

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20555**

In the Matter of)	
)	
Technology Transitions)	GN Docket No. 13-5
)	
Policies and Rules Governing Retirement of Cooper 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 Services)	RM-10593

COMMENTS OF ADT LLC d/b/a ADT SECURITY SERVICES

ADT LLC d/b/a ADT Security Services (“ADT”) submits these comments in response to the Federal Communications Commission’s (“FCC”) Further Notice of Proposed Rulemaking in the above-referenced dockets.^{1/} ADT is a leader in the security and alarm service industry, protecting approximately 6 million homes and businesses in the United States from fire, burglaries, medical events, and other emergencies. ADT also offers home and business automation systems with remote access and video with ADT Pulse® serving approximately 1.5 million of these customers. ADT welcomes the transition to advanced communications technology, such as Internet Protocol (“IP”)-based networks, and believes this technology transition will create great potential affecting services critical to the life and safety of American consumers and to connections to first responders. Given its important place in its industry, ADT

^{1/} *Technology Transitions, et. al.*, Report and Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 15-97 (rel. Aug. 7, 2015)(“*Technology Transitions FNPRM*”).

also has a responsibility to advocate for sensible policies that balance the needs of customers and the security industry with the need to adapt to new technological advances.

I. Through Collaboration with AT&T, ADT Developed Interoperability Principles and Now Recommends that the FCC Adopt Those Principles Into a Rule.

ADT appreciates the invitation by the FCC to address interoperability of third-party devices and services.^{2/} Through negotiation and collaboration, ADT and AT&T created an interoperability framework through MFVN principles ensuring ADT's alarm system would be uninterrupted as AT&T's network transitioned from PSTN to VoIP.^{3/} Because of these agreed to principles, ADT, in ex parte filings, proposed the MFVN rule.^{4/} The proposed MFVN rule reads:

Section 1. Definitions

- (a) *Managed Facility Voice Network or MFVN.* A physical facilities network that (a) is managed and maintained (directly or indirectly) by the service provider to ensure service quality and reliability from the service subscriber location to the Public Switched Telephone Network ("PSTN") or other MFVN peer network; (b) utilizes the PSTN, or similar signaling and related protocols as the PSTN with respect to dialing, dial plan, call completion, and the carriage of alarm signals and protocols, loop voltage treatment (in accordance with FCC Part 68/TIA-968A); and (c) provides realtime transmission of voice signals, carrying alarm formats unchanged.
- (b) *Telecommunications Carrier.* Any person defined as a "Telecommunications Carrier" pursuant to 47 U.S.C. section 153(51).
- (c) *TDM Service.* A time-division multiplexed, circuit-switched voice service offered by a Provider.
- (d) *IP Service.* A voice-enabled service offered by a Provider that utilizes Internet Protocol, or any successor format, including Voice over Internet Protocol service.

^{2/} See *id.* at 115, para. 221 (We seek comment on whether the MFVN standards should play a role in our evaluation of the interoperability criteria or, in the alternative, on what role if any it should play in our legal framework for technology transitions).

^{3/} ADT Comments at 3 (ADT also entered into an MFVN agreement covering Verizon's migration of POTS customers from copper to fiber).

^{4/} Letter from Geoffrey G. Why, Counsel to ADT, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 13-5, et al. (filed Apr. 15, 2015).

Section 2. Managed Facility Voice Networks Standards

- (a) In the event a Telecommunications Carrier offers an IP Service in addition to, or as a replacement for, a TDM Service:
- (1) Each Telecommunications Carrier shall ensure that the IP Service shall continue to support the equipment and service offerings offered on MFVNs that the TDM Service is or was capable of supporting; and
 - (2) Each MFVN provider shall supply professional installation of its services in a manner that preserves the primary line seizure function for alarm system transmission, or in the alternative, if the MFVN provider offers a self-installation option, it shall notify customers who choose this option of wiring practices necessary to ensure preservation of primary line seizure for alarm system transmissions.
- (b) Each MFVN provider shall establish a major and minor disaster recovery plan, to address outages and widespread events. Such plans shall include consumer battery backup options in the event of a power outage.

As explained below, the FCC should adopt the MFVN rule because it is beneficial to consumers and businesses; and will not be too burdensome to telecommunication carriers.

A. The FCC has Legal Authority to Promulgate an MFVN Rule to Ensure Interoperability and Protect Public Interest.

As an initial matter, the FCC has authority to promulgate an MFVN rule to ensure interoperability and protect public interest through the Tech Transition. As the FCC observed in its Tech Transition order, the Commission through Section 214(c) “may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require.”^{5/} The Commission continued and stated that “it had the discretion to grant a discontinuance request in whole or in part, and may attach *conditions* as necessary to protect consumers and the public interest.”^{6/} Here, the proposed MFVN rule sets the condition that would

^{5/} 47 U.S.C. § 214(c). *See* Tech Transitions, at ¶ 153.

^{6/} *Id.* (emphasis added).

ensure that alarm system providers will be able to provide service without interruption during and after technology transitions benefiting millions of consumers.

The MFVN rule has a strong public interest benefit because it will protect consumers. Along with ADT, there are more than ten thousand small businesses in the alarm industry and they service millions of alarm customers.^{7/} If the FCC adopts the MFVN rule, many consumers, who are not covered by the MFVN principles, will have confidence that their alarm systems will be robust and provide uninterrupted service during this Tech Transition. Moreover, the MFVN rule has public safety benefits. Alarm systems provide safeguard, protection, and communication regarding fire, medical events, burglaries, and other emergencies. The MFVN rule assures that these services will be uninterrupted during the Tech Transition. Because of the benefits to consumers and the alarm industry, the MFVN rule also encourages technology transitions. With the MFVN rule in place, customers of telecommunication carriers will participate in transitions knowing their alarm systems will not experience service interruption.

AT&T argues that the MFVN rule is unnecessary and inappropriate at this time.^{8/} Here, the MFVN rule is necessary and appropriate. At this time, ADT and AT&T have only an unsigned statement of principles where there could be concern that AT&T could change the terms unilaterally. To remedy these concerns, ADT recommends that the FCC adopts the MFVN rule. An FCC MFVN rule will create certainty in the marketplace because it will be an enforceable FCC rule and clear to all what carriers need to do to ensure interoperability.^{9/} Furthermore, while ADT and AT&T/Verizon have agreed to MFVN principles/agreement, it is too complex, cumbersome and costly for smaller alarm providers to negotiate MFVN

^{7/} AICC Comments at 10-11.

^{8/} Letter from Frank S. Simone, Vice President Federal Regulatory, AT&T, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 13-5 et al., at 1-2 (filed June 8, 2015).

^{9/} 47 U.S.C. § 502.

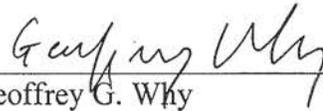
principles/agreement with AT&T/Verizon.^{10/} By codifying the MFVN rule for these smaller providers, the FCC protects millions of alarm service consumers, who were not covered by the MFVN principles/agreement through this Tech Transition and future technology transitions. Another concern regarding the MFVN principles is that if AT&T sells their network to a new provider, the new provider currently will not be obligated by the MFVN principles. However, the MFVN rule addresses that concern and will ensure that consumers will be protected even after a merger or sale of a network. Lastly, the MFVN rule will not be too burdensome. AT&T and Verizon have already agreed to the rule though the MFVN principles or similar that they negotiated with ADT. Consequently, two of the major telecommunications providers are already abiding by the rule.

^{10/} ADT Comments at 3 (ADT also entered into an MFVN agreement covering Verizon's migration of POTS customers from copper to fiber).

CONCLUSION

ADT appreciates that the FCC wants to address interoperability of third-party devices and services. In order ensure interoperability of alarm services, ADT advocates that the FCC adopt the proposed MFVN rule which is based on the already agreed to MFVN principles/agreement. The FCC has the legal authority through Section 214(c) to adopt the rule. By adopting the rule, the FCC ensures alarm system interoperability and protects millions of alarm system consumers through this and future technology transitions.

Respectfully submitted,



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