

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

In the Matter of)	
)	
Review of Rules and Requirements For Priority Services)	PS Docket No. 20-187
)	
National Security Emergency Preparedness Telecommunications Service Priority System)	
)	
NTIA Petition for Rulemaking to Revise the Rules for Wireless Priority Service)	
)	
NTIA Petition for Rulemaking to Revise the Rules for the Telecommunications Service Priority System)	

**COMMENTS OF THE ALLIANCE FOR
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) hereby submits these comments in response to the *Notice of Proposed Rulemaking (NPRM)* released July 17, 2020, in the above-referenced docket. In the *NPRM*, the Federal Communications Commission (Commission) proposes to update and streamline its priority services rules. ATIS is pleased to have the opportunity to provide comments in this proceeding.

I. BACKGROUND

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS' diverse membership includes key stakeholders from the Information and Communications Technologies (ICT) industry – wireless and wireline service providers, equipment manufacturers, broadband providers, software developers, VoIP providers, consumer electronics companies, public safety agencies, and internet service providers. ATIS is also a founding partner and the North American Organizational Partner of the Third Generation Partnership Project (3GPP), the global collaborative effort that has developed the Long-Term Evolution (LTE) and LTE-Advanced wireless specifications.

Industry subject matter experts work collaboratively in ATIS' open industry committees and incubator solutions programs, including ATIS' Network Reliability Steering Committee (NRSC). ATIS' NRSC was formed in 1993 at the recommendation of the Commission's first Network Reliability and Interoperability Council. The 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, reports, bulletins, best practices, and annual reports. The NRSC is comprised of industry experts with primary responsibility for examining, responding to, and mitigating service disruptions for communications companies. The NRSC also collaborates with public safety associations and works with the Commission to provide input on NORS and Disaster Information Reporting System (DIRS). NRSC participants

are the industry subject matter experts on communications network reliability and outage reporting.

II. COMMENTS

In the *NPRM*, the Commission addresses the National Telecommunications & Information Administration's (NTIA) request that the Commission revise its definitions to account for new services, such as private National Security Emergency Preparedness (NSEP) services that consist of non-common carrier services, and non-traditional services, such as broadband Internet access and digital video.¹ To address this matter, the Commission proposes to add the phrase "Internet Protocol-based services" to expand the scope of the priority services programs (Telecommunications Service Priority (TSP), Wireless Priority Service (WPS) and Government Emergency Telecommunications Service (GETS)) to include data, video, and IP-based voice services.² The Commission also proposes to replace certain references to "telecommunications services" with "NSEP services" which, under its proposal, would encompass both telecommunications services and all IP-based services.³ ATIS NRSC supports the additional flexibility that the proposed rule change would afford service providers to, on a voluntary basis, offer prioritized provisioning and restoration of data, video, and IP-based voice services. While ATIS NRSC would oppose creating additional mandates, or expanding the scope of existing mandates, it supports the flexibility to offer new priority services where feasible on an end-to-end circuit.

As an alternative to its proposed changes to accommodate IP based services, the Commission seeks comment whether a GETS model would be a better approach.⁴ ATIS NRSC

¹ *NPRM*, ¶24.

² *NPRM*, ¶24.

³ *NPRM*, ¶24.

⁴ *NPRM*, ¶24, 63.

believes that there is merit in applying the light-touch governance structure used for GETS, which is voluntary and operates via contractual arrangements between the Department of Homeland Security (DHS) and service providers, to other priority services. The light-touch approach will allow industry to more effectively address new technologies and encourage innovation.

In the *NPRM*, the Commission also proposes to codify the ability of service providers, on a voluntary basis, to offer prioritized provisioning and restoration of data, video, and IP-based voice services.⁵ The Commission proposes to update its rules to authorize priority treatment of voice, data, and video services for which priority levels are requested, assigned, and approved in accordance with its TSP rules.⁶ ATIS NRSC does not oppose this proposal as long as it remains voluntary and does not create new regulatory mandates. ATIS NRSC notes that, if a disaster requires the use of video and data streams, priority service users may appropriately escalate these requests directly to service providers.

To promote consistency and prevent confusion among providers, the Commission proposes to update its WPS rules to expressly authorize priority signaling to ensure networks can detect WPS handset network registration and service invocation.⁷ ATIS NRSC believes that the proposed rule change is unnecessary because WPS providers already offer priority signaling via contractual arrangements with DHS.

The Commission also seeks comment on NTIA's suggestion that the Commission replace the current language describing TSP service providers' provisioning and restoration obligations in its TSP rules with the phrase "promptly allocate all resources necessary."⁸ ATIS NRSC

⁵ *NPRM*, ¶27.

⁶ 47 CFR part 64, Appendix A

⁷ *NPRM*, ¶47.

⁸ *NPRM*, ¶54.

opposes this proposal. Adding the word “promptly” does not offer meaningful clarity. What is considered “prompt” will depend on the context of the event. Moreover, this proposed new requirement could be read to include a requirement that providers act without consideration of costs, which is inappropriate. And providers must retain the flexibility to meet unique provisioning and restoration needs without unnecessary and potentially confusing regulations.

Furthermore, ATIS NRSC believes requiring the allocation of “all resources” necessary, as proposed by NTIA, is particularly problematic. This proposed requirement would place unreasonable demands on service providers by requiring that any and all resources be allocated to TSP restoration. ATIS NRSC supports the existing Commission rules pertaining to provisioning and restoration obligations and sees no significant drawbacks to continuing to address these obligations separately for (1) service provisioning; (2) service restoration; and (3) meeting requested service dates for TSP-subject facilities.

The Commission seeks comment on NTIA’s request the Commission amend its TSP rules to require service providers to report to DHS provisioning and restoration times for TSP circuits in areas covered by the activation of the DIRS.⁹ ATIS NRSC opposes this request for many reasons.

First, ATIS NRSC believes the performance data that would be collected during a DIRS activation would likely not be actionable and/or useful. Given the range of technical and physical issues affecting service restoration, the actual time of restoration may not necessarily reflect the priority given to a specific service. For example, if a TSP circuit requires a significantly more difficult operation to repair, then its restoration may take longer to accomplish than other simultaneous non-TSP restorations in the affected area even though the TSP circuit is

⁹ *NPRM*, ¶58.

prioritized. Moreover, provision and restoration efforts are also dependent on factors outside the provider's control, including access to disaster sites. To make things more complicated, there are also scenarios in which the restoration of non-TSP facilities could occur at the same time or even before TSP, for instance if: (1) access to TSP facilities is not available; or (2) the TSP and non-TSP circuits are both served by a common facility.

Second, in addition to concerns about the utility of any performance data that may be collected during a DIRS activation, there may be other practical issues regarding the collection of this data. Depending on what data would be requested, there may be impacts to providers' information technology systems, as some providers may not have the capability to report more granular data and/or link this to a particular DIRS activation area. A further complexity is that transport facilities that serve a particular DIRS activation area may not be located in that area.

Third, ATIS NRSC is concerned that requiring service providers to gather performance data during an emergency could detract from restoration efforts. ATIS NRSC believes that the Commission should consider the impact of any new data collection and reporting requirements on service restoration efforts. ATIS NRSC urges the Commission to avoid creating new requirements that could distract providers during disasters from their important service restoration efforts.

Finally, ATIS NRSC urges the Commission not to change the voluntary nature of DIRS by adding new mandatory reporting requirements. As ATIS NRSC has said before, it strongly believes that the success of DIRS is due in no small part to the voluntary nature of this reporting. Creating mandatory reporting obligations related to a voluntary reporting system could undermine the success of DIRS.

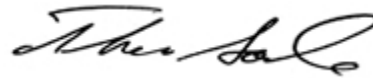
ATIS NRSC recommends that, should the Commission impose new reporting requirements, it provide ample time for reporting. ATIS NRSC recommends that the reporting should take place only after the disaster and restoration efforts have concluded. If the Commission does decide to move forward with NTIA's proposal, ATIS NRSC would welcome the opportunity to work with the Commission and DHS to develop recommendations that may provide useful data while allowing carriers to focus on all aspects of restoration activities.

Finally, ATIS NRSC notes that the NPRM proposes amendments to the Commission's WPS rules to eliminate the requirement that priority access must be invoked on a per call basis.¹⁰ As the existing rules work well, ATIS NRSC does not believe that the proposed change is necessary. Instead of modifying these rules, ATIS NRSC recommends that the Commission consider a GETS-like, "light-touch" approach.

III. CONCLUSION

ATIS appreciates the opportunity to provide its input to the *Notice of Proposed Rulemaking*.

Respectfully submitted,



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¹⁰ NPRM, ¶49.