clarification. Clearly, knowledge of a significant degradation of service short of a complete failure is of very high value to PSAPs and emergency managers. The Commission next asks how a provider should determine that there is a need to report when there is a partial loss of communications to a PSAP. APCO recommends that the Commission amend Section 4.5(e)(1) to require an outage report when at least half (50%) of the trunks serving any given PSAP are out of service. PSAPs vary greatly in size. Yet the vast majority of PSAPs are small, with just a few telecommunicator positions. For most PSAPs, losing half or more of the trunks would be a significant problem. Thus, a threshold of at least half of the serving trunks would serve as an appropriate basis to trigger outage reports, and account for a “significant degradation” that does not rise to a full failure.

Other proposed methods have value but, in APCO’s view, are not as practical. For example, user minutes do not necessarily relate directly to PSAPs in terms of the need for an outage notification, since most 911 calls are of relatively short duration. Further, a threshold based on the number of users a PSAP serves can be useful, but necessarily varies due to the roaming nature of wireless callers.

## II. Reporting Wireless Outages Generally

Concerning the requirements specific to wireless service providers, the NPRM inquires whether the Commission should adopt a “separate and additional wireless outage reporting requirement based on the geographic scope of an outage, irrespective of the number of users potentially affected.”<sup>6</sup> APCO supports this proposal, and agrees with the Commission’s observation that “[a]s the percentage of calls to 911 from wireless devices continues to increase,

---

<sup>6</sup> Id. at para. 34.

the negative impact to the public from large geographic areas losing wireless coverage for emergency calls grows in significance.”<sup>7</sup>

A geographic-based reporting requirement would also be helpful during special events and tourist seasons that attract large crowds to areas that are otherwise sparsely populated. In addition, PSAPs would benefit generally by being informed of geographic-based outages in order to plan for contingencies or mitigate potential harm to account for the lack of access to 911.

In APCO’s estimation, an outage affecting one-third of a county or PSAP service area would likely account for situations when a reporting requirement based on potentially affected users might not be triggered. Thus, APCO proposes that the Commission adopt a new outage reporting requirement for wireless service providers that is triggered when an outage covers one-third or more of any county or PSAP service area.

### III. Estimating the Number of “Potentially Affected” Wireless Users for Outages Affecting a PSAP

The Commission references a Petition for Reconsideration filed by Sprint, wherein Sprint requests clarification of its obligation under Section 4.9(e)(5) to report outages affecting a 911 special facility.<sup>8</sup> Section 4.9(e)(5) requires a notification when a mobile switching center (MSC) outage occurs that potentially affects a 911 special facility involving at least 900,000 user-minutes. Sprint requests that it be permitted to divide the capacity of the MSC by the number of subtending PSAPs in order to more accurately estimate the number of end users potentially affected by an outage affecting a given PSAP. The NPRM instead proposes that capacity “be allocated to each PSAP in reasonable proportion to its size in terms of number of users served.”<sup>9</sup>

---

<sup>7</sup> Id.

<sup>8</sup> Id. at para. 36.

<sup>9</sup> Id. at para. 37.

APCO appreciates the intent of both Sprint and the Commission in attempting to target the reporting to the impacted PSAP(s). If, as the Commission notes, its proposed calculation method is “consistent with what we observe to be the current reporting practice”<sup>10</sup> then APCO supports the Commission’s alternative proposal. At the same time, as discussed above, reports triggered by disruptions to trunks servicing a PSAP, or by geographic-based wireless outages, would also be meaningful to PSAPs.

IV. Identifying Special Offices and Facilities

The NPRM seeks comment on alternative means to identify “special offices and facilities” for purposes of its related outage reporting requirements, to include those facilities that are enrolled in or eligible for the Telecommunications Service Priority (TSP) program.<sup>11</sup> APCO supports this proposal, so long as all PSAPs and other appropriate public safety agencies are eligible for TSP.

CONCLUSION

APCO supports amendments to the Part 4 outage reporting requirements consistent with its Comments herein.

Respectfully submitted,

APCO INTERNATIONAL

By: /s/

Jeffrey S. Cohen  
Chief Counsel  
(571) 312-4400 ext. 7005  
[cohenj@apcointl.org](mailto:cohenj@apcointl.org)

July 16, 2015

---

<sup>10</sup> Id.

<sup>11</sup> Id. at paras. 38-40.