

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Wireline Competition Bureau Short Term) Report No. NCD-2376
Network Change Notification filed by)
Verizon New York Inc.)

**COMMENTS OF THE
ALARM INDUSTRY COMMUNICATIONS COMMITTEE**

The Alarm Industry Communications Committee (“AICC”), on behalf of its members¹ hereby files comments on the network change notification filed by Verizon New York to retire copper in the Orchard Park, New York wire center and "to serve all customers over a fiber infrastructure." AICC previously filed comments in connection with Verizon's network change notifications to retire copper facilities in New York City, Virginia, Massachusetts, New Jersey and Pennsylvania, arguing that the Commission's network change notification process is not sufficient in this type of circumstance to provide residential consumers and businesses with information they need to manage their communication services and that Verizon should be subject to the Commission's Section 214 process because the proposed network changes to retire

¹ Central Station Alarm Association (CSAA), Electronic Security Association (ESA), Security Industry Association (SIA), Bosch Security Systems, Digital Monitoring Products, Digital Security Control, Telular Corp, Honeywell Security, Vector Security, Inc., ADT Security Services, AES-Intellinet, Alarm.com, Bay Alarm, Intertek Testing, NetOne, Inc. (formerly, Security Network of America), United Central Control, AFA Protective Systems, Vivint (formerly APX Alarm), COPS Monitoring, DGA Security, Universal Atlantic Systems, Axis Communications, Interlogix, LogicMark, Napco Security, Alarm Detection, ADS Security, ASG Security, Monitronics, Select Security, Inovonics, Linear Corp., Numerex, Tyco Integrated Security, FM Approvals, Underwriters Laboratories, CRN Wireless, LLC and ipDatatel.

copper will result in a reduction or impairment of service.² Verizon's responses to AICC's previous filings have only confirmed that the current process is not sufficient, as Verizon has failed to address forthrightly the issues raised by AICC and, at the same time, has provided information that demonstrates that Verizon's proposed changes will result in a reduction or impairment of service for consumers.³ Accordingly, AICC repeats its claim that Verizon should be subject to the Commission's Section 214 process. In support of its position, AICC incorporates its earlier comments by reference in these comments and adds the following additional comments.

Verizon has Failed to Demonstrate that Consumer's Affected by Copper Retirement Will be Provided With Functionally Equivalent Service and Facilities and Reliable Backup Power

AICC has raised two concerns with Verizon's proposals to retire copper facilities and replace them with fiber facilities namely, consumers affected by copper retirement must be provided with functionally equivalent service and facilities and they must be notified of the need for backup power and/or provided with a reliable backup power option. Although Verizon has stated that it will provide functionally equivalent services and facilities in New York City by

² Comments of the Alarm Industry Communications Committee, *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon New York Inc.*, Report No. NCD-2353 and *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon Virginia LLC*, Report No. NCD-2354, dated May 20, 2014; Comments of the Alarm Industry Communications Committee, *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon New England d/b/a Verizon Massachusetts*, Report No. NCD-2365, *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon New Jersey Inc*, Report No. NCD-2372, and *Wireline Competition Bureau Short Term Network Change Notification filed by Verizon Pennsylvania Inc*, Report No. NCD-2373, dated July 7, 2014.

³ Verizon New York Inc. and Verizon Virginia LLC Response, Report Nos. NCD-2353 and NCD-2354, respectively, dated May 28, 2014 (Verizon May 28, 2014 Response) and Verizon Response, Report Nos. NCD-2365, NCD-2372 and NCD-2373, dated July 14, 2014 (Verizon July 14, 2014 Response).

meeting and exceeding the requirements of NFPA 72,⁴ it continues to dodge the question of whether it will meet this standard in all localities.⁵

In its responsive comments dated July 14, 2014, Verizon again cites to its certification in New York City and states that it "has already certified that its fiber optic network meets all of the criteria to be certified as equivalent to the legacy public switched telephone network with respect to its ability to transmit fire alarm signals from protected premises to an approved central station."⁶ However, Verizon dodges AICC's argument that since Verizon has acknowledged that it can comply with this standard, it should do so in all localities, because all customers, including those who are not in New York City, have the same need for communication services that meet the NFPA 72 standard, or its equivalent. We already know that Verizon claims to meet or exceed NFPA 72 in New York City. What AICC believes Verizon should be required to do is to meet NFPA 72 or its equivalent in all localities where Verizon has or intends to retire copper facilities and replace them with fiber. At a minimum, to the extent Verizon does not comply

⁴ Verizon May 28, 2014 Response at 6. "But Verizon has previously certified that its fiber optic network meets all of the criteria to be certified as equivalent to the legacy public switched telephone network with respect to its ability to transmit fire alarm signals from protected premises to an approved central station; that certification was accepted by the New York City Fire Department." Verizon July 14, 2014 Response at note 12.

⁵ NFPA 72 is a standard developed by the National Fire Protection Association in connection with the fire code, which contains certain requirements that managed facilities-based voice networks (MFVN's) must meet to be an acceptable method for fire alarm signaling transmission from protected premises to a supervising central monitoring station. Pursuant to NFPA 72, a MFVN service should be functionally equivalent to traditional TDM-based telephone service provided by authorized common carriers with respect to dialing, dial plan, call completion, carriage of signals and protocols, and loop voltage treatment. In addition, MFVN must provide a number of features, including 8 hours of standby power supply capacity for MFVN communications and equipment located at the protected premise or field deployed and 24 hours of standby power supply capacity for MFVN communications equipment located at the communication service provider's central office.

⁶ Verizon July 14, 2014 Response at 7.

with this standard or its equivalent, consumers should be notified before Verizon retires copper facilities and replaces them with fiber.

Verizon also claims that many existing services and types of equipment used by consumers, including alarm services and medical monitoring services, will continue to work over its fiber facilities. AICC notes that Verizon provides no information of any testing it has done to support this claim, nor does Verizon provide any assurance that it will not make future software changes that will compromise this ability. These are important points for consumers to know and understand before copper facilities are retired, however, because of the importance of such services for the consumers' life and safety. The network change notification process simply is not sufficient to provide this important information to consumers.

In its responses, Verizon also acknowledges that customers on Verizon's fiber network will no longer be able to receive service during a power outage without battery backup power. Further, Verizon acknowledges that some of its current equipment requires a 12-volt sealed lead acid battery that is not readily available to consumers, it is expensive, and it has an insufficient operation life and for other equipment Verizon is rolling out a new battery backup option that uses standard D Cell batteries. Although Verizon claims that this new option gives customers more control over backup battery during commercial power outages,⁷ it is not an acceptable power source to ensure continued operation of voice communications, including access to 911 and life/safety applications. Indeed, the alarm industry stopped using primary cell batteries (like D Cell batteries) by the early 1970's because of their unreliability. The current industry standard is to install rechargeable and monitored backup batteries, where battery supervision signals are sent to the alarm monitoring station to ensure continued reliability. In fact, UL has written

⁷ Verizon July 14, 2014 Response at 6-7.

standards on how the battery charging function operates and how it should be supervised to check the status of battery backup power on an ongoing basis and to report abnormalities to the alarm monitoring station.

Attached is a picture of what happens to primary cell batteries that have not been properly maintained and replaced. Although Verizon claims to inform consumers on four occasions about the need for battery backup with its fiber optic network, it is doubtful whether Verizon shows consumers this.

Perhaps most incredible is that while Verizon contends its fiber network is more reliable than the copper network, it is deploying an old school and unreliable power source at the Optical Network Terminal (ONT) and Battery Backup Unit (BBU) at the customer premise, which makes its fiber network less reliable. Verizon can do better and consumers deserve better.

Further, based on information on Verizon's website, it appears that Verizon will not monitor the battery function in the ONT and BBU. Rather, the BBU is equipped with an audible alarm to inform consumers of problems with the unit, including low battery charge. According to the website, an audible alarm sounds for two seconds and then is silent for 58 seconds if there is a low battery. However, the website also states that the alarm is silenced if the battery is fully discharged. Thus, not only is the ONT and BBU installed outside or in the garage, we have no idea of how loud the alarm is and the alarm will stop sounding when the battery is fully discharged. With all of these qualifications, it seems the chances will be good that the consumer will never hear the alarm.

AICC also notes that the ONT and BBU are, in essence, the network interface device connecting Verizon's equipment to the customer's premise. It appears, therefore, that Verizon is now making the consumer responsible for maintaining its equipment.

The fact that some consumers already have voluntarily switched to fiber-based broadband services or rely on cable or wireless services that are not “line powered copper” does not justify Verizon’s actions here. As acknowledged by Verizon, after the copper retirement, consumers will continue to receive “traditional POTS service” over fiber on the same terms and conditions as they receive service over copper today.⁸ Accordingly, the proper comparison to determine whether consumers’ service will be degraded is POTS service, not broadband or wireless service. Clearly Verizon’s battery backup options do not provide the same quality of service as Verizon’s line powered copper facility.

Verizon Should be Required to Obtain Section 214 Permission in This Circumstance

AICC believes that Verizon is required to seek permission pursuant to Section 214 of the Act before it retires copper loops and replaces them with fiber optic facilities. Section 214 states that no carrier "shall discontinue, reduce, or impair service to a community, or part of a community, unless and until there shall first have been obtained from the Commission a certificate that neither the present nor future public convenience and necessity will be adversely affected thereby..." It is clear that service will be reduced and impaired when copper facilities are replaced with fiber because service will no longer work during power outages without power backup, the backup power provided by Verizon is unreliable and, according to Verizon, the obligation to provide that power backup resides with the consumer. Further, to the extent Verizon's fiber network does not meet the standards or their equivalent, in NFPA 72, this also would result in a reduction or impairment of service.

⁸ Verizon July 14, 2014 Response at 2.

Moreover, Verizon should be required to meet the requirements of Section 214 because this would ensure that consumers have actual notice of the potential change in their service before it occurs.

Conclusion

As shown herein, consumers affected by copper retirement must be provided with functionally equivalent service and facilities and reliable backup power. In addition, this type of network change will result in a reduction or impairment of service and it will impair the adequacy or quality of service to customers in the affected areas. Accordingly, Verizon should be required to seek Section 214 authority before it is authorized to retire the copper loops.

Respectfully submitted,

**ALARM INDUSTRY
COMMUNICATIONS COMMITTEE**



By: _____
Louis T. Fiore
Chairman

Dated: July 23, 2014



DECLARATION UNDER PENALTY OF PERJURY

I, Louis T. Fiore, under oath and subject to penalty for perjury, certify that I have read this objection, that the statements contained in it are true, that there is good ground to support the objection, and that it is not interposed for purposes of delay. I have appropriate authority to make this certification on behalf of the Alarm Industry Communications Committee and I agree to provide any information the Commission may request to allow the Commission to evaluate the truthfulness and validity of the statements contained in this objection.

Louis T. Fiore

Signed: _____

Louis T. Fiore

Certificate of Service

I hereby certify that on July 23, 2014, a copy of the forgoing **Comments of the Alarm Industry Communications Committee** was sent via electronic mail and U.S. Mail to:

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