

**STATEMENT OF  
COMMISSIONER ROBERT M. McDOWELL**

Re: *Improving 911 Reliability*, PS Docket No. 13-75; *Reliability and Continuity of Communications Networks, Including Broadband Technologies*, PS Docket No. 11-60.

One of the core missions of our government is to keep the American people safe and help them in times of crisis. Part of Congress's mandate to the Commission is to ensure that our nation's communications infrastructure remains functional during natural disasters and crises triggered by human actions. All too often, during a catastrophe, just as we need communications systems the most is when they have been disrupted, impaired or overwhelmed. Today, we seek the American people's comments on options aimed to improve the reliability and resiliency of our nation's communications infrastructure. I don't necessarily agree with every idea in this notice, but I do think it is important for us to seek and gather the data and opinions of all interested stakeholders before going any further.

By way of background, the damage caused by last summer's so-called "derecho" storm in the Mid-Atlantic region was simply overwhelming. This destructive windstorm came with little warning and left millions without electrical power, damaged communications systems and knocked out 9-1-1 services. As this notice states, 77 public safety answering points, or "PSAPs," serving more than 3.6 million people in six states lost some degree of connectivity. Upwards of 2.5 million people in the greater Washington, DC area alone were without access to 9-1-1 services as a result of this powerful natural phenomenon. The FCC's Public Safety and Homeland Security Bureau's investigation concluded that many of these failures could have been prevented with 9-1-1 circuit auditing, reliable and functional backup power, monitoring systems and proper implementation of already-crafted industry best practices.

In the immediate wake of the derecho, Chairman Genachowski and I discussed the urgent need to investigate what went wrong and how the Commission could help prevent such tragedies in the future. The response from the Chairman, our fellow Commissioners and the bureaus was swift and thorough. All of them should be commended, as should many state and local public safety agencies, along with industry, for their efforts to learn the truth about what went wrong so we can prepare for tomorrow's emergency situations.

I am pleased that we seek information regarding the costs and benefits of the various options contained in this notice. The Commission has provided some rough cost estimates, and I hope that industry takes this opportunity to provide granular, network-specific data regarding the projected costs of implementing the various proposals. I have long advocated performing *bona fide* cost-benefit analyses before adopting new rules.

Similarly, I am encouraged that we seek comment on our statutory authority to adopt regulations regarding the reliability of 9-1-1 communications networks, along with whether the Commission should review and sunset any requirements it may impose as an outcome of this notice.

I do, however, have concerns that, if the Commission decides to follow a path towards reliability requirements based on a set of standards or best practices, the Commission could unintentionally stifle technological innovation and 9-1-1 communications improvements. We must ensure that any FCC rules allow service providers the flexibility to manage and upgrade their network configurations, including

those components that improve 9-1-1 communications reliability, such as backup power and monitoring systems. Furthermore, rules ordering the Commission to conduct compliance reviews and site inspections of 9-1-1 service provider facilities to monitor compliance with industry standards or new Commission requirements could be unduly burdensome on the Commission's limited resources.

I would like to thank the Chairman for incorporating many suggested edits. Specifically, I am pleased that this notice seeks data and information regarding 9-1-1 communications service providers' implementation of and experiences with industry best practices. A fact-driven analysis warrants a public record that contains nationwide data as opposed to information supplied by a couple of providers regarding the effects of a specific storm on a particular area. I am also pleased that the notice inquires about improvements implemented to increase reliability based on the lessons learned from the derecho, along with whether best practices should be revised and how they should be used going forward.

Finally, I would like to thank the dedicated staff of the Public Safety and Homeland Security Bureau for their efforts in collecting and analyzing information in the aftermath of the derecho, issuing the bureau report, and preparing this notice. I also know that you are busy organizing workshops and compiling data regarding what we can learn from the effects of Hurricane Sandy. I am grateful for everything you do to ensure that Americans have access to emergency services when they are needed most. Thank you.