



INTERNATIONAL ASSOCIATION OF FIRE CHIEFS

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December 28, 2015

VIA ELECTRONIC FILING

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

Re: Ensuring Customer Premises Equipment Backup Power for Continuity of Communications, PS Docket No. 14-174; Petition for Reconsideration

Dear Ms. Dortch:

The International Association of Fire Chiefs (IAFC) represents 11,000+ fire and emergency medical services chiefs. The IAFC has been closely watching the docket in question on ensuring continuity of 911 Communications (Federal Communications Commission (FCC) 15-98; Public Safety Docket No. 14-174). Notice of the Report and Order were published in the Federal Register on October 16, 2015. 80 F.R. 62470.

Pursuant to 47 C.F.R. § 1.429, the National Association of State Utility Consumer Advocates (“NASUCA”), The Benton Foundation, The Maryland Office of People’s Counsel, Public Knowledge, The National Consumer Law Center (on behalf of its low income clients), The Public Utility Law Project of New York, The Center for Rural Strategies, the Greenlining Institute, the Broadband Alliance of Mendocino County and Access Sonoma Broadband (“Joint Consumer Advocates”) have jointly filed petitions to the FCC asking it to reconsider the Report and Order in this docket (hereinafter referred to as the petitioners).

The petitioners ask the FCC to reconsider the Report and Order in this docket and upon such reconsideration to replace the rules adopted in the Report and Order with rules that follow the superior and more far-sighted approach suggested in the notice of proposed rulemaking (NPRM). The IAFC agrees with the petitioners and supports their request.

The nation's communications networks are shifting from the legacy copper networks to fiber, coaxial cable, and wireless networks using Internet Protocol (IP)-based technologies to carry voice, data and video. The IAFC urges the FCC to continue to ensure that 911 access via fiber, coaxial cable, and wireless networks are resilient, robust and provide reliable access to communications services when most needed—whether it’s during a natural disaster, a power outage or a life threatening emergency.

There is a public expectation that individuals can reach 911 in emergencies. The ability to access 911 in emergencies differs across technologies. Traditional legacy copper networks offer the most reliable access to 911 during outages, because power in the residence is not required. The IAFC believes that most consumers who have switched to services such as voice over internet protocol (VoIP) have little understanding of how the service differs from traditional copper networks. Technology evolves but the need to stay connected to emergency services remains. As the industry and consumers migrate away from traditional copper telephones to newer technologies, it is critical that the FCC continue to focus on this commitment. The FCC must ensure that the services Americans rely on to reach first responders are resilient, and that they have reliable access to communications services when they need it most – whether it's during a natural disaster, a power outage or a life-threatening emergency.

In the view of the IAFC, the FCC's goal under this docket should be to ensure that the transition to this IP-based world does not betray core values of the Communications Act—public safety, consumer protection, and competition—and the FCC recognizes that, while the benefits of next-generation fiber networks and that maintaining two separate networks would be burdensome for carriers, it also seeks to balance this transition against the needs of all Americans for a 911 access system that meets or exceeds today's universal-service landline telephone network capabilities services.

However, as the petitioners point out in their request for reconsideration, the Report and Order abandons these core principles to the detriment of the public. The NPRM, if adopted, would have required carriers to provide electrical power for eight hours for their modems and associated gear in order to provide backup telephone service and maintain 911 service during outages. We also believe that the burden should be placed on the carriers to inform and educate consumers of the ability to reach 911 using backup power installed at a residence by a provider, and the limitations of VoIP or similar technologies to connect to 911 during outages as compared to the traditional copper networks. The IAFC also does not believe that the carriers should be able to charge consumers extra fees to purchase an eight-hour emergency backup solution. As the petitioners point out, under the Rule and Order, no carrier is required to install backup power and no consumer is required to purchase backup power. The IAFC believes that the FCC's Report and Order violates the FCC's core values of the Communications Act in not requiring the carriers to provide any emergency backup power.

The FCC needs to ensure that as new technologies evolve that they provide reasonable access to 911 to individuals during loss of electrical power to a residence or other customer location regardless of the cause. In enabling new technologies for 911, the standard of performance should be reliability that is at least equivalent to the current universal access landline telephone network. The Rule and Order fail to meet this standard.

The IAFC supports the petitioners request and respectfully requests the FCC reconsider its Rule and Order as outlined by the petitioners and place responsibility upon the carriers for ensuring the continuity of 911 communications. The Rule and Order as written will negatively impact the ability of individuals to reach 911. Please contact Jim Goldstein, the IAFC's Government Relations and Policy Manager, at 202-494-6607 or jgoldstein@iafc.org, if we can be of further assistance on this issue.

Sincerely,



Fire Chief Rhoda Mae Kerr, CFO, MBA
President and **Chair** of the Board

