

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
Review of the Emergency Alert System;)	EB Docket No. 04-296
)	
Independent Spanish Broadcasters)	
Association, the Office of Communication of)	
the United Church of Christ, Inc., and the)	
Minority Media and Telecommunications)	
Council, Petition for Immediate Relief)	
)	
Randy Gehman Petition for Rulemaking)	
)	

COMMENTS OF VERIZON ON THE EMERGENCY ALERT SYSTEM

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COMMENTS OF VERIZON¹ ON THE EMERGENCY ALERT SYSTEM

I. Introduction and Summary

Incorporating the new Common Alerting Protocol (CAP) into the Emergency Alert System (EAS) provides an important opportunity to improve public safety through a more up-to-date and capable system, and Verizon is actively working to support and implement this transition. Given the current status of several necessary precursors to the full implementation of the CAP – including the delivery and installation of equipment, finalization of certification standards, and definition of sources for CAP-based alerts – it is necessary for the Commission to postpone the current September 30 deadline by at least 180 days, and allow at least 90 days after those steps have been taken. In addition, there are several steps that the Commission should take to make sure that this transition goes smoothly and does not undermine public safety through undue disruption, including

recognizing the propriety of using intermediary devices that enable the delivery of CAP-based alerts over existing EAS equipment. By taking these steps, the Commission will facilitate the efficient implementation of the CAP and help the EAS to better serve public safety interests.

II. The Commission Should Postpone the Deadline for CAP Implementation

While expeditious implementation of the CAP is an important priority and will help the EAS to better protect the public, the Commission should recognize that all of the necessary steps to implement CAP in an effective manner are unlikely to be in place by the current September 30, 2011 deadline. Consequently, it should extend that deadline. As the Commission is aware, FEMA approved the final CAP standards less than a year ago,² and equipment manufacturers, providers and public safety officials have been busy since that time preparing to implement CAP. The public would be ill-served by rushing this process and subjecting the public to CAP-based alerts before the system is appropriately implemented.

Notwithstanding the diligence and best efforts of all stakeholders in quickly implementing the CAP, the short period of time since the current CAP standards were finalized has not been sufficient to get all of the pieces in place to require CAP compliance by the end of September. In fact, many providers, including Verizon, are still awaiting delivery of the equipment that they will need to implement CAP on their systems. After that equipment is delivered, it will take some time to properly install and

¹ The Verizon companies (“Verizon”) are the regulated, wholly owned subsidiaries of Verizon Communications, Inc.

² See *Review of the Emergency Alert System*, Third Further Notice of Proposed Rulemaking, 26 FCC Rcd 8149, ¶ 21 (2011) (“NPRM”).

test the equipment at relevant points around the country, and to ensure that the equipment is properly configured to receive and process CAP-based alerts.

Moreover, some of the information that providers will need to install, configure and test the new equipment is currently unavailable, thereby limiting what providers can do to prepare their systems to support CAP. For example, final CAP equipment certification standards are not yet in place. Also, as discussed more below, most states and public safety officials have not yet defined the sources from which providers will receive CAP-based alerts, thereby making it impossible for providers to take many of the necessary steps to set up their CAP systems. Given the necessity of this information for implementing CAP, full implementation by September 30 is unrealistic.

Rather than creating uncertainty and undermining the public safety by rushing this important transition, the Commission should adopt a reasonable extension that will permit each of these important items to be addressed properly. Verizon suggests that the September 30 deadline be extended by at least 180 days, and that the Commission allow at least 90 days after final certification standards and CAP alert sources have been identified. That period of time would allow providers to install, configure, and test their new equipment before it is put into active service.

III. The Commission Should Take Additional Steps to Ease CAP Implementation

In addition to extending the deadline to implement CAP, the Commission should consider several steps that will encourage the prompt and efficient implementation of CAP standards by providers.

First, as suggested in the NPRM, the Commission should recognize that providers may satisfy their EAS obligations through the use of intermediary devices that enable

existing EAS equipment to receive and deliver CAP-based alerts. *See* NPRM ¶ 46. Manufacturers have created such equipment that will allow current-generation EAS equipment to receive and deliver EAS alerts that originate in CAP. For many providers, using such intermediary equipment will prove a cost-effective and efficient approach, leveraging to the extent possible imbedded equipment. As long as the provider’s overall system of existing EAS and new CAP equipment collectively support the CAP and provide proper alerts to the public, there is no reason to foreclose this option. Instead, providers should be able to weigh for themselves the costs and benefits of using intermediary equipment, versus more widespread replacement of EAS equipment. Foreclosing this option would not only result in unnecessary new expense for providers, but also would likely result in additional delay before CAP could be implemented, given the time required to order, install, configure, and test new equipment.

Second, as noted above, one thing limiting what providers currently can do to implement the CAP is the fact that most states and other public safety officials have yet to identify the sources for CAP-based alerts. Until providers have this information, they are unable to fully configure their systems and prepare for full CAP implementation. The Commission should encourage states and other public safety authorities to promptly define the sources that will provide CAP-based alerts to providers, so that providers can take those steps. Moreover, as noted above, the Commission should give providers at least 90 days after those sources have been identified before requiring CAP compliance.

Third, as reflected in the NPRM, the EAS distribution system relies, in part, on the presence of “Local Primary” sources – such as local broadcasters – that distribute

alerts to other providers that are downstream of them.³ As all providers in the alert distribution chain prepare to implement CAP, the Commission should clarify that these sources pass along alerts to downstream participants concurrently in the legacy SAME (Specific Area Message Encoding) format. So, for example, a local broadcaster should pass on CAP to downstream participants and convert CAP alerts to SAME and hand off to downstream video distributors in SAME format. By doing so, the Commission would encourage the efficient creation and distribution of CAP-based alerts, and prevent unnecessary and redundant conversions of alerts.

Finally, consistent with the standard practice under the current EAS, the Commission should encourage public safety officials to designate which CAP-based alerts will be “mandatory” for all providers to pass through, and to distinguish such alerts from recommended or optional alerts that are not required. Taking this step enables providers’ ability to ensure that the public receive the alerts that they really need, but without being bombarded with less relevant or important messages that may be distributed using the EAS system. So far, the CAP standards and plans have yet to make these types of designations. But in order to better serve the public and ensure the effective communication of public safety messages, the Commission should encourage EAS participants to do so. Here too, the sooner such designations are created, the sooner providers will be able to effectively implement the new CAP-based system.

³ See NPRM ¶¶ 6-7; 167.

IV. Conclusion

Given the current status of the CAP implementation, the Commission should extend the deadline for providers to support the CAP and should take other steps to encourage the efficient and prompt implementation of these new standards.

Respectfully submitted,

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