

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

August 11th, 2015

Re: *9-1-1 Governance and Accountability*, PS Docket No. 14-193
Improving 9-1-1 Reliability, PS Docket No. 13-75

Dear Ms. Dortch:

The undersigned group of public and private sector 9-1-1 stakeholders have been collaborating on issues raised in the Commission's 9-1-1 Governance Notice of Proposed Rulemaking ("NPRM") in the above-referenced proceedings since before initial comments were filed in the matter.¹ The general purpose of this collaboration has been to seek alternatives and specific suggestions consistent with the Commission's articulated Policy Statement framework for the ongoing migration and transition towards Next Generation 9-1-1 ("NG9-1-1").

After some initial discussions, the group's collaborative efforts have become organized into two separate but interrelated parts. The first part is a set of high-level principles ("Principles"), and the second part is a more specific statement of needs and objectives, considerations, and proposed actions, including timeframes related to those proposals ("Considerations & Proposed Actions"). More specifically, the group's primary goals in constructing the Principles and Considerations & Proposed Actions, include:

- (1) Offering to the Commission possible alternatives to additional federal regulation or, at a minimum, offering a new perspective on what the group believes should be well considered in the Commission's open proceeding;
- (2) Expressing a desire, and an invitation to the Commission, to work collaboratively with these 9-1-1 stakeholders in order to achieve the best possible result for moving the nation forward with changes to 9-1-1 during and after the IP transition; and
- (3) Publishing the Principles and the Considerations & Proposed Actions with the hope that they will be broadly considered, enhanced with more detail where needed, and adopted by the industry as a form of Best Practices with attendant commitments thereto which would signal to the Commission that the industry recognizes its special role in protecting the public interest and lives and property of Americans and the need to act voluntarily on these issues at this historic time.

¹ This group currently includes the following 9-1-1 stakeholders: The National Emergency Number Association ("NENA"), the National Association of State 9-1-1 Administrators ("NASNA"), the Industry Council for Emergency Response Technologies ("iCERT"), the Association for Telecommunications Industry Solutions ("ATIS"), the United States Telecom Association ("USTelecom"), Texas Commission on State Emergency Communications ("CSEC"), and the Texas 9-1-1 Alliance.

Work on the Principles has been completed, and they are included here as a separate attachment. However, the issues included in the Considerations & Proposed Actions are many and complex; therefore, work on the Considerations & Proposed Actions is ongoing, and more work needs to be done before more specific technical recommendations on suggested paths forward are ready to be submitted by the group. The intent is that the Considerations & Proposed Actions will be shared as a separate, follow-up *ex parte* filing. The group has targeted September, 2015 for completion of the Considerations & Proposed Actions and believes it will meet this target. Because of the importance of the NPRM, the group is submitting the Principles now (attached hereto) so as not to delay their review and consideration by the Commission and other interested parties.

The recommendations presented as part of the Considerations & Proposed Actions are expected to include suggestions on specific actions as well as the appropriate fora for those actions to be taken. The types of core items currently under discussion include:

- (1) An update on the reliability and impairment issues that should be the focus of future development work as 9-1-1 services continue to transition to NG9-1-1;
- (2) A clarification of key terms and concepts in order to promote clear, accurate, and effective communications among stakeholders and more effective 9-1-1 governance;
- (3) A clarification of the scope of service providers' and PSAPs' monitoring and situational awareness reporting roles and responsibilities, whether through existing Network Operations Center functions or some other appropriate method;
- (4) The facilitation of coordinated resolution processes and support capabilities on a nationwide basis; and
- (5) The facilitation of improvements in standards to support the effective transition of 9-1-1 to NG9-1-1 systems and services and methods to appropriately verify and document to interested 9-1-1 stakeholders that new deployments meet those standards.

Both the Principles and the Considerations & Proposed Actions would potentially benefit from additional 9-1-1 stakeholder discussion in public fora -- such as in a Commission Workshop or in a NENA Critical Issues Forum. The group strongly urges the FCC to support such additional collaborative discussions and commits to support such initiatives should they be utilized.

The group appreciates the opportunity to submit these Principles and its current plans for continuing their ongoing efforts, including submission of the Considerations & Proposed Actions for the Commission's review and consideration in September 2015. Please contact the undersigned with any questions related to this matter.

Respectfully submitted,

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Principles and Next Steps for 911 Governance and Accountability

IP Transition and NG911

1. The transition to IP-based technologies and the standardized architecture developed to support NG911 are explicitly designed to promote a diverse public / private ecosystem that will increase innovation, reliability, and competition, and enhance the functionality and utility of 911 services, and these principles should be promoted.
2. Efforts should be made to accelerate the continued development and implementation of NG911 standards and systems, while assuring reliability (including where systems serve diverse geographic areas).

911 Governance

3. Federal, state, regional, and local authorities, as well as 911 service providers and other providers, have existing roles and responsibilities to meet increased consumer expectations for reliable 911 services which span 911 coordination, operations and governance. The migration to NG911 compels the entire emergency communications industry to evaluate whether and how these roles are changing, including the appropriate demarcation point between networks used to access NG911 services and the actual NG911 services provided by 911 service providers. Increased clarity on these issues will help to reduce potential delays in NG911 deployment.
4. Legacy terminology is not always as precise as it needs to be; and in this transformative time in the evolution of 911, terminology that applies to NG911 should be fine-tuned.
5. Providers of 911 services must be accountable for the reliability of their services, and vendor contracts, buttressed by state-sanctioned tariffs where needed, can provide an effective means to address the availability and reliability of 911 service.
6. Recommendations for further enhancements to the governance of 911 systems and services should be developed by an advisory committee comprised of NARUC, NASNA, NENA, APCO, and other organizations representing state, local, regional 911, and industry officials, whose recommendations would be augmented by public comment.

911 Reliability

7. While the transition to NG911 will bring significant benefits, it must be accomplished in a manner that does not undermine the availability, reliability, and resiliency of the 911 system.
8. Public safety agencies often contract with their 911 service providers for such services as network operations center (NOC) functionality and related features, and should include in such contracts the use of Service Level Agreements (SLAs) and other provisions to assure service quality and reliability, which provisions will likely need to evolve in scope going forward.

Principles and Next Steps for 911 Governance and Accountability

9. A Covered 911 Servicer Provider (CSP) is defined as an entity that provides 911, E911, or NG911 capabilities prescribed by Commission rules directly to a PSAP, and CSPs are responsible under the FCC's current rules for subcontractors they contract with for services in the provision of 911 services to the PSAP, including reporting on outages for which such subcontractors may be responsible. Any proposal to change the definition of CSP to include subcontractors should consider the impacts of such a change on the 911 ecosystem and should evaluate the relative effectiveness of regulation as compared to contract provisions between the CSP and its subcontractors.
10. Consistent with existing law, FCC policies should continue to recognize the distinction between access to the 911 system provided by Originating Service Providers and their vendors, and the 911 system itself provided by 911 Service Providers that contract with states, regions, and local authorities for provisioning of various 911 services. As the transition to NG911 occurs, considerations should be given to whether and how the distinctions between these roles will impact overall 911 reliability.
11. Collaboration and consensus-based forums should be used to develop and finalize voluntary best practices for providing public safety grade NG911 services, including examining overall monitoring, reliability, notifications, and accountability in NG911 environments, which should be accomplished in an appropriate and timely manner.
 - a. The focus of this collaborative effort would be to develop and implement processes in the evolving NG911 environment to (1) *Identify* risks that could result in disruptions to 911 service; (2) *Protect* against such risks; (3) *Detect* future 911 outages; (4) *Respond* to such outages with remedial actions, including notification to affected 9-1-1 authorities, and (5) *Recover* from such outages on a timely basis in cooperation with any affected subcontractors.
 - b. Recognizing that the implementation of best practices may obviate the need for additional rules beyond those adopted in the FCC's 911 Reliability Order, the consensus-based process should recommend any changes believed to be necessary to reflect the emerging NG911 environment. These recommendations should be consistent with the overarching goals of encouraging innovation and investment in NG911 and avoiding duplicative regulatory requirements.
 - c. Best practices should also be developed for contract provisions between state and local public safety agencies and their 911 service providers to facilitate NOC functionality and other enhanced services that would promote reliability.
 - d. As with all best practices, the collaborative work of this consensus body should also be flexible to account for differences in the financial and personnel resources available to individual PSAPs, state and local governments, and 911 Service Providers, as well as differences in the legal and governance environments in which 911 services are provided.