



**Testimony of  
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**Vermont S. 310**

**Before the Vermont House Committee on Government Operations & Military Affairs**

**April 17, 2024**

Chair McCarthy, Vice-Chair Birong, and members of the committee, on behalf of CTIA, the trade association for the wireless communications industry, I write to raise concerns with proposed amendments to S. 310 regarding 911 outage reporting, which among other things, would require to “notify its customers of planned or unplanned outages that impact customers’ ability to complete a call to, or communicate with, 911 or that prevent subscribers from receiving emergency notifications”. While well-intentioned, this provision fails to understand how wireless networks operate and would not only create customer confusion but also create infeasible requirements for telecommunications companies. For these reasons, we strongly recommend the committee maintain the current version of the bill or consider amendments to ensure the effectiveness and practicality of this section.

CTIA and its members recognize the importance wireless consumers place on their devices and networks in emergency situations, including their reliance on their wireless devices to reach emergency services. This is why the wireless industry is strongly committed to minimizing network downtime and focusing on restoring service quickly when outages occur. Extending strenuous and technically infeasible reporting requirements would unnecessarily divert resources away from the important work of restoring networks when they go down.

CTIA understands the desire to supply affected parties with outage reporting information as soon as reasonably possible, a goal shared by the wireless industry. However, the requirements must respect the reality of how wireless networks operate and account for the technical limitations of providing notifications to customers during an outage that doesn’t allow for communication.



Notifications to customers of a network outage that affects them, with any efficacy, is simply not possible.

Additionally, the Federal Communications Commission (FCC) considered and expressly declined to impose requirements like these following a 2022 rulemaking. In their report, they cited that customer notifications could cause consumer confusion or panic as there are multiple networks servicing a majority of areas throughout Vermont. Therefore, even if one carrier's network is down, whether it is scheduled or unscheduled, the FCC's mandatory "All Calls" rule is in effect and any 911 call placed would be picked up by another carrier's network. This means the proposed legislation would require reporting of outages even where consumers can still reach 911, because when one carrier's network is out, other carriers with compatible networks that still have service in that area are required to, and do, carry calls made to 911.

Moreover, security concerns were raised as wireless network outages are protected critical infrastructure information that should be closely guarded from disclosure for reasons of national security as notifications would give bad actors granular information about vulnerable locations. When making outage information public, providers are careful to release information that advances situational awareness while minimizing over-exposing sensitive information about cell site locations, response crew locations and identities, or other information that could put at risk the security of the nation's communications infrastructure and providers' personnel.

The FCC also noted that state emergency management agencies already have access to outage notifications and should be expected to use that information for useful situational awareness purposes. The wireless industry supports the efforts of the committee to ensure that public safety stakeholders and consumers are properly informed about the availability of 911 services. Indeed, wireless providers are working closely with Public Safety Answering Points (PSAPs) and undertake a variety of initiatives to provide both PSAPs and consumers actionable information during outages impacting 911 services through the FCC. The FCC already imposes a robust outage reporting regime on wireless providers nationwide via its Network Outage Reporting System (NORS) and Disaster Information Reporting System (DIRS). Outages of wireless network switching centers lasting more than 30 minutes are reportable to the FCC within two hours of discovery, regardless of customer



impact. Our members have been voluntarily participating in DIRS at the FCC for years and recently, the FCC adopted rules that now make the DIRS reporting mandatory for telecom providers.

The industry is working diligently to maintain our networks and work with the public safety community to make sure connectivity is restored quickly when outages do occur. CTIA supports the goal of enhancing the situational awareness of consumers and PSAPs in the event of a disruption to 9-1-1 services. While the proposed 911 provision intends to advance these goals, some of its proposals, specifically customer notification requirements, could potentially run counter to the legislation's objectives if not carefully implemented. CTIA thus recommends maintaining the current version of the bill which excludes 911 provisions. We look forward to working further with the legislature on this important issue.