



Utilities and CII Need Reliability

A Presentation to the FCC
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The Critical Infrastructure Communications Coalition

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Statement of Issues

- **Utilities and CII Need Communications Reliability**
 - Utilities and other critical infrastructure industries (CII) need to upgrade their communications to meet increasing demand for voice and data services.
 - Utilities lack access to suitable spectrum to meet their needs.
 - Commercial networks need to be more reliable to meet all of utilities' functional requirements.
- **Utilities and CII Maintain Safety and Reliability**
 - Safety of life, health and property depend on the delivery of the essential electric, gas and water services that utilities provide to the public at large.
 - Congress and the FCC recognize that utilities and other CII provide “public safety radio services” under 309(j) of the Communications Act.
 - Access for pole attachments is subject to utility determinations of safety, capacity, reliability and generally applicable engineering requirements under Section 224(f)(2).

700 MHz Spectrum

- FCC Further FNPRM and Public Notice on Regional Waivers (06-229) question whether utilities are eligible to share 700 MHz public safety spectrum.
- Utilities and other CII have filed comments in support of allowing utilities to share 700 MHz public safety spectrum.
 - Legal Arguments
 - The sole or primary purpose of utility communications is to protect the safety of life health or property.
 - Utilities and CII are either government entities or authorized non-government entities.
 - Utilities and CII use private internal communications systems that are not made commercially available to the public at large.
 - Policy Arguments
 - Creates synergies that will accelerate PS BB network deployment and will promote emergency response.

Network Outage Reporting

- FCC NPRM (11-82) considers extending outage reporting requirements to broadband and VoIP providers.
- Utilities and CII have filed comments in support of the FCC's proposal.
 - Policy Arguments
 - Network outage reporting requirements will promote confidence of utilities in using commercial broadband and VoIP services.
 - Benefits of reporting outweigh the burdens to service providers.
 - Legal Arguments
 - Outage reporting is reasonably ancillary to FCC's 911 authority.

Pole Attachments

- Appeal pending in the U.S. Court of Appeals for the District of Columbia Circuit (11-1146).
- UTC and CICC stand ready to work with others to resolve issues of access, rates and terms.
- UTC and CICC have safety as paramount concern in pole attachments.

Conclusions

- The Commission should allow utilities to share 700 MHz public safety broadband spectrum, which is consistent with Sec. 337(f) of the Communications Act, and which will accelerate the deployment of PS BB networks and promote emergency response by utilities and public safety.
- The Commission should adopt its proposal to extend outage reporting requirements to broadband and VoIP providers, which will promote the use of commercial networks to support smart grid and other utility/CII needs.
- We stand ready to work with the Commission and other stakeholders in improving pole attachment access and rate requirements in a way that doesn't undermine the safety and reliability of critical infrastructure.

Critical Infrastructure Communications Coalition

- American Gas Association
- American Petroleum Institute
- American Public Power Association
- American Water Works Association
- Association of American Railroads
- Association of Oil Pipelines
- Edison Electric Institute
- Interstate Natural Gas Association of America
- National Association of Water Companies
- National Rural Electric Cooperative Association
- Utilities Telecom Council