Comments of the
Alliance for Telecommunications Industry Solutions

The Alliance for Telecommunications Industry Solutions (ATIS) hereby submits these Comments in response to the Federal Communications Commission’s (Commission) Second Further Notice of Proposed Rulemaking (FNPRM). In the Second FNPRM, the Commission seeks comments on numerous issues associated with the Network Outage Reporting System (NORS) and Disaster Information Reporting System (DIRS), including what entities should be required to submit outage reports in NORS and/or participate in DIRS and the relevant reporting thresholds and obligations. ATIS opposes requiring Broadband Internet Access Service (BIAS) to submit outage reports in NORS and to participate in DIRS. To the extent that NORS reporting is required for BIAS providers, ATIS recommends that BIAS “outages” be defined to mean a significant and noticeable disruption for BIAS users that results in a complete loss of service and should not include attributes that are simply measures of service quality. If BIAS providers are required to report in DIRS, ATIS urges the Commission to follow its existing practice of allowing such providers to report on the provider’s last functional network device or edge device. ATIS opposes requiring providers to submit “after action” reports upon deactivation of
DIRS. However, to the extent that these reports are required, ATIS recommends that: (1) the contents of these reports be limited to actions that could have shortened the duration of the events; (2) a free-text document be created in DIRS to afford providers appropriate flexibility in providing this information; (3) the information in these reports be held as confidential and not shared with other agencies; and (4) these reports be filed within sixty (60) days of issuance of a Public Notice, as proposed in the Second FNPRM. Finally, ATIS opposes requiring providers to supply the Commission with information concerning the location of their mobile recovery assets.

I. BACKGROUND

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS’ diverse membership includes key stakeholders from the Information and Communications Technologies (ICT) industry – wireless, wireline, and VoIP service providers, equipment manufacturers, broadband providers, software developers, consumer electronics companies, public safety agencies, and internet service providers. ATIS is also a founding partner and the North American Organizational Partner of the Third Generation Partnership Project (3GPP), the global collaborative effort that has developed the 4G Long-Term Evolution (LTE) and 5G New Radio (NR) wireless specifications.

ATIS’ NRSC was formed in 1993 at the recommendation of the first Network Reliability and Interoperability Council. The NRSC strives to improve network reliability by providing timely consensus-based technical and operational expert guidance to all segments of the public communications industry. The NRSC addresses network reliability improvement opportunities in an open environment and advises the communications industry through the development of standards, technical requirements, reports, bulletins, Best Practices, and annual reports. The
NRSC is comprised of industry experts with primary responsibility for examining, responding to, and mitigating service disruptions for communications companies. NRSC participants are the industry subject matter experts on communications network reliability and outage reporting.

II. COMMENTS

In the Second FNPRM, the Commission renews its inquiry into whether BIAS providers should be required to submit outage reports in NORS and to participate in DIRS. ATIS NRSC opposes BIAS reporting because such reporting would impose unnecessary burdens on the providers. ATIS NRSC does not believe that there has been sufficient evidence that BIAS reporting is necessary or that broadband networks are not resilient and reliable. ATIS NRSC notes that the Second FNPRM acknowledges that this argument has been made by those opposing BIAS outage reporting, but does not provide any information indicating that there is a problem that would justify the burdens associated with such filing. ATIS NRSC believes that the Commission should avoid diverting resources away from providing service excellence to customers unless there is an established record and significant justification to do so.

The Commission seeks comment on how to define an outage for the purposes of BIAS NORS and DIRS reporting and asks whether it should base outage reporting obligations on a “significant degradation in throughput.” If the Commission requires BIAS Providers to report outages in NORS, ATIS NRSC strongly recommends that outages should be defined to mean a significant and noticeable disruption for BIAS users that results in a complete loss of service and should not include attributes that are simply measures of service quality. Measures of service quality, such as a degradation in throughput, would not necessarily provide a clear indication as

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1 Second FNPRM at ¶67.  
2 Second FNPRM at ¶66.  
3 Second FNPRM at ¶70.
to whether an event significantly degrades the ability of a BIAS user to establish and maintain services. Therefore, these service quality measurements should not be used to determine whether consumers are experiencing outages. Moreover, using service degradation as the threshold for reporting would capture many instances that are not actually service outages, and would distort stakeholders’ perceptions and analyses with a voluminous amount of inaccurate data, which may misrepresent the true health of broadband networks.

If BIAS providers are required to report in DIRS, the Commission should follow its existing practice of allowing such providers to report on the provider’s last functional network device or edge device, not including customer premises equipment.

The Commission seeks comment on whether providers subject to DIRS reporting requirements should be required to submit “after action” reports to the Commission detailing how their networks fared after the event or exigency and the nature, timing, duration, and effectiveness of their pre-disaster response plans after the Commission’s deactivation of DIRS and within 60 days of issuance of a Public Notice announcing that such reports must be filed.\(^4\) ATIS NRSC opposes the filing of formal reports, and recommends instead that the Commission implement an informal discussion with affected providers after that takes into account the ongoing nature of disasters and offers providers the necessary flexibility to manage the response to ongoing disasters. NRSC believes this is duplicative to information already available to the Commission via the Communications Information Sharing and Analysis Center (Comm-ISAC) and providers participating in Comm-ISAC already discuss their responses to natural disasters and the effectiveness of their response and restoration efforts. These discussions include not

\(^4\) Second FNPRM at ¶77.
only a review of what went well but the challenges that were faced and how the government, including partners such as FEMA, may assist providers with restoration and recovery efforts.

To the extent that formal “after action” reports are required, ATIS NRSC recommends that the contents of these reports be limited to “lessons learned” – actions by the industry or the Commission that could have shortened the duration of the events. Much of the information proposed for inclusion in these reports, including the nature, timing, duration of the event, will likely already be available to the Commission in providers’ DIRS filings. Focusing the after action reports on ways to mitigate future outages would avoid unnecessary duplication. ATIS NRSC recommends that a free-text document be created in DIRS to afford providers appropriate flexibility in providing this information.⁵ ATIS NRSC further urges the Commission to hold these “after action” reports confidential, and not permit the sharing of this information, even in aggregated form. Unlike the Commission’s daily reports⁶ during an event, these “after action” reports do not provide situational awareness and are filed well after a disaster has occurred. ATIS NRSC believes that providers should be able to freely share information on future corrective actions without concern that this information would be made available to bad actors, which could use the information to frustrate providers’ efforts to mitigate the effects of future outage events. Finally, if the Commission requires the filing of after action reports, ATIS NRSC supports the Commission’s proposal in the Second FNPRM that these reports be filed within sixty (60) days of issuance of a Public Notice announcing that such reports must be filed.

⁵ While ATIS NRSC does not support the use of a template for these reports, should the Commission nonetheless require the use of a template, ATIS NRSC urges the Commission to work with the industry to ensure that the template provides sufficient flexibility. ATIS NRSC would welcome the opportunity to provide input on this template.

⁶ https://www.fcc.gov/irma
The Commission also seeks comment on whether providers that are subject to DIRS reporting requirements should be required to supply the Commission with information concerning the location of their mobile recovery assets, including the location of their Cells on Wheels (COWs) and Cells on Light Truck (COLTs) or comparable assets, either as a component of their daily DIRS reporting or through alternate means. ATIS NRSC supports the provision of this information via alternative dynamic means, as some carriers have done in past DIRS activations.

This requirement is burdensome as providers move assets as needed during disasters and recovery periods. The daily cadence of DIRS reporting is incompatible with the rapid movement of assets and the expedited time frame in which the Commission would desire this information. Daily DIRS reports will not capture the rapid movement (frequently multiple times in one day during a disaster event) of these response assets and are more likely to create confusion than to aid situational awareness. This requirement is also unnecessary as there has been no indication that providers are not taking all commercially reasonable steps to deploy mobile recovery assets in an effective manner. Nor will this information necessarily allow the Commission to evaluate the effectiveness of each provider’s recovery efforts because these efforts will be tailored by the provider to the disaster, including the type and location of damage expected, the location of key infrastructure, and employee safety. Accessibility is also a key issue – providers must consider how they can position and gain access to such assets during and after a disaster. Locating assets close to impacted infrastructure may be counterproductive if the providers are unable to access such assets. This requirement would also be burdensome for providers to implement, particularly for large providers that would have a significant number of mobile recovery assets.

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7 Second FNPRM at ¶72.
To the extent the Commission nonetheless requires this information, ATIS NRSC recommends that it be limited to COWs and COLTs.

III. CONCLUSION

ATIS appreciates the opportunity to provide its input to the Second FNPRM and urges the Commission to consider the recommendations above.

Respectfully submitted,

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