



February 11, 2014

EX PARTE NOTICE  
Via Electronic Filing

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

Re: Improving 9-1-1 Reliability, PS Docket. No. 13-75; Reliability and Continuity of Communications Networks, Including Broadband Technologies, PS Docket No. 11-60

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, this letter will confirm that on Friday, February 7, 2014, the undersigned, Stephen Meer and Craig Donaldson on behalf of Intrado Inc. (Intrado) met with Jeffery Goldthorp, Lauren Kravetz, Timothy May, Nicole McGinnis, and Jerome Stanshine of the Public Safety and Homeland Security Bureau and William Richardson from the General Counsel's Office.

In the meeting, Intrado explained it was unclear from the new Part 12 rules whether a 911 Service Provider is allowed to respond in lieu of certification whether it took alternative measures or whether the certification requirement is inapplicable to the provider as to all three certification requirements: auditing, tagging and elimination of a single point of diversity. Intrado cited potential conflict between Subsections 12.4 (b) and (c). Subsection (b) states:

“[i]f a Covered 911 Service Provider cannot certify that it has performed a given element, the Commission may determine that such provider nevertheless satisfies the requirements of this subsection (b) based upon a showing in accordance with subsection (c) that it is taking alternative measures with respect to that element that are reasonably sufficient to mitigate the risk of failure, or that one or more certification elements are not applicable to its network.” (emphasis added).

Subsection (c) appears to inadvertently permit covered providers to take alternative measures or state whether it believes that the certification element is inapplicable *only with respect to eliminating all single points of failure*. (see, 47 C.F.R. § 12.4(c)(1)(ii)).



Intrado discussed how it configures its NG911 network, how its network differs from legacy 911 Service Provider networks and, therefore, why clarity of the rule requirements is particularly important.<sup>1</sup> Intrado understands the Staff to have confirmed the intent of the rule is to provide 911 Service Providers the flexibility to respond whether it took alternative measures and/or whether the certification requirement is inapplicable as to all three elements.

Intrado further explained that, based upon its experience, it is unlikely that Intrado could obtain from third party carriers agreement to assume audit requirements or to give assurances or service level agreements regarding diversity. However, Intrado explained that it has addressed the Commission's reliability goals by using redundant network carriers and paths.

Please contact me if you have any questions.

Sincerely,

/s/

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cc: Jeffery Goldthorp  
Lauren Kravetz  
Timothy May  
Nicole McGinnis  
William Richardson  
Jerome Stanshine

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<sup>1</sup> See *Ex Parte Notice* filed by Intrado in the above proceeding on August 1, 2014.