

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

In the Matter of )  
 )  
Recommendations of the Independent Panel )  
Panel Reviewing the Impact of Hurricane ) EB Docket No. 06-119  
Katrina on Communications Networks )  
\_\_\_\_\_ )

**COMMENTS OF SPRINT NEXTEL CORPORATION**

**SPRINT NEXTEL CORPORATION**

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August 7, 2006

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## Summary

The terrible impact of Hurricane Katrina on the lives and property of the residents of the Gulf Coast also underscored the importance of telecommunications technologies to the health and well-being of citizens of the United States.

Although the merger of Sprint and Nextel had closed a mere 9 days before Hurricane Katrina made landfall in Plaquemines Parish, Louisiana, the new company mobilized its employees in an impressive effort to begin restoring service and provide aid in the aftermath of the storm. *Four hours* after Katrina hit, Sprint Nextel's Emergency Response Team ("ERT") was on the ground in Louisiana bringing personnel and assets to aid in recovery efforts and within 72 hours, Sprint Nextel's Emergency Incident Management Team ("EIMT") erected a temporary mobile command center, dubbed "Sprint City," with full network and information technology capabilities to coordinate the company's massive recovery effort.

Further, independent of any federal rules or regulations, Sprint Nextel is dedicating \$100 million for hurricane preparations in storm-prone coastal communities. This investment includes the installation of permanent generators for critical wireless cell sites and network facilities on the company's Global IP Network, which provides long-distance voice and data communication services. The investment will also fund the purchase of portable generators and additional vehicles for the company's disaster response and recovery.

While Sprint Nextel and other carriers can and do prepare for crises, they cannot ensure against the devastation of disasters such as Hurricane Katrina and the severe flooding that followed it. Commission rules cannot change the fact that the wireless industry uses commercial power in the first instance to operate its networks; they cannot prevent floodwaters that linger for weeks from having severe detrimental effects on wireless and wireline telecommunications networks; nor can they improve the security issues that impacted network recovery efforts. As discussed herein, the Commission can aid in the area of disaster preparedness and recovery, but rules will not change these significant factors that impacted service restoration after Hurricane Katrina hit.

The Commission can aid in speeding recovery after future catastrophes by taking steps consistent with the recommendations in the Report without burdening the communications service providers with costly mandates. Steps that the Commission should take include supporting industry in their efforts to obtain "emergency responder" status; conducting awareness programs that will aid in better communication during emergencies; and creating a Network Reliability and Interoperability Council ("NRIC") VIII charter focused on Panel recommendations that require a more detailed review.

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Sprint Nextel Corporation (“Sprint Nextel”) files these comments in response to the Federal Communications Commission’s (“Commission”) Notice of Proposed Rulemaking (“Notice”) to address and implement the Report and Recommendations (“Report”) presented by the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (“Panel”).<sup>1</sup>

As Hurricane Katrina demonstrated, there is no “typical” disaster, and no set of one-size-fits-all rules can accomplish the goals of improving disaster preparedness and network reliability. As detailed below, there is certainly a role for the Commission and other federal agencies to play in terms of encouraging improved disaster preparedness and network reliability. However, rather than pursue additional mandates on industry alone, the Commission and other government agencies should focus on how they may help industry and government coordinate their respective preparedness and relief efforts for the maximum benefit of the public in times of crisis, and serve as a forum for facilitating dialog among industry and government. Our industry needs the flexibility to learn from crises—both the successes and the mistakes—through voluntary means, rather

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<sup>1</sup> Sprint Nextel was a member of the Panel and also participated in the subgroup formed to study industry pre-positioning for disasters in order to achieve greater network reliability and resiliency. Business continuity and disaster recovery are a particular focus for Sprint Nextel and it welcomed the opportunity to participate in this worthy endeavor.

than inflexible mandates unsuitable for the dynamic nature of disaster relief efforts. Flexibility allows a better response targeted at emergency needs, rather than federal requirements that may prove unresponsive to the particular emergency faced.

After the Introduction below, Sprint Nextel, following the order of issues set forth in the Report and Notice, addresses what it believes the Commission should do to facilitate better disaster recovery capabilities and network reliability.

## **I. INTRODUCTION**

### *A. Sprint Nextel Began Planning and Pre-positioning Assets Well Before Hurricane Katrina's Landfall*

Sprint Nextel's initial response to Hurricane Katrina and its expected service impacts actually began four days before the storm's Atlantic Coast landfall. As part of the emergency plan, hundreds of Sprint Nextel engineers and technicians across the South, conducted their standard list of hurricane preparations—completing checklists at 72, 48 and 24-hour intervals before landfall. As part of this process, crews pre-positioned generators and diesel fuel, readied specialty vehicles, and assembled tools and supplies needed to repair damaged electronics and restore service to our customers in the region.

Prior to the merger of Sprint and Nextel which closed on August 20, 2005—only 9 business days before Hurricane Katrina hit the Gulf Coast—Nextel and Sprint were operating as competitors. The companies had two different Business Continuity programs, two different wireless networks operating on different technology platforms, and two different strategies for restoring wireless communications in the event of a service disruption. As a result of Sprint Nextel's strong pre-merger planning, when the storm hit the Gulf Coast, the newly formed company of 80,000 employees came together with a unified and large-scale restoration effort.

*B. Severe Power Outages and the Lack of Security for Relief Efforts Severely Impacted Sprint Nextel's Wireless and Wireline Networks and the Company's Ability to Restore Service Quickly.*

Following initial field inspections after Hurricane Katrina hit New Orleans, Sprint Nextel reported widespread wireless outages at the point of impact on both the Nextel National Network and the Nationwide Sprint PCS Network. In addition, Sprint Nextel announced service disruptions to long distance voice and data customers across the region. Along with the total loss of the New Orleans long distance switch and the Biloxi, Mississippi, Point of Presence ("POP") site, Sprint Nextel sustained significant damage to several regeneration sites along Sprint Nextel's fiber route, and numerous wireless sites in the five-state area.

As reported in the media, in many areas of New Orleans, there were major security issues to contend with, requiring Sprint Nextel and other carriers to conduct restoration work only during daylight hours while accompanied by armed guards hired to protect company employees. Further, fuel shortages and road closures in the hardest hit areas of Louisiana and Mississippi disrupted Sprint Nextel's efforts to deploy and refuel cell site generators.<sup>2</sup>

While back up battery power offered some temporary relief to Sprint Nextel's and other wireless carriers' sites without commercial power, the vast flooding across the area made it very difficult to deploy generators to the sites after the battery power ran out.<sup>3</sup> As the Report notes, where back-up generators and batteries were available at

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<sup>2</sup> Indeed, to provide an indication of how a situation as dire as Hurricane Katrina disrupted what otherwise may have been a more "typical" disaster response for Sprint Nextel, a fuel truck destined for one of Sprint Nextel's cell site generators was held up at gunpoint, and the truck itself and the diesel fuel it was carrying were stolen.

<sup>3</sup> See Report at 17.

communications facilities, they provided power to operate for 24-48 hours without the need for refueling, “generally a sufficient period of time to permit the restoration of commercial power in most situations, but not enough for a catastrophe like Hurricane Katrina.”<sup>4</sup>

Power outages certainly are predictable not only in New Orleans but throughout the Nation. Sprint Nextel and other wireless carriers are prepared for such events through the use of back-up batteries, generators, Cells on Wheels (“COWs”) and, unique to Sprint Nextel, Satellite Cells on Light Trucks (“SatCOLTs”).<sup>5</sup> Sprint Nextel and other telecommunications service providers are spending millions of dollars to improve back-up sources of power such as batteries, generators, and fuel-cell technology to increase reliability and decrease dependence on commercial power.

*C. Sprint Nextel Reacted Quickly to Restore Service and Provide Needed Assistance to Emergency Responders.*

Two groups within Sprint Nextel played significant roles in the ability of the company to promptly restore service. The first, the EIMT oversees the company’s disaster response. Within 72 hours after the Gulf Coast landfall, the EIMT deployed a temporary mobile command center with full network and information technology capabilities to coordinate the company’s massive recovery effort. Located at the Baton Rouge State Fairgrounds, the facility, which employees on the ground dubbed “Sprint City”, housed Sprint Nextel’s main base of operations in Louisiana.<sup>6</sup>

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<sup>4</sup> *Id.*

<sup>5</sup> Sprint Nextel’s SatCOLTs include a 70-foot cell tower and a satellite antenna to link the site to Sprint Nextel’s network. The site is powered by a 15-kilowatt generator and carries enough diesel fuel to run for 10 to 12 days.

<sup>6</sup> Spread over several acres, “Sprint City” housed approximately 360 people during the recovery, including network recovery personnel, corporate security, IT, facilities, sales, environmental health and safety

The other group instrumental to Sprint Nextel's service restoration is the Emergency Response Team ("ERT"), a small group of communications professionals with extensive emergency communications experience who work side-by-side with public safety and other state and local government agencies in their response and recovery to emergencies or large-scale events. To help respond to the immediate communications needs of the emergency responders working in the region, within four hours after the Gulf Coast landfall, the ERT arrived in Louisiana and deployed its personnel and its fleet of COWs and SatCOLTs to hurricane response and recovery efforts across the Gulf Coast.<sup>7</sup>

Due to round-the-clock efforts of Sprint Nextel's employees, as of September 7, 2005, only 10 days after Hurricane Katrina hit the Gulf Coast, it had restored wireless service in Alabama, more than 80% of wireless service in Mississippi, and more than 60% in affected areas of Louisiana. Additionally, wireline long-distance traffic previously served by a switch in New Orleans was rerouted, enabling customers in Louisiana, Alabama, and Florida to place long-distance calls over Sprint Nextel's network.

*D. Sprint Nextel Conducted After Action Reviews and is Improving its Disaster Response and Hardening its Network for Future Incidents*

Through Sprint Nextel's Event Analysis program, the company conducted after action reviews across the organization and identified, documented, and now is driving improvements both in disaster response and network hardening. These improvement

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officers, business continuity officers, Sprint Nextel's state Emergency Operations Center ("EOC") representatives, a full-time helicopter pilot, a nurse, and a mental health counselor.

<sup>7</sup> The ERT made more than 20,000 handsets available to first responders that were part of Sprint Nextel's \$10 million in cash and charitable donations to hurricane relief in 2005.

areas run the gamut across the company and beyond – to vendors, partners and other service providers. Sprint Nextel is focusing significant resources on five key areas of improvement:

- **Cell Site Hardening:** To focus on ensuring maximum cell site uptime, even during intense storms, Sprint Nextel is placing additional emphasis on back up generators and alternative means of transport facilities in areas of significant risk;
- **Business Continuity Planning:** Sprint Nextel continues to review and revise site vulnerability assessments and put forth additional mitigation plans. Additionally, the company is improving its overall command and control structure during storm preparation and restoration to streamline the process and further facilitate service restoration;
- **External Partnerships:** Sprint Nextel continues to reach out to vendors, partners and other service providers to collaborate on improved ways to respond to emergencies. This includes working with power and other telecom providers to help prioritize restoration efforts and improve mutual aid processes;
- **Restoration Processes:** Sprint Nextel has taken steps to, and continues to review its restoration process from top to bottom, in order to reduce cycle times, improve prioritization methodologies, and provide better restoration forecasting;
- **Communications:** Sprint Nextel has put in place more rigor around tactical communications during restoration, and is also focusing on communications externally as well, such as with customers, emergency response agencies, vendors, partners and other service providers to ensure necessary and timely communications.

Without government mandates, Sprint Nextel announced that it is spending \$100 million for hurricane preparations in storm-prone coastal communities. That money will be spent on installing permanent generators at 800 critical wireless towers in 2006 alone. Sprint Nextel will also begin installing an additional 1,500 generators at cell sites in Texas, Louisiana, Mississippi, Alabama, Georgia, North and South Carolina, and Florida. The cell sites that Sprint Nextel is targeting to receive the permanent generators are not only those that serve densely populated areas and critical hurricane evacuation routes, but

also those that support critical infrastructure, such as public safety organizations, state and local Emergency Operations Centers (“EOCs”), hospitals and nursing homes, airports, and government facilities and military bases. The investment will also fund the purchase of more portable generators, COWs and SatCOLTs.

As a key component of the investment in network hardening, Sprint Nextel is also strengthening elements of its Global IP Network. For example, Sprint Nextel is relocating a section of the network’s Synchronous Optical Network (“SONET”) fiber ring between Mobile, Alabama, and Hammond, Louisiana, to a path further inland, away from the flood-prone areas of the Gulf Coast. Sprint Nextel’s SONET fiber rings carry large amounts of voice and data traffic to locations around the world, and hardening these assets is another priority activity for Sprint Nextel.

## **II. PRE-POSITIONING FOR DISASTERS**

As businesses, government agencies, and individual customers become more reliant on wireless communications as well as on remote access to information, the concept of business continuity has never been more important. For Sprint Nextel business continuity is a fundamental component of our corporation’s business philosophy.

### *A. Joint Industry-Government Forums Such as NRIC are the Proper Bodies to Analyze and Improve Business Continuity Planning.*

Given the momentum to enhance and develop best practices, the breadth of relevant emergency preparedness and disaster recovery best practices, and the need for flexibility in response to emergencies, Sprint Nextel recommends continued industry self regulation in this area. We encourage the Commission to continue to facilitate business continuity planning, through the use of best practices such as those from the Network

Reliability and Interoperability Council (“NRIC”), a Federal Advisory Committee established by the Commission.<sup>8</sup> Indeed, many of the recommendations of the Panel could serve as a starting point for a charter for NRIC VIII.

There is no one-size-fits all plan for business continuity. For example, Sprint Nextel’s own business continuity plans are unique to its status as one of the few companies offering wireless communications and a long-distance voice/data network. *It is not rules themselves that improve the strength as well as resiliency of the nation’s communications networks. Rather, it is a commitment on the part of carriers to discuss issues in forums like the Katrina panel, or NRIC, the Media Security and Reliability Council (“MSRC”), etc., and take steps to implement mechanisms that can enhance network resiliency.*

Rules and the threat of enforcement action can be effective to drive industry change, but industry personnel are also motivated by the strong desire to provide reliable services in emergencies. Furthermore, rules in this area are not well suited for the changing dynamics and unpredictable nature of disasters. Telecommunications service providers need the flexibility afforded by the more dynamic nature of best practices that allow for faster decision-making and real-time collaboration than an administrative rulemaking procedure.

Sprint Nextel’s business continuity plans are extensive, going beyond the reach of those items listed in the Report.<sup>9</sup> Sprint Nextel maintains an active all-hazards business continuation program that consists of business resumption, disaster recovery, and incident management. Sprint Nextel has developed Business Continuation Guiding Principles,

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<sup>8</sup> Sprint Nextel is an active participant in NRIC and relevant sub teams and the NRSC within the Alliance for Telecommunications Industry Solutions (“ATIS”).

<sup>9</sup> See Report at 31.

consistent with industry-wide best practices, which defines a strategy and responsibilities for communicating the importance of business continuation management within the company. Business continuation principles consist of risk identification and assessment, risk optimization strategies, and incident management planning. Sprint Nextel has adopted these guiding principles in order to develop and maintain an appropriate state of resiliency and preparedness within the company.<sup>10</sup>

Several NRIC best practices directly address the points in the Report, and Sprint Nextel subscribes to these and various other best practices.<sup>11</sup> For example, in the area of power reserves, Sprint Nextel supports the provision of backhaul facility equipment located at a given cell site with backup power equal in duration to that provided for the other equipment at the cell site.<sup>12</sup> Regarding replacement equipment, Sprint Nextel routinely verifies the integrity of system spare parts, and replenishes used spares.<sup>13</sup> Sprint Nextel is chairing a Network Reliability Steering Committee (“NRSC”) study on adequate sparing levels at the request of the Commission. In terms of maintaining an Emergency Operation Center (“EOC”), Sprint Nextel uses the Incident Command System

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<sup>10</sup> Sprint Nextel and other wireless carriers are currently engaged in joint industry / government efforts related to the National Infrastructure Protection Plan (“NIPP”). The Department of Homeland Security (“DHS”) released the finalized NIPP on June 30, 2006. The NIPP is the federal government’s comprehensive risk management framework that defines critical infrastructure protection roles and responsibilities for all levels of government and private industry. With the release of the final NIPP each critical infrastructure has to create Sector Specific Plan (“SSP”). The SSPs are intended to be the means by which the NIPP is implemented across all sectors and detail the risk management framework for the critical infrastructure sector. Furthermore the SSPs will attempt to address how government and the private sector will partner to protect the nation. Through the Communications Sector Coordinating Council (“SCC”) Sprint Nextel will be involved in the drafting of the Communications SSP.

<sup>11</sup> *E.g.*, Power reserves: NRIC Best Practices 7-7-0492 thru 0499, 7-7-0543; Replacement equipment: NRIC Best Practices 7-7-0406, 7-7-0504, 7-7-0667, 7-7-5030, 7-7-5080, 7-7-5083, 7-7-5209, 7-7-5237, 7-7-5262; Credentialing: NRIC Best Practices 7-7-0491, 7-7-5028; EOC coordination: NRIC Best Practices 7-6-1006 thru 7-6-1007, 7-7-1008, 7-7-3210; Training/disaster drills: NRIC Best Practices 7-7-0415, 7-7-0579, 7-7-0599, 7-7-1009, 7-7-1035, 7-7-1052.

<sup>12</sup> See NRIC Best Practice 7-7-0499.

<sup>13</sup> See NRIC Best Practice 7-7-5273.

Standard for incident coordination and control in its emergency operations center and at the incident site.<sup>14</sup> Sprint Nextel regularly conducts exercises to evaluate its network's operational readiness through planned drills and exercises that are as authentic as practical.<sup>15</sup> Additionally, Sprint Nextel actively participates in DHS and state sponsored exercises to further improve its readiness and coordination for disasters.

The NRIC process allows for a real dialog among industry and the Commission, and is more nimble in creating and evolving best practices than could be accomplished through rules. Importantly, because of the very nature of the work of NRIC, carriers discuss issues more freely knowing that the end result will be best practices, rather than additional Commission mandates. The intent of the NRIC best practices is to provide guidance on how best to protect the communications infrastructure. Suggestions that NRIC best practices be converted into Commission rules would be damaging to the continued effectiveness of the NRIC process.

*B. Sprint Nextel Supports the Commission's Efforts to Serve as the Clearinghouse for Voluntary Outage Reporting After Disasters.*

In 2004, the Commission completed a rulemaking extending its prior communications outage reporting regime to wireless carriers.<sup>16</sup> Within days after Hurricane Katrina, Commission staff contacted major wireless and wireline carriers to request additional outage data due to the extreme effects of the storm on communications infrastructure. Sprint Nextel and other carriers were already voluntarily providing outage information to the National Communications System ("NCS") as we have for a number

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<sup>14</sup> See NRIC Best Practice 7-7-1008.

<sup>15</sup> See NRIC Best Practice 7-7-0599.

<sup>16</sup> See New Part 4 of the Commission's Rules Concerning Disruptions to Communications, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 04-188, ET Docket No. 04-35 (2004).

of years in response to major system impacting events. In response to the Commission, telecommunications service providers provided detailed daily information regarding the state of their network operations. As the Report notes, these outage reporting efforts were generally productive, but the process could have been improved to avoid duplicative reporting and changing requests for information.<sup>17</sup>

Sprint Nextel supports the recommendation of the Report that *voluntary* outage reporting be consolidated in one agency during major events, and that the proper agency is the Commission.<sup>18</sup> Consolidated reporting avoids potentially duplicative requests for information at the federal and state levels. In addition, the data elements sought from outage reports should be limited to what is critical for government agencies to do their jobs during major events: outage reporting takes time away from the very individuals engaged in restoring communications services.

Outage reporting for major events must be kept voluntary to assure flexibility as needs and technologies change over time, and, importantly, to ensure confidential treatment of the data. Keeping outage reporting information requests voluntary adds a layer of protection from Freedom of Information Act (“FOIA”) requests otherwise not available.<sup>19</sup> In the competitive wireless industry, the information sought in the context of outage reporting—including coverage maps and information about individual cell sites—is very sensitive. Furthermore, the inadvertent disclosure of this information could serve to aid those who mean to do our networks harm by determining points of potential failure in our networks.

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<sup>17</sup> See Report at 20.

<sup>18</sup> See Notice at ¶ 9.

<sup>19</sup> 5 U.S.C. § 552(b)(4).

Over the past several months, representatives of large wireless carriers have met a number of times with Commission staff and have reached general agreement on a set of data elements for reporting on outages after major incidents that includes providing coverage maps as well as cell site and switch information on a daily basis. This process has led to the formalization of reports in a much shorter timeframe than would have been possible had the Commission embarked on another rulemaking proceeding in the Outage Reporting docket. Sprint Nextel supports this ongoing process and looks forward to continuing this cooperative work with the Commission's staff.

### **III. RECOVERY COORDINATION**

#### *A. Communications Repair Workers Should be Afforded Emergency Responder Status Under the Stafford Act.*

As made starkly evident in the aftermath of Hurricane Katrina, telecommunications plays an important role in the safety and well-being of the populace. Although the telecommunications industry is not as crucial as police, fire, and medical providers, nonetheless their dependence and that of the general public on telecommunications technology demands that our industry receive treatment similar to that afforded to emergency responders.

To address this vital concern, the NSTAC has stated in a letter to the President of the United States, that “[t]o ensure the expeditious restoration of critical telecommunications infrastructure after a natural disaster or terrorist attack, your NSTAC recommends that you take action to designate telecommunications infrastructure providers as ‘Emergency Responders (Private Sector).’”<sup>20</sup> To accomplish this, the

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<sup>20</sup> See Letter to The President of the United States, dated March 1, 2006, from F. Duane Ackerman, Chairman, National Security Telecommunications Advisory Committee.

NSTAC recommends that DHS issue a policy statement, that DHS modify the National Response Plan, or that Congress revisit the Stafford Act. The letter further recommends that telecommunications infrastructure providers be provided non-monetary assistance after a disaster, including accessing restricted areas and obtaining fuel, water, power, billeting, and workforce access security.<sup>21</sup>

Sprint Nextel agrees with the Report's recommendation that communications service providers be afforded the designation of "emergency responder". The Commission, as the expert agency in the area of telecommunications, can use its influence within the federal government, specifically the DHS, to help communications infrastructure providers to receive this designation. Sprint Nextel urges the Commission to take steps to help telecommunications service providers receive this important designation in order to speed repair work to damaged infrastructure.

*B. The Commission Should Work With State and Local Governments to Facilitate a Credentialing Program Consistent With NSTAC Recommendations.*

Sprint Nextel and other carriers encountered problems with access to damaged sites after Hurricane Katrina hit. The Report documents the myriad of problems associated with the lack of a standard set of required credentials for telecommunications repair workers. Credentialing and the access it provides are critical to the wireless industry: without access to damaged sites, for example, wireless companies cannot deliver the fuel required when commercial power is not available.

The Commission's Notice seeks comment on what steps it can take within its statutory authority and jurisdiction to develop national credentialing requirements and

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<sup>21</sup> *Id.*

guidelines. Although the Commission lacks jurisdiction over state governments to mandate that they develop credentialing programs, the Commission should work with state governments to develop and implement a credentialing program consistent with the guidance given in NSTAC's Trusted Access Task Force Report, "Screening, Credentialing, and Perimeter Access Controls," dated January 19, 2005.

Guidance in this area would be helpful for nationwide carriers such as Sprint Nextel for consistent access purposes. Crises such as Hurricane Katrina do not abide by state boundaries, and often the same repair personnel working in one state or locality on one day will find themselves in another the next day. As the Report notes, processes differed among local jurisdictions, and a set of credentials valid at one checkpoint was not necessarily valid at another.<sup>22</sup> National credentialing guidelines that would be honored and generally consistent among the States could facilitate network repairs.

State and local governments could also benefit from a nationally recognized credentialing system. Those governments share the desire of Sprint Nextel and other telecommunications providers – wireless, wireline, satellite, etc. – to expediently restore service after a disaster. An agreed-upon set of credentialing guidelines that would permit communications repair crews safe, fast priority access to damaged infrastructure, while protecting the needs of states for security in the wake of a disaster, would benefit all parties.

Recently, the states of Georgia and Louisiana have initiated programs consistent with the NSTAC approach for credentialing. Sprint Nextel is supportive of these efforts, which provide guidelines for what documentation is needed for access to restricted areas.

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<sup>22</sup> See Report at 16.

In addition, because these are statewide efforts, the problem of potentially inconsistent demands for documentation among localities should be alleviated.

*C. Better Utilization of Existing State/Regional Coordination Bodies  
Would Improve Disaster Response.*

Pursuant to the National Response Plan, Emergency Support Functions (“ESFs”) serve as the coordination mechanism to provide assistance to State, local, and tribal governments or to Federal departments and agencies. The Communications ESF, known as ESF #2, coordinates with the telecommunications industry and assists in the restoration of telecommunications infrastructure. Through the ESF #2, the Commission can influence the operations of state and local Emergency Operating Centers (“EOCs”) and federal Joint Field Offices.

There is widespread recognition throughout the federal government that current emergency infrastructure functions should be better utilized in the future. For example, the U.S. Senate Report of the Committee on Homeland Security and Government Affairs, “Hurricane Katrina: A Nation Still Unprepared,” May 2006, at Recommendation 9 notes that:

[T]he ESF structure that has taken years to develop, currently represent the best approach available to respond to multi-agency, multijurisdictional emergencies of any kind, and should be retained and improved. Federal, state and local officials and other responders must commit to supporting the NRP and NIMS and working together to improve the performance of the national emergency management system. We must undertake further refinements of the NRP and NIMS, develop operational plans, and engage in training and exercises to ensure that everyone involved in disaster response understands them and is prepared to carry them out.

A recent White House Report recommends “the establishment of a law enforcement coordination center within the Joint Field Office (JFO) to coordinate the Federal, State, and local law enforcement response during all types of emergencies.”<sup>23</sup>

Sprint Nextel agrees that the activities noted in paragraph 12 of the Notice are worthwhile, and encourages the Commission to do what it can to improve coordination within state EOCs and federal Joint Field Offices.

*D. Priority Power Restoration for Telecommunications Service Providers Would Speed Restoration Efforts After a Disaster.*

The Commission could also be of assistance in facilitating communications priority status for restoration of commercial power following a major event.<sup>24</sup> As noted throughout the Report, the lack of restoration of commercial power was a significant hindrance to communications service providers’ ability to restore service. Placing communications service providers on a list for the priority restoration of commercial power would aid in speeding restoration efforts. In addition to facilitating electric and other utilities’ maintenance of priority lists for commercial power restoration, telecommunications service providers could also better direct recovery efforts and resources if they knew which areas commercial power companies were going to focus their own restoration efforts. Sprint Nextel urges the Commission to work with its counterparts in state governments and the U.S. Department of Energy to facilitate this important effort.

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<sup>23</sup> THE FEDERAL RESPONSE TO HURRICANE KATRINA: LESSONS LEARNED, February 2006, at 103 (Recommendation 49.e).

<sup>24</sup> See Report at 36. See also Report at 17 (describing lack of power priority restoration lists for communications providers).

*E. An Industry-Only Group, Consistent With NSTAC Recommendations, Would Facilitate Disaster Planning and Recovery Efforts.*

Sprint Nextel supports the recommendation of an “industry-only group for disaster planning, coordinating recovery efforts, and other purposes.”<sup>25</sup> During responses to major events a locus for industry coordination is needed. For example, during the response to Hurricane Katrina, BellSouth invited industry to meet at one of its locations to aid in coordinating telecommunications response efforts. The referenced NSTAC recommendation is the process to formalize this coordination.<sup>26</sup> The creation of additional groups without taking in to consideration existing recommendations from other Katrina related reports could have negative impacts, including: increased opportunity to create duplicate processes; inefficient use of existing resources; and a lack of a clear place for this group to fit into the existing incident command structure as it relates to the National Response Plan.

*F. Improved Public Information Campaigns are Needed to Promote Existing Resources, Including WPS and GETS, Which Could Aid Public Safety Communications.*

Sprint Nextel encourages the Commission to better publicize the use of existing priority communications systems such as Government Emergency Telecommunication Service (“GETS”) and Wireless Priority Service (“WPS”).<sup>27</sup> Sprint Nextel offers GETS over its long distance wireline network and WPS over its Nextel National Network. Sprint Nextel would welcome efforts to work with the Commission to better educate groups to achieve higher levels of participation in these programs.

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<sup>25</sup> See Notice at ¶ 13.

<sup>26</sup> See NSTAC REPORT TO THE PRESIDENT ON THE NATIONAL COORDINATING CENTER, dated May 10, 2006.

<sup>27</sup> See Notice at ¶ 14.

Sprint Nextel also supports recommendations for the creation of web sites to identify key state emergency management contacts as well as the Commission's own emergency response team. These web sites could further enhance the ability of key emergency operations groups and individuals to contact each other when needed.

#### **IV. FIRST RESPONDER COMMUNICATIONS**

##### *A. Sprint Nextel Supports Efforts of State and Local Agencies to Maintain a Cache of Telecommunications Equipment Components.*

Sprint Nextel supports the encouragement of first responders to maintain a cache of equipment. The creation of a cache of equipment should be accomplished through contractual arrangements with equipment manufacturers and service providers to ensure that the latest hardware and software releases are installed on the equipment and that the equipment contained in the cache is compatible with the current technology. Due to the changing and evolving technology in the communications industry, one-time purchases of equipment without an ongoing upgrade program may mean that cached equipment is not compatible with newer equipment during a disaster response. The cache of equipment should focus on technologies well-suited for emergencies. In addition, as part of the necessary maintenance of the equipment cache, we ask the Commission to urge state and local agencies to include a battery recharging process to ensure equipment will be operational when the need arises.

We note that Sprint Nextel's ERT offers ERT Go-Kits™, consisting of iDEN and CDMA handsets and extra batteries, primarily to public safety users. Many models of iDEN handsets have the capability to communicate directly with other handsets without the need for *any* network infrastructure over a range of up to six miles. The off-network walkie-talkie feature has proven invaluable during past hurricane response efforts.

*B. The Commission and Public Safety Can Take Steps Beyond Relying on the 700 MHz Band to Improve Public Safety Communications Capabilities.*

The Report and Notice focus primarily on use of the 700 MHz band and the possibility of legislation creating a \$1 billion public safety interoperability program to facilitate interoperable public safety communications. As part of a broader approach, Sprint Nextel recommends that the Commission take additional steps that could also aid interoperable public safety communications. Private industry can, and does, offer valuable public-safety communications services today (*e.g.*, WPS and GETS). Allocations of additional spectrum for commercial use can benefit public safety communications as well, to the extent that public safety groups rely on commercial providers for secondary telecommunications services. Sprint Nextel also recommends the Commission move forward with an auction of H-block spectrum, so that these important assets can be put to use for the good of the public.

*C. The Creation of Statewide PSAPs of Last Resort Can Provide Critical Emergency Communications Backup in The Event of a Catastrophe.*

Sprint Nextel supports efforts to increase the resiliency of 911 and E911 infrastructure. The panel recommends designation of a back-up Public Safety Answering Point (“PSAP”) more than 200 miles away from a primary PSAP to handle calls when both the primary and secondary PSAPs are disabled.<sup>28</sup> Consistent with this recommendation, Sprint Nextel encourages the creation of a “PSAP of last resort” in every state. This PSAP could be housed in a hardened facility, and handle calls when primary and secondary PSAPs have failed. It would also be more economical to have E911 trunks running to this PSAP of last resort, rather than multiple backup PSAPs.

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<sup>28</sup> See Notice at ¶ 17.

## V. EMERGENCY COMMUNICATIONS TO THE PUBLIC

Sprint Nextel and other communications providers are involved in the Commission's ongoing Emergency Alert System proceeding.<sup>29</sup> Sprint Nextel believes that that rulemaking is the more appropriate docket to address emergency alerts. The wireless industry is seeking to work cooperatively with the Commission as it investigates solutions to add wireless technologies to the mix of methods that can be used to alert the public when a crisis looms, or direct them to safe ground in the aftermath of a disaster. In the near term we recommend using short messaging service ("SMS"), on an opt-in basis, for delivery of wireless emergency alerts. More study of future technologies and greater understanding of what features the government would like to have in a longer-term, more robust, wireless alerting system are needed before the industry can proceed to implement the next generation of wireless emergency alerts. Sprint Nextel urges the Commission to continue the dialog with carriers and other agencies to arrive at an effective long-term wireless emergency alerting solution.

## VI. CONCLUSION

Sprint Nextel believes the Panel has provided a valuable analysis of the issues and impacts resulting from Hurricane Katrina. Sprint Nextel ask that the Commission take steps consistent with the above comments.

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<sup>29</sup> See Review of the Emergency Alert System, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 05-191, EB Docket No. 04-296 (rel. Nov. 10, 2005).

Respectfully submitted,

**SPRINT NEXTEL CORPORATION**

*/s/ Luisa L. Lancetti*

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August 7, 2006