

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

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

This NPRM on improving the reliability of 9-1-1 communications networks sends an important message about how serious this Commission takes its statutory obligation to promote the safety of life and property through the use of wire and radio communication. Congress not only made public safety communications a fundamental purpose for creating this agency almost 80 years ago, it passed more recent laws in 1999 and 2008 that specifically direct us to ensure the availability of emergency 9-1-1 service throughout the country.

Consistent with these Congressional directives, the Commission should take appropriate, corrective action if it learns of any significant problem with 9-1-1 service. As we know, the June 2012 Derecho not only caused several deaths and widespread property damage, it also impaired the ability of millions of Americans to access 9-1-1 services and left certain areas without 9-1-1 for several days. It was therefore incumbent upon the Commission to swiftly and thoroughly investigate why these substantial service outages occurred and find ways to minimize the risks of them ever happening again.

I commend Chairman Genachowski for making this investigation a top priority. Under the expert leadership of David Turetsky, the staff conducted a comprehensive inquiry. It reviewed more than 500 network outage reports and interviewed 28 PSAPs, numerous state and county officials, representatives of eight communications providers, as well as battery and equipment manufacturers.

The results of those investigations are, unfortunately, somewhat troubling. To promote network reliability, the Commission has traditionally used a light regulatory touch, preferring voluntary commitments to industry best practices. But this approach only works if communications providers are actually following these best practices. What the staff uncovered, however, was that with a number of communications providers, this was not the case. Service disruptions were found to be caused by communications providers failing to have adequate plans and systems in place in cases of storms and other inclement weather events, and the Bureau concluded that these failures could, and would have been avoided, if providers had followed industry best practices and other sound engineering principles.

This is unacceptable. It is now appropriate and timely for the Commission to propose rules to ensure that communications companies are following well-established practices to promote reliability. At a minimum, these practices should include what our technical staff recommended in the Derecho Report: auditing the physical routes of 9-1-1 networks, ensuring physical diversity of monitor and control links, backup power at central offices, and giving PSAPs more information when service outages occur. The NPRM seeks comments on the best approach to implement these recommendations and offer four possible methods: reporting, certification, or compliance review requirements. Whichever approach we ultimately adopt, we must be certain that our licensees are meeting their obligations to allow consumers to reach 9-1-1 when they need it the most. I was also pleased to see that we are asking how the proposals should apply to IP networks and facilities, such as data centers that host NG9-1-1 services.

I would like to especially thank David, Lisa Fowlkes, Jeff Goldthorp, Lauren Kravetz, and the other talented staff members in the Public Safety Bureau for their work on this item.