

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

In the Matter of	)	
	)	
Exemplar Training Materials Related to	)	PS Docket No. 15-80
The Commission’s Sharing of Network Outage	)	
Reporting System and Disaster Information	)	
Reporting System Data with Participating	)	
Entities	)	
	)	

**Comments of the  
Alliance for Telecommunications Industry Solutions**

The Alliance for Telecommunications Industry Solutions (“ATIS”) hereby submits these comments in response to the *Public Notice*, released August 4, 2022, in the above-referenced docket. In the *Public Notice*, the Federal Communications Commission’s (“Commission”) Public Safety and Homeland Security Bureau (“Bureau”) seeks comment on training materials it has developed to inform state, federal, and Tribal agencies requesting access to Network Outage Reporting System (“NORS”) and Disaster Information Reporting System (“DIRS”) data (“Participating Agencies”) on the proper uses of this data. As explained more fully below, ATIS recommends changes to the training materials to make these materials clearer and more effective.

**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, wireline, and VoIP service providers, equipment manufacturers, broadband providers,

software developers, 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 4G Long-Term Evolution (“LTE”) and 5G New Radio (“NR”) wireless specifications. Nearly 600 industry subject matter experts work collaboratively in ATIS’ open industry committees and incubator solutions programs.

ATIS’ Network Reliability Steering Committee (“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 DIRS. NRSC participants are the industry subject matter experts on communications network reliability and outage reporting.

## **II. Comments**

ATIS NRSC appreciates the opportunity to provide input to the proposed training materials and applauds the Bureau for its efforts to ensure that Participating Agencies are informed of the Commission’s rules regarding access to and use of NORS and DIRS data. ATIS NRSC believes that the proposed training materials, with the changes suggested in these

comments, will promote compliance with the Commission's rules pertaining to use this data.

- On Slide 2, ATIS recommends that the Bureau add text to the second bullet to specifically note that, because of the confidential nature of NORS and DIRS data, the Commission has established restrictions on access to and use of this data. ATIS NRSC proposes that this bullet be revised to read:
  - These filings contain confidential information and business contact information, which the FCC considers to be personally identifying information (PII), and the FCC has established restrictions on access to and use of this data. The filings are supplied to the FCC by the nation's service providers to provide timely information on network outages and infrastructure status.
  
- On Slide 3, the Bureau notes that questions or concerns regarding training should be addressed to the Agency Coordinator. ATIS NRSC suggests that the Bureau encourage Participating Agencies to use a generic address such as NORSDIRSCoordinator@agency.gov, rather than a specific individual's email address. This would allow Participating Agencies to reassign the contact information to a new employee without having to send revised email information to all authorized users.
  
- On Slide 5, ATIS NRSC recommends several changes. The first is a change to the third bullet to emphasize that NORS and DIRS filings represent the best information available. While ATIS NRSC agrees with the Bureau's statement that there is no guarantee of accuracy, NORS and DIRS reports do accurately reflect the information known to the provider at the time of the notification or report. ATIS NRSC therefore recommends that this bullet be modified to read:
  - ~~Due to the nature of the reporting process, there is no guarantee that~~ NORS and DIRS filings ~~are accurate;~~ they represent the best information as known to the service provider at the time of filing and are updated as additional information is discovered.ATIS NRSC also recommends that a new sentence be added to the asterisked statement at the bottom of slide 5 to address states' access to data in multi-state NORS [and DIRS] filings. The revised text should read:
  - \* States receive access to filings for events occurring in nearby Tribal territory land and Tribal territories receive access to filings on events in states surrounding their land. States receive access to multi-state filings if their state is included in a multi-state declaration.Finally on this slide, ATIS NRSC recommends that a new bullet be added to this page to explain that "There are differences in NORS and DIRS reporting methodologies, which will affect the number of impacted subscribers." For example, NORS reflects the total number of potentially affected users for an event, while DIRS is a static representation of potentially affected users resulting from a network device going out of service at the time the DIRS report is filed daily for the counties in the activation notice.
  
- On Slide 8, ATIS NRSC recommends a new sentence be added to explain that NORS reports are not required when DIRS is activated.

7. If DIRS is activated, participating service providers are not required to submit NORS reports for the DIRS activation area(s).<sup>1</sup>

- On Slide 11, ATIS NRSC recommends four changes. First, ATIS recommends that the Bureau change the first bullet to clarify that this slide does not provide all information about NORS reporting thresholds. The first sentence on this slide would therefore read: “At least 30 minutes long and at least one of the following criteria~~on~~ is satisfied in accordance with section 4.9; for example:” Second, ATIS NRSC recommends that the Bureau add a citation to Section 4.9 of the Commission’s rules at the bottom of the slide (i.e., “See 47 CFR §4.9 for more information”). Third, the second bullet under “Wireline” on this slide should be revised to reflect the historic lost calls threshold for wireline calls. This bullet should read:
  - 90,000 real-time Blocked calls, or 30,000 historic lost calls.Fourth, the second sub bullet under “Failures of Special Facilities” should be revised. ATIS NRSC believes that replacing the term “Other Special Facilities” in this bullet with “TSP1, TSP2” would be more informative for Participating Agencies. This sub bullet would be revised to read as follows:
  - “~~Other Special Facilities~~ TSP 1, TSP 2 (Military, Nuclear, etc.)
- ATIS NRSC recommends changes to text opposite the brackets on Slide 12 to conform more closely with the text in the Commission’s rules. The three statements on the right side of the brackets should be revised to read:
  - Due within 2 Hours of Discovery of the Outage Meeting Reporting Threshold\*
  - Due within ~~3 Days of the Outage~~ 72 Hours after Discovery of Reportable the Outage \*
  - Due within 30 Days ~~of~~ after Discovery of Reportable Outage \*
- On Slide 13, ATIS NRSC recommends two changes. First, the fifth bullet should be revised to reflect the Commission’s Part 4 rules more accurately, which are focused on “potential” customer impacts. ATIS NRSC recommends that this bullet be revised to read: “Effects of the outage – number of customers potentially affected.” A change is also proposed to the tenth bullet on this slide. ATIS recommends that a link to the Commission or industry Best Practices databases should be provided either by adding a hyperlink to the bullet or by adding a footnote or asterisk at the bottom of the page (“More information on industry Best Practices can be found at <https://opendata.fcc.gov/Public-Safety/CSRIC-Best-Practices/qb45-rw2t/data> or <https://bp.atis.org/>.”) This slide also notes that contact information about the outage provided in NORS Final Report. ATIS NRSC recommends that the Bureau remind Participating Agencies that service provider contact information should not be shared publicly. Service providers’ NORS and DIRS contacts are not the representatives that

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<sup>1</sup> During DIRS activations, the Commission reminds service providers about this issue. “Communications providers are reminded that for providers that participate in DIRS, the separate Network Outage Reporting System (NORS) obligations are suspended for the duration of the DIRS activation with respect to outages in the counties where DIRS has been activated. “

would answer media-related inquiries. The last bullet should therefore be revised to read:

- Contact information about the outage (service provider contact information must not be shared publicly)
- On Slide 14, a change is recommended to the title to explain that these reports are from quarterly commission reports at public meetings. ATIS NRSC believes that, adding “(Provided from Quarterly FCC Reports at Public Industry Meetings)” at the end of the existing header would help to prevent any misunderstanding by Participating Agencies that such reports are generated more often (or for every outage).
- ATIS NRSC urges the Bureau to eliminate the third sub bullet on Slide 15. This bullet improperly explains that the permitted uses of NORS/DIRS confidential information would include “identifying trends and performing analyses designed to make long-term improvements in public safety outcomes.” ATIS NRSC believes that this statement is in direct contradiction with the first bullet on slide 16, which states that Participating agencies “may not use NORS/DIRS Confidential Information for any non-emergency-related regulatory purposes.”
- ATIS NRSC also recommends a change to Slide 16 to specifically explain that NORS and DIRS information may not be shared with media outlets or social media webpages. A new sub bullet should be added to the fourth bullet on this slide: “NORS/DIRS information may not be shared with media outlets or on social media webpages.”
- On Slide 17, a minor modification should be made to the last bullet. This bullet should read:
  - Contractors are outside your agency for the purposes of the sharing program. You may not share NORS/DIRS confidential information with contractors except as described on the next slide.
- ATIS NRSC recommends that the text on Slide 19 be reorganized to better highlight the confidentiality certifications that are required by Participating Agencies. ATIS NRSC would restructure the first bullet to read:
  - Before sharing outside your agency, your agency must instruct downstream recipients to keep NORS and DIRS information they receive as confidential. Your agency must obtain a certification from downstream entities that they will:
    - treat the information as confidential,
    - not disclose it absent a finding by the FCC that allows it to do so,
    - report any unauthorized access, and
    - securely destroy the information when the public safety event that warrants its access to the information has concluded.
- Slide 20 of the draft training materials describes what is “aggregated NORS/DIRS information,” noting that this refers to NORS/DIRS information from at least four providers. The Commission in its *Second Report and Order* on this matter noted that

“even where the data is aggregated from four service providers, ... agencies are prohibited from publicly disclosing such data if they cannot ensure that no one can derive the information of any individual company from the aggregation.”<sup>2</sup> To clarify this matter, ATIS NRSC recommends that a new sub bullet be added under the first bullet to clarify that:

- Agencies are prohibited from publicly disclosing data unless they can ensure that no one can derive the information from any individual company.

ATIS NRSC also recommends that the last bullet should be revised to clarify that it applies to “aggregated” information.

- This aggregated information can be used, e.g., to keep the public informed of on-going emergency and network outage situations, timelines for recovery, and geographic areas to avoid while disaster and emergency events are ongoing.
- ATIS NRSC is concerned that Slide 21 may be confusing to Participating Agencies. The second bullet on this slide could be misread to imply that the FCC generally would permit the sharing of information with third parties that are not permitted to have access to such information. ATIS NRSC recommends changes to the second bullet and elimination of the first sub bullet on this slide to focus on requests made pursuant to open record laws.
    - ⊖ If you receive any requests from third parties based on your states’ open record laws ~~to share filings, or information derived from filings, in ways you have not been authorized to do~~, please refer them promptly to your agency coordinator.
      - ~~This includes any requests from third parties based on your state’s open records laws.~~
  - Finally, ATIS NRSC urges the Bureau to review its training material on a regular basis and propose modifications to address questions or issues that may arise and/or if changes are made to the Commission’s rules pertaining to NORS and DIRS. ATIS also recommends that the Bureau seek public input before implementing any substantive changes to these materials.

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<sup>2</sup> *Second Report and Order*, PS Docket No. 15-80 (released March 18, 2021), at ¶67.

### III. CONCLUSION

ATIS appreciates the opportunity to provide input on the training materials that will be used for Participating Agencies. ATIS appreciates the Commission's efforts to protect this data from unauthorized access and improper use.

Respectfully submitted,



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