



Alarm Industry Communications Committee

November 4, 2010

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

Re: Reply Comments
Preserving the Open Internet; Broadband Industry Practices
GN Docket No. 09-191, WC Docket No. 07-52

Dear Ms. Dortch:

The Alarm Industry Communications Committee (“AICC”)¹, on behalf of its members, hereby replies to various comments submitted on the Commission's Public Notice released on September 1, 2010, in the above-referenced docket, seeking further inquiry on the relationship between open Internet protections and "specialized services" and the application of open Internet rules to mobile wireless Internet access services. Specifically, AICC responds to those commenters who argue that the Commission has no authority to regulate broadband network providers and that there is no evidence to support regulation of “specialized services.”

As stated in AICC's comments, access to communications networks is critical to the alarm industry and the consumers it serves. A vital aspect of a central station alarm system is the monitoring function performed in connection with that system. When an alarm is set off, the alarm equipment on the customer's premises sends a signal to the central station (the alarm monitoring center) to report the emergency situation and the central station notifies the appropriate public safety agency. As a result of this function, consumers protected by central station alarm services have access to public safety

¹ The AICC's members are comprised of the Central Station Alarm Association (“CSAA”), the Electronic Security Association (“ESA”) (formerly the National Burglar & Fire Alarm Association), Bosch Security Systems, Digital Monitoring Products, Digital Security Control, Telular, Honeywell Security, Vector Security, Inc., ADT Security Services, Inc., APX, Bay Alarm, AES-IntelliNet, UTC Fire and Security, Alarm.com, Intertek Testing, Linear Corp., LogicMark, RSI-Videofied, United Central Control(UCC), Security Network of America and Underwriters' Laboratories. CSAA and ESA are comprised of central station alarm companies, alarm monitoring centers, alarm installation companies and alarm manufacturing companies. Their memberships represent the majority of such companies operating in the United States.

providers (such as police and fire departments) even when the consumer may be unable to dial 911. Historically, the underlying communications network used in conjunction with central station alarm systems has been the public switched telephone network (PSTN). Increasingly, however, alarm companies and their customers are using wireline and wireless broadband networks and IP-based communications in connection with alarm services.

From the standpoint of AICC's members, the underlying communications network used in conjunction with central station alarm systems performs the same function if that network is the PSTN, a broadband network or a hybrid network. From the alarm industry's perspective, the communications network must be reliable; it must be available 24 hours a day, seven days a week; and alarm data must be transmitted accurately and promptly along the entire communications path from the end user premise to the alarm monitoring central station and from the central station to the emergency response provider.

All network providers, wireline or wireless, circuit switched or broadband, should not be allowed to interfere with alarm services or the prompt and accurate transmission of alarm signals and data. In this regard, AICC agrees with the concern that broadband providers may have the ability and the incentive to engage in anti-competitive conduct with respect to specialized services. This concern is not theoretical. Alarm companies have been encountering an increasing number of problems when their customers replace traditional wireline telephone service with a broadband service or VoIP service. In some cases the broadband service provider installs its service by cutting the consumer's connection to the PSTN or disconnects the alarm panel entirely. In other cases, the new service provider connects service or instructs the consumer to connect service in a manner that impairs the ability of the alarm panel to seize the lines needed to send alarm data to central stations.

Broadband providers also should not be allowed to discriminate in favor of their own offerings over those of an unaffiliated provider. The network provider is in a unique position to hinder competitive service providers whose services ride on the network. This is the case whether the network is the PSTN or a broadband network. Accordingly, AICC supports a requirement that any commercial arrangements between a broadband provider with a vertically-integrated affiliate or third party for the offering of specialized services must be offered on the same terms to other third parties.

As AICC has stated in its comments, it sees great potential for the use of broadband communications in connection with alarm services. However, to ensure the continued effectiveness of the alarm systems and services protecting millions of Americans, wireline and wireless broadband network providers should be subject to anti-discrimination rules and prohibited from engaging in anti-competitive conduct with respect to specialized services.

Respectfully submitted,

/s/ Louis T. Fiore

Louis T. Fiore

Chairman

Alarm Industry Communications Committee

cc:

Chairman Julius Genachowski

Commissioner Michael J. Copps

Commissioner Robert M. McDowell

Commissioner Mignon Clyburn

Commissioner Meredith Attwell Baker