

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

In the Matter of	)	
	)	
Effects on Broadband Communications	)	PS Docket No. 10-92
Networks of Damage to or Failure of	)	
Network Equipment or Severe Overload	)	

REPLY COMMENTS OF NENA

The National Emergency Number Association (“NENA”) hereby replies to the comments of others in the captioned Notice of Inquiry.<sup>1</sup> We agree with the admonition of the National Association of State Utility Consumer Advocates (“NASUCA”) that new broadband and conventional networks are interdependent and, in some cases, the same.<sup>2</sup> Regardless of the degree of interdependent networks, there is no doubt that, “public safety/9-1-1 will grow more dependent on these networks/systems and we must make sure we can rely on them.”<sup>3</sup> This is especially true in a Next Generation 9-1-1 (“NG 9-1-1”) environment where data are pushed and pulled through a variety of networks.

The NOI asks about Public Safety Answering Points (“PSAPs”) and 9-1-1 services at ¶¶ 10 and 15:

What special provisions are made to ensure the survivability of network services to critical response agencies like public safety answering points (“PSAPs”)? What provisions are made to ensure the survivability of cell sites relied on by first responders? Should traffic to critical response agencies or for critical services be prioritized?

---

<sup>1</sup> FCC 10-62 (“NOI”), released April 21, 2010.

<sup>2</sup> Comments, June 25, 2010, 2 [“First and foremost, the public switched telephone network (“PSTN”) and the Internet protocol (“IP”)-enabled wireline broadband network in many cases are one and the same.”]

<sup>3</sup> Ex parte letter of NENA September 2, 2010, in network outage reporting proceedings, Public Notice 10-1245, released July 2, 2010.

\* \* \*

If residential access networks are unprepared or insufficiently resourced for such [large scale events], the resulting network congestion could threaten the orderly functioning of our economy and prevent citizens from accessing critical public safety services such as 911 call centers.

NENA has commented previously on some of these questions, in the context of the report of the independent panel investigating communications performance in the aftermath of Hurricane Katrina.<sup>4</sup> We incorporate these views by reference here. Needless to say, protecting against cyber attacks, network failures or disruptive efforts is essential to ensure the public has access to 9-1-1 services and that these services have access to the best information available to assist those in need and those responding to the public's need.

Likewise, NENA has spoken to the subject of emergency call prioritization, a voluntary scheme set forth at Appendix B of Section 64.402 of the Rules. We believe any follow-on to this NOI should review the reach of the present commercial offerings and determine whether these should be mandated for certain users under given circumstances. The broader question of ensuring the integrity of both commercial and public safety networks should be addressed. By addressing network integrity with the goal of providing both incentives and, where necessary, funding to improve the sustainability of networks, there would be hopefully less need for public safety access to

---

<sup>4</sup> Comments, EB Docket 06-119, August 7, 2006. One of the issues was the sufficiency of backup power at cell sites, a subject that remains to be revisited after the Commission withdrew from its defense on appeal of regulations at 47 CFR §12.2. See Recommendation # 60 in the National Broadband Plan list of action items, <http://www.broadband.gov/plan/broadband-action-agenda.html#cgb-rowtf>.

commercial networks. Also, when that need by public safety to access commercial networks does occur, it must be on a well-defined and understood priority basis.

In a larger context, at the core of the FCC's proposal for a public safety wireless broadband network at 700 MHz is the concept of public safety users roaming across the commercial segments of that band as well as their own, preempting other occupants if and where necessary in extreme emergencies. This is a complicated issue requiring the balance of both public safety needs and the needs of commercial wireless consumers. The concept is under challenge, for technical and other reasons, by many public safety entities. No matter how this debate turns out, emergency call prioritization is an issue that we will face in the relatively near future and should be addressed now in order to be prepared if and when the need arises.

NENA looks forward to taking part in future discussions and meetings associated with this NOI.

Respectfully submitted,

NENA

By \_\_\_\_\_  
James R. Hobson  
Miller & Van Eaton, PLLC  
1155 Connecticut Avenue, N.W.  
Suite 1000  
Washington, D.C. 20036-4320  
(202) 785-0600

September 3, 2010

ITS ATTORNEY