

**STATEMENT OF
CHAIRMAN TOM WHEELER**

Re: Improving Outage Reporting for Submarine Cables and Enhanced Submarine Cable Outage Data, GN Docket No. 15-206, Report and Order.

Our ability to serve the public and fulfill our responsibilities begins with being informed. To do our job right, we need the facts. While it's our responsibility to promote the resiliency and reliability of our communications networks, when it comes to a key piece of those networks – submarine cables -- we have unacceptable gaps in understanding of outages and disruptions. With today's order, we fix that.

Let's start with a few baseline facts.

First, submarine cables are a vital part of our communications infrastructure – carrying virtually all voice and data traffic between the United States and the rest of the world. As a result, these cables are essential to America's economic stability and national security.

Second, outage reporting systems are a proven tool for promoting network reliability. Other communications providers have long reported outages to the FCC through our mandatory Network Outage Reporting System (NORS). The data have enabled us to detect adverse outage trends and work with industry on solutions, monitor and assist restoration efforts, and coordinate with public safety officials and other affected third parties during crises.

Third, the information we receive regarding undersea cable disruptions is too limited and inconsistent to be useful. The record in this proceeding identified a series of flaws with the current reporting system. For starters, it's voluntary, which means we only receive information on about 25 percent of undersea cables. It's also ad hoc with no standardized guidelines, which means the information we receive is inconsistent and not necessarily revelatory about the root causes of problems.

To understand the problem, look at one recent example of how things currently work – or more appropriately – don't work.

In July 2015, a damaged submarine cable severed communications for thousands of residents and businesses on the Commonwealth of the Northern Mariana Islands for three weeks. The outage affected phone, Internet, banking, credit card transactions, ATM withdrawals, and health care. The Commission did not receive information about the outage through the current voluntary reporting system, and the information we received through NORS was inadequate. The reports from terrestrial providers did not convey the very significant impact that “total communications isolation” had on consumers or the impacted communities, subsequent terrestrial reports did not convey accurate status of the submarine cable outage nor projected restoration and repair times. It took open press news reports to allow staff to piece together what was happening, spurring FCC initiated calls to parties to gather information on what had occurred and organize mitigation options. Lack of timely situational awareness certainly hampered Commission efforts to monitor the outage, support restoration and development of interim options to mitigate consumer suffering.

In the few months since we launched this proceeding, through media reports we learned of a Florida lightning strike hitting the U.S. terminus of a submarine cable disrupting communications between Florida and multiple locations in the Caribbean and an incident where cable connectivity between the U.S. territory of Guam and Australia was severed. These outages were not reported to the FCC through the existing voluntary system.

Submarine cables are a key piece of our broader communications infrastructure. It simply doesn't make sense that other providers must report network outages, while submarine cable operators do not. Today, we bring some common sense and regulatory parity to our outage reporting rules.

The new rules will require submarine cable licensees to report major communications outages to the FCC, which other communications providers have done for more than a decade. Licensees will report service failures or the significant degradation of service, regardless whether the traffic can be re-routed. In situations where traffic is rerouted over another cable or fiber pair, that doesn't mean that the outage didn't occur. It should be reported. If disruptions prevent a category of service like voice, that too is an outage to voice customers even if internet traffic is still up. Collecting information regarding the mode of failure is valuable, and maintaining an understanding of decrements to overall submarine cable capacity is an important National Security function which the FCC is uniquely suited to fulfill.

The Commission staff has made significant progress in improving interagency coordination processes to facilitate rapid maintenance and deployment of cables, identify non-cable seabed activity that may place submarine cables at risk. By promoting a diversity of submarine cable routes and providers, we can add resiliency and reliability to our communications systems.

The rules we are adopting today will close reporting gaps, enable the Commission to keep apprised of the operating status of submarine cables, and help ensure that this vital communications infrastructure remains reliable.