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Wireless And 911

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Attachment D

Outline Of Comments

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- CTIA® – who we are
- How a Wireless 911 Call is Made
- Regulation of Wireless
- 911 at the Federal Level
- Federal 911 Outage Reporting Requirements
- Wireless Industry's 911 Principles

Wireless 911 Call

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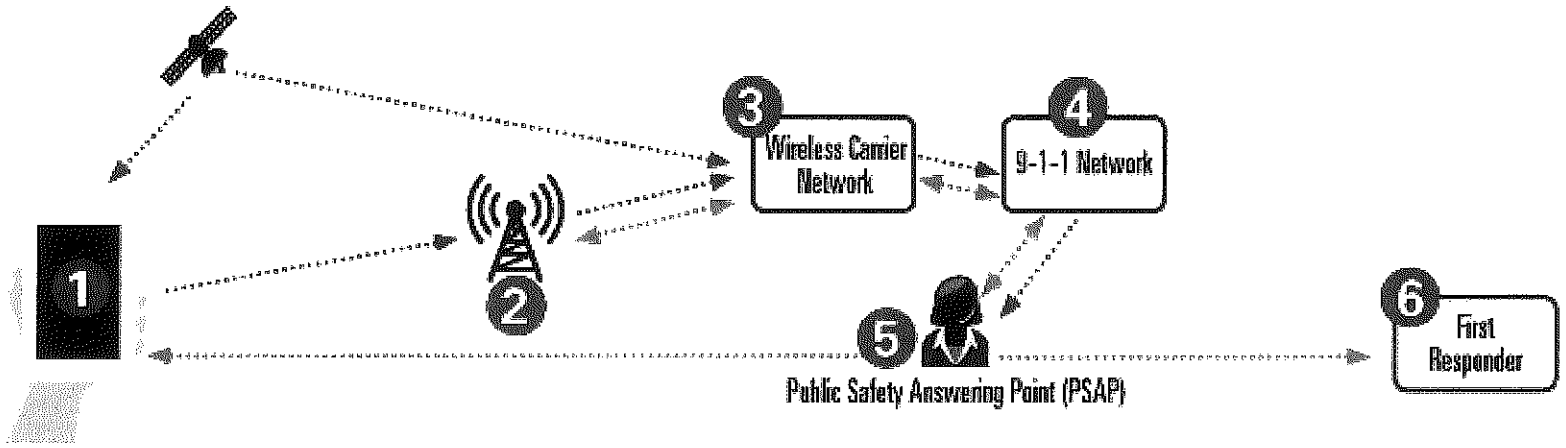

Regulation of Wireless

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- Federal law establishes a comprehensive and rigorous framework of regulation of the wireless industry. Regulations are primarily administered by the FCC, but other federal agencies also regulate various aspects of wireless carriers' businesses, including the FTC, FAA and DOJ.
- The FCC imposes stringent regulations on wireless carriers to protect consumers, including, but not limited to:
  - Ensure that all callers can dial 911 to reach first responders and that the public safety answering points receive callers' location information.
  - Rules and standards for Wireless Emergency Alerts, which deliver free announcements of major weather events, public safety threats, AMBER alerts, and Presidential Communications directly to consumers' cell phones.
  - Timely reporting of commercial and 911-related outages to the FCC. The FCC is considering expanding these rules further.
- Disaster Response: Wireless carriers work cooperatively with FEMA and the FCC in preparing for and responding to natural and man-made disasters affecting communications facilities.
- Colorado: historically, wireless is not under the jurisdiction of the PUC. In fact, 2014 legislation recently reaffirmed this.

Regulation of Wireless (cont'd)

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- A host of federal statutes govern wireless:
  - **47 U.S.C. § 332(c)(3)(A):** provides states with a very limited role, and limited jurisdiction, with regard to wireless service providers, prohibiting state commissions from regulating the rates, or the terms of market entry, for wireless providers.
  - **47 C.F.R. §§ 4.9(e), 4.5(e):** Wireless service providers are required to file outage reports with the FCC when calls to PSAPs cannot be completed, call-back information is unavailable or location information is unavailable.
  - **47 C.F.R. § 4.9(e):** Specifically, wireless providers are required to provide notice to the FCC "within 120 minutes of discovering that they have experienced on any facilities that they own, operate, lease, or otherwise utilize, an outage of at least 30 minutes duration . . . [t]hat potentially affects at least 900,000 user minutes . . . ."
  - **47 C.F.R. § 4.9(e):** Wireless providers are also required to provide outage information to personnel designated by a PSAP.

911 At The Federal Level

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- The FCC thoroughly analyzes and regulates virtually every aspect of wireless 9-1-1 calls. It has adopted a number of orders and issued reports on all of the following:
  - Enhanced 911 (E911) Emergency Calling Systems
  - Outage Reporting
  - NG911
  - Network Resiliency
  - Non-Service Initiated Phones
  - Wireless Emergency Alerts
  - Text-to-911
- There is a lot of activity at the federal level in the 9-1-1 space. Any state action in the wireless space risks being inconsistent with the Federal regime and creating a patchwork of regulations that make compliance with the federal regime more difficult, if not impossible.

Federal 911 Outage Reporting Requirements

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- **National Outage Reporting System (NORS)** – The Federal Communications Commission (FCC) requires communications providers, including wireless providers, to electronically report information related to disruptions or outages to their communications systems that meet specified thresholds set forth in Part 4 of the FCC's rules (47 C.F.R. Part 4):
  - 900,000 user minutes impacted for 30 minutes or more; wireless providers must report within 120 minutes
- **Proposed FCC Rural Outage Rules –** pending before the FCC:
  - Outage report when 1/3 or more of the macro cell sites are impaired or out-of-service
  - Rural Population defined as a county with less than 100 people per square mile

Wireless Industry's 911 Principles As States Transition to NG911

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- Fees Should be Imposed on End-user
- Single, Statewide Rate Administered at State-level
- State Legislature Should Set the 911 Rate in the Statute
- Funds Should be Spent on 911 systems
- Need for Accountability and Audits
- Justify Costs or Reduce Imposition
- PSAP Efficiencies
- Funding Should Ultimately be from General Revenue

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