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September 23, 2009

via email

Paul de Sa

Chief

Office of Strategic Planning and Policy Analysis

Federal Communications Commission

445 12th Street, SW

Washington, DC

Re: Commission's Data Collection, Processing, Analysis and Dissemination
Review

Mr. de Sa:

I am writing to provide feedback from the Alliance for Telecommunications Industry Solutions' (ATIS) Network Reliability Steering Committee (NRSC) regarding the Commission's review of its data collection, processing, analyses and dissemination systems and processes. ATIS and its NRSC strongly support this review and are providing input specifically on the existing Commission rules pertaining to the reporting of communications outages (Part 4 of the Commission's Rules).

The NRSC recognizes that the Commission has a valid need to collect information about communications outages. The industry has been providing this information on either a voluntary or mandatory basis for 17 years. The comments below simply provide an example of how the outage reporting rules could be modified to alleviate an unnecessary burden on the industry and suggest a model that may be used in the development of any future outage reporting requirements. ATIS and its NRSC have appreciated the opportunity to collaborate with the Commission on reliability issues in the past and look forward to future collaboration and dialogue, including the discussion of other appropriate changes to the outage reporting rules.

Background: ATIS is a global standards development and technical planning organization that leads, develops and promotes worldwide technical and operations standards for information, entertainment and communications technologies. The development of technical and operations standards is done by industry subject matter experts in ATIS' 18 open industry forums and committees, which focus on the issues ranging from the fundamental elements of communications to network reliability and interoperability to the seamless delivery of converged services.

Formed in 1993 at the recommendation of the first Network Reliability and Interoperability Council, the ATIS NRSC strives to improve network reliability by providing timely consensus-based technical and operational expert guidance to all segments of the public communications industry. The NRSC addresses network reliability improvement opportunities in an open environment and advises the communications industry through the development of standards, technical requirements, technical reports, bulletins, best practices, and annual reports. The NRSC is comprised of industry experts with primary responsibility for examining, responding to and preventing outages for communications companies. These subject matter experts are the experts on communications reliability and outage reporting.

Outage Reporting Rules. In 2004, the Commission established new rules pertaining to communications outage reporting. These new rules expanded mandatory outage reporting to new types of carriers, such as wireless, satellite and paging service providers. The new rules also included new reporting thresholds and applied the outage reporting rules to additional elements of communications systems. Finally, the new rules established a three-step outage reporting process to be used for the reporting of all reportable communications outages: (1) a notification must be filed with the Commission within 120 minutes of an event that potentially meets the Commission's reporting threshold; (2) an Initial Report must be filed within 72 hours of an outage; and (3) a Final Report must be filed within 30 days.¹

Which data collection processes could be streamlined or eliminated? The ATIS NRSC believes that the three-step outage reporting process outlined above may not be necessary in all situations and may be imposing significant burdens on the industry without corresponding benefits to the public. In particular, the NRSC recommends that the 120 minute notification requirement be limited to outages related to vandalism or terrorism, those impacting special facilities (such as airports or 911/E911² facilities), or Signaling System 7 (SS7) isolations. These types of outages warrant immediate notification because of their potential impact on public-safety and/or homeland security. For other outages, the NRSC believes that a different timeframe should be considered.

A single 120 minute notification requirement imposes significant burden in terms of resources on communications providers. Moreover, the obligation interferes with providers' main focus during the first minutes of an outage -- identifying the source and scope of the outage and restoring service. During large scale outages, it often is difficult for carriers to fully assess the impact of some outages before the 120 minute period expires.

Modifying the 120 minute notification rule for communications outage reports is one way to help alleviate the significant burden of the outage reporting rules, a burden that has far exceeded the Commission's initial estimates.

¹ See 47 CFR §4.1 *et seq.*

² The NRSC suggests that, while the 120 minute window is appropriate for outages occurring on the direct connections between carriers and PSAPs, this brief window may not be appropriate for events that do not compromise a customer's ability to call 911. Such events include wireless Phase 2 outages where call completion is maintained, but the caller's location data may not be available.

- The Commission estimated that the total number of outage reports from all reporting sources combined would be substantially less than 1,000 annually.³ In reality, the total number of reports filed is substantially higher. A single large carrier may file more than five times that number (or 5,000 outage reports in a single year).
- The Commission estimated the total time needed to file all reports pertinent to each outage that meets or exceeds the threshold criteria to be significantly less than 5 hours (the Notification + the Initial Report + Final Report: 15 minutes + 45 minutes + 2 to 4 hours < 5 hours).⁴ Again, based on NRSC member experience, this estimate appears to significantly underestimate the time required by the industry to research, compile data, and complete its reports.
- The Commission estimated that the Total Annual Burden would be 1,040 hours, and the Total Annual Costs associated with outage reporting submissions would be \$41,600.⁵ These figures grossly underestimate the burdens associated with the submission of communications outage reports. While the burden varies from carrier to carrier, the information that has been provided to ATIS, albeit limited, indicates that carriers may spend from 5,000 to 54,000 hours per year on outage reporting, at a cost of between \$300,000 and \$5 million.

The ATIS NRSC believes that there may be other opportunities to streamline or eliminate data collection processes related to outage reporting, including obligations associated with certain types of DS3 outages and outages related to planned maintenance.

Models for Data Collection. ATIS believes that the processes followed by the Commission with regard to the development of the Disaster Information Reporting System (DIRS) and hearing aid compatibility (HAC) data collection rules are examples of how industry expertise can be effectively leveraged to develop data collection rules and processes.

DIRS. DIRS is a web-based information system through which service providers voluntarily submit daily status updates on critical infrastructure and service outages during government declared disasters and national emergencies. The Commission sought industry input early in the development and testing of DIRS, consulting subject matter experts from the largest wireline carriers and other industry segments. During these collaborative meetings, the Commission and industry developed data sets that could be effectively and efficiently collected and reported on during real time disaster events. These efforts resulted in the Commission releasing a fully functional production system before the 2007 hurricane season. Industry also voluntarily participated in a 2008 national DIRS drill to further test the system's capabilities.

The NRSC looks forward to further cooperation with the Commission to improve the accuracy and consistency of information submitted via the DIRS system. The NRSC established a standing Outage Reporting Advisory Subcommittee (ORAS) of industry outage experts to

³ *Report and Order and Further Notice of Proposed Rulemaking*, ET Docket 04-35, released August 19, 2004 (*Outage Reporting Report and Order*), Appendix D at ¶24.

⁴ *Id.* at ¶27.

⁵ *Id.* at ¶24.

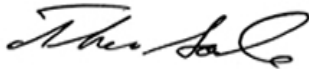
address this need by maintaining a mutual understanding of Commission expectations regarding submitted information and identification of process improvement opportunities.

HAC. The Commission's HAC rules (Section 20.19 of the Commission's Rules) require wireless device manufacturers and service providers to report on the number of devices in their portfolios that are hearing aid compatible. The reporting requirements were developed with substantial industry subject matter input. In fact, it was the industry, working with other consumer stakeholders through the ATIS Incubator Solutions Program #4- Hearing Aid Compatibility (AISP.4-HAC), that recommended changes to both the Commission's HAC rules and the reporting requirements. The Commission used the industry-developed consensus proposal as the basis for its new HAC rules.

Once the HAC rules were in place, the Commission's Wireless Bureau solicited industry input on the HAC data collection efforts, including the new HAC data collection form, Form 655. The Commission also solicited input and incorporated suggestions from the subject matter experts in the AISP.4-HAC in the design of its HAC data collection system. By leveraging the expertise of industry representatives, the Commission was able to implement effective HAC rules that provide consumers and the Commission with accurate data while alleviating unnecessary burdens on the industry.

Thank you for the opportunity to provide input on this matter. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Thomas Goode
General Counsel

cc: Jeffery Goldthorp, Chief, Communications Systems Analysis Division, PSHSB