



# PUBLIC NOTICE

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## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS PARTNERS TO HELP WITH WEA PERFORMANCE TESTING

PS Docket No. 22-160

Filing Date: May 22, 2022

As the Federal Communications Commission (Commission) marks the tenth anniversary of Wireless Emergency Alerts (WEA),<sup>1</sup> it seeks to build upon WEA's record of success.<sup>2</sup> To this end, the Public Safety and Homeland Security Bureau (PSHSB) seeks to gain a better understanding of end-to-end WEA performance.<sup>3</sup>

In 2021, PSHSB, in conjunction with its testing partners and the Federal Emergency Management Agency (FEMA), conducted a nationwide WEA test.<sup>4</sup> While WEA generally performed well in that test, PSHSB recognized a need for localized WEA testing to confirm WEA's performance at the local level and to generate data on WEA's geotargeting performance.<sup>5</sup>

Accordingly, PSHSB seeks to partner with alert originators to conduct localized, end-to-end WEA performance tests to be conducted in the third quarter of 2022.<sup>6</sup> These tests will be designed to measure WEA's capabilities with enhanced WEA geo-targeting enabled. PSHSB will work with the selected alert originator(s) to define the parameters of the test and the roles and responsibilities of test developers and participants. PSHSB seeks testing partners that represent the diverse environments where

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<sup>1</sup> See Warning, Alert, and Response Network Act, Pub. L. No. 109-347, 120 Stat. 1884, Title VI, §§ 601-606 (2006) (codified at 47 U.S.C. §§ 1201-1205); William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Pub. L. No. 116-283, 135 Stat. 3388, § 9201 (2021) (codified at 47 U.S.C. §§ 1201, 1206); PSHSB, New Cell Phone Weather Alerts Already Protective Lives (Aug. 30, 2012), <https://www.fcc.gov/news-events/blog/2012/08/30/new-cell-phone-weather-alerts-already-protecting-lives>.

<sup>2</sup> *Wireless Emergency Alerts; Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System*, PS Docket Nos. 15-91 and 15-94, Further Notice of Proposed Rulemaking, FCC 22-31 (April 21, 2022) (*WEA FNPRM*). In the *WEA FNPRM*, the Commission is seeking comment on its proposal to require reporting from service providers that support WEA on how well WEA performs and related considerations, such as when and how these reports should be provided to the Commission and what information they should contain. The Commission is also seeking comment on considerations relating to WEA's performance, such as whether reliability, speed, and accuracy are the most pertinent measures of WEA's performance and how the Commission should define these terms. We refer entities interested in filing comments on these issues or otherwise communicating about them to the Commission to do so in PS Docket Nos. 15-91 and 15-94.

<sup>3</sup> This initiative is thus currently distinct from the *WEA FNPRM* insofar as it is intended to gather data about end-to-end testing and WEA's geotargeting capabilities during such testing in specific localities (which would depend on which entities express an interest and are selected to partner with PSHSB for purposes of this testing).

<sup>4</sup> See *Report: August 11, 2021 Nationwide WEA Test, Wireless Emergency Alerts*, PS Docket No. 15-91, Report, <https://docs.fcc.gov/public/attachments/DOC-378907A1.pdf> at 1 (PSHSB, Dec. 31, 2021).

<sup>5</sup> See *id.* at 25. The 2021 nationwide WEA test did not trigger enhanced WEA geo-targeting because it was a nationwide activation. See 47 CFR § 10.450(a).

<sup>6</sup> Alert originators must be authorized by FEMA to send WEA messages.

WEAs are sent (*i.e.*, dense urban, urban, suburban and rural areas).<sup>7</sup> PSHSB will select alert originators based on criteria that include:

1. The alert originator's ability to organize test participants that are customers of the several Participating Commercial Mobile Service (CMS) Provider that serve their jurisdiction;
2. The alert originator's ability to organize test participants from geographically diverse locations;
3. The alert originator's ability to conduct a public outreach campaign that ensures public awareness about a WEA test;
4. The alert originator's expertise in collecting data.<sup>8</sup>

PSHSB intends to select as a testing partner each alert originator that files an expression of interest demonstrating their ability to meet these criteria, provided the need to conduct an exercise with a manageable number of participants.

*Filing Requirements.* Interested parties should submit expressions of interest within 30 days of publication of this Public Notice. Submissions may be made in any format, and may contain any additional information that may be relevant to our consideration of potential partner(s). Expressions of interest may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>9</sup> All expressions of interest must reference PS Docket No. 22-160.<sup>10</sup>

- Electronic Filers: Expressions of interest may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE Washington DC 20554.<sup>11</sup>
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>. After COVID-19 restrictions are lifted, the Commission has established that hand-carried documents are to be filed at the Commission's

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<sup>7</sup> See ATIS, Location Technology Performance Data - Define Topologies & Data Collection Methodology, ATIS-0500011 (2007), <https://webstore.ansi.org/Standards/ATIS/ATIS0500011>.

<sup>8</sup> See *Public Safety and Homeland Security Bureau Seeks Authorized Alert Originators to Participate in Testing of the Accuracy of the Wireless Emergency Alert System's Geographic Targeting Capability*, PS Docket Nos. 15-91, 15-94, Public Notice, 34 FCC Rcd 4806 (Jul. 11, 2019).

<sup>9</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

<sup>10</sup> *Id.*

<sup>11</sup> *FCC Announces Change in Headquarters Location*, Public Notice, 35 FCC Rcd 11534 (OMD 2020); *Amendment of the Commission's Rules of Practice and Procedure*, Order, 35 FCC Rcd 7867 (OMD 2020), 85 Fed. Reg. 64404 (Oct. 13, 2020).

office located at 9050 Junction Drive, Annapolis Junction, MD 20701. This will be the only location where hand-carried paper filings for the Commission will be accepted.<sup>12</sup>

To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

*Confidentiality.* PSHSB recognizes that some submissions could contain information that the filer believes should not be made available to the general public because of commercial or national security reasons. Parties may request that such information be kept confidential, identifying the specific information sought to be kept confidential, providing the reasons for the request, and otherwise following the procedures set forth in section 0.459 of our rules.<sup>13</sup> If a party requests confidential treatment of a submission, it must file an original and one copy of the confidential version of the filing on paper, following the procedures above, and a public version of the filing that omits *only* the confidential information and is otherwise identical to the confidential version, using either the electronic filing or the filing-by-paper procedures above.

*Exemption.* This Public Notice also provides a limited exemption from our *ex parte* rules pursuant to section 1.1200(a).<sup>14</sup> The exemption is limited to communications between PSHSB staff and alert originators that may partner with PSHSB to conduct these tests. The purpose of the exemption is to facilitate the identification of test partners and the development of test parameters.

*Additional Information.* For further information regarding this Public Notice, please contact James Wiley, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418-1678, or by email to [james.wiley@fcc.gov](mailto:james.wiley@fcc.gov), or David Kirschner, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418-0695, or by email to [david.kirschner@fcc.gov](mailto:david.kirschner@fcc.gov).

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<sup>12</sup> See *Amendment of the Commission's Rules of Practice and Procedure*, Order, 35 FCC Rcd 5450 (OMD 2020).

<sup>13</sup> 47 CFR § 0.459.

<sup>14</sup> 47 CFR § 1.1200(a).