

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

Re: *Proposed Extension of Part Four of the Commission's Rules Regarding Outage Reporting To Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers*, PS Docket No. 11-82, Report and Order (FCC 12-22)

Today, the FCC acts to collect important data regarding service outages experienced by interconnected Voice over Internet Protocol (VoIP) providers and, more importantly, their customers. My colleagues and I agree on the vital importance of voice calls, especially those to 9-1-1. All Americans rightly expect their emergency calls to go through even though most may not be aware of the technologies involved, how the systems operate or their regulatory treatment. I am grateful to all of the commenters for sharing their important insights and marketplace experiences regarding network outage reporting in response to last year's notice of proposed rulemaking.

Given its narrow scope, I am voting to approve today's order. Although our notice of proposed rulemaking discussed an array of regulatory mandates, today we adopt reporting requirements *only* in instances of a complete loss of interconnected VoIP service. There is a longstanding recognition that ensuring clear and effective communications in times of emergency is a key aspect of the Commission's mission. Collecting data on significant outages from VoIP providers will help the Commission in its duty to ensure the reliability and resiliency of our nation's 9-1-1 voice systems, consistent with Congress's mandate set forth in Section 615a-1 of the Communications Act. Moreover, in the reporting context, we put VoIP providers on par with wireline and wireless voice service providers, who already submit this information to the Commission and have for some time.

It is important to emphasize that we are *not* imposing these rules on broadband service providers, whether wireline or wireless. As I have stated many times before, the Commission does not have the legal authority to regulate broadband in such a way. I thank the Chairman for his willingness to accept edits to provide greater clarity regarding the narrow scope of the rules we adopt today, as well as to curtail the possibility of broadening their applicability. I have every confidence that industry will continue to work with the Commission on network outage matters for the benefit of protecting the safety and security of the American people.

As always, I thank the folks in the Public Safety and Homeland Security Bureau for your diligence and thoughtful work.