

**STATEMENT OF
CHAIRMAN THOMAS E. WHEELER**

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

Since my first day, I've spoken about how the FCC's policies should be guided by what I call the Network Compact – the basic rights of consumers and the basic responsibilities of network operators. This item to improve 911 reliability advances one of the three key elements of the Network Compact – promoting public safety and security.

Today's item is the culmination of a significant amount of work, which began long before I arrived. The derecho storm that ripped through portions of the Midwest and Mid-Atlantic brought widespread 911 network failures across six states and left millions of Americans unable to call for help. The Commission immediately launched an inquiry to examine the major vulnerabilities in 911 network architecture, maintenance, and operations revealed by the storm.

Regrettably, many of the 911 outages could have been avoided if the wireline 911 service providers had implemented best practices – in fact, best practices that the industry had helped to develop – and other sound engineering principles.

I have spoken of the “regulatory see-saw.” When the marketplace works, the reasons for regulation are diminished. Part and parcel with that belief, I also have said that the Commission should encourage multi-stakeholder solutions to network responsibilities.

Inherent in the regulatory see-saw is the reality that if voluntary solutions don't work, we must be willing to pivot rapidly to a regulatory response. This is especially true when public safety is at stake.

The 2012 derecho demonstrated how the industry failed to take the proper steps to prevent these kinds of widespread outages. As such, we have an obligation and responsibility to act.

The result of the hard work put forth by the Bureau and my colleagues and predecessors is the necessary, sensible, and flexible set of rules we are adopting today, which will help assure that Americans can reach emergency assistance during disasters.

Our rules are flexible – they account for differences in 911 network architecture – but we do not sacrifice 911 service reliability. Consistent with the old axiom, “if you can't measure it, you can't manage it,” we are putting such measurement and management tools in place. We require 911 service providers to take reasonable measures to provide reliable 911 service and to certify annually that they have done so. They can either follow certain industry-backed best practices or implement alternative measures that are reasonable and sufficient to achieve the necessary result in light of their particular circumstances. Our rules also provide greater clarity on how these critical industry-backed best practices should be implemented in the context of 911 networks.

Moreover, to accommodate evolving technology, these rules take into account the transition to Next Generation 911. To keep up with technology, we will re-evaluate the rules in five years.

In addition, today's Order will help ensure that 911 call centers get timely and useful information about 911 outages.

I recognize that 911 service providers may have made improvements since the derecho. But given the 911 failures of the past, and with public safety at stake, the Commission cannot simply trust - we must also verify. Or, as a wise man once taught me, “inspect what you expect.”

I am pleased to support this Order and thank the staff of the Public Safety and Homeland Bureau for their work on this important item.