

FCC Mulls Requiring Carriers to Report Disaster Reliability

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The FCC late yesterday issued a Notice of Proposed Rule Making (NPRM) which aims to improve wireless network reliability during disasters by requiring wireless service providers to publicly disclose the percentage of cell sites within their networks that are operational during and immediately after disasters.

The FCC argues that such a mandate would drive carriers to improve their network reliability as a matter of competition. The FCC is seeking public comment on this proposal and other approaches.

Acknowledging that some wireless service disruptions may be unavoidable during emergencies, the FCC also noted that the impact tends to vary among wireless service providers. For example, Superstorm Sandy disabled approximately 25 percent of cell sites in the affected region, with more than 50 percent of cell sites disabled in the hardest-hit counties, yet not all wireless networks were equally impaired.

The FCC posits that the operational choices and practices of different wireless service providers may account for much of this variation. The commission is asking for comment on whether the NPRM's proposed disclosure requirement, by holding wireless providers publicly accountable, could spur improvements to network resiliency while allowing providers flexibility in implementing these improvements.

The proposal would require wireless service providers to submit to the FCC, for public disclosure on a daily basis during and immediately after disasters, the percentage of operational cell sites for each county within a designated disaster area.

Information yielding these percentages is already included in voluntary reports that wireless service providers submit to the FCC daily during disasters, albeit on a presumptively confidential basis and as part of a larger set of data.

In July, CTIA submitted an ex parte filing with the FCC that urged the commission to defer an NPRM on mandatory disaster reliability reporting. CTIA said it was concerned that the proposed rules under consideration were similar to recommendations submitted to the FCC earlier this year by Consumers Union (CU). Those rules suggest that carriers report, and the Commission publicly disclose, the

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percentage of cell sites out of service in a particular county during an event classified as a disaster by the FCC.

CTIA argued that CU's proposed metric did not provide an accurate picture of a network's true condition and such information would not be of value to consumers.

"As many providers' cell sites are configured with overlapping coverage, the proposed metric risks overstating the degree to which cell site outages adversely affect service availability," CTIA wrote in the filing. "Ongoing and future deployments of "small cell" and Distributed Antenna System configurations that underlay existing coverage would exacerbate that risk even further."

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