

## Vermont Enhanced 911 Board

### Rule Governing Outage Reporting Requirements for Originating Carriers and Electric Power Companies

#### 1.0 Authority

This rule is adopted pursuant to Vt. Act 79, § 25 (2019) and 30 V.S.A. § 7053.

#### 2.0 Purpose

The purpose of this rule is to establish outage reporting protocols for originating carriers providing voice service in Vermont and for electric power companies operating in Vermont in order to enable the Enhanced 911 Board (the “Board”) to assess 911 service availability during such outages.

#### 3.0 Definitions

**3.1 Commercial Mobile Radio Service (CMRS):** A Federal Communications Commission (FCC) designation for any carrier or licensee whose wireless network is connected to the public switched telephone network.

**3.2 Electric Power Company:** A company that provides distribution of electricity to residential and/or business customers.

**3.3 Originating Carrier (OC) –** Also known as originating service provider, an entity that provides voice services to a subscriber.

#### 3.4 Outages

**3.4.1 Originating Carrier Outage:** Any known degradation or loss of network elements, systems, services and/or transport facilities that prevent the OC's subscribers in a served geographic area within Vermont, such as a town or community, from being able to complete a call to, or communicate with, 911. An outage includes, but is not limited to, a failure or degradation in the performance of an OC's network or lack of function of subscribers' backup-power equipment during a power outage.

**3.4.2 Wireless Service Outage:** Any known loss of wireless service, also known as cellular service, in a normally served geographic area within Vermont, such as a town or community, which prevents the subscriber from being able to complete a call to, or communicate with, 911.

**3.4.3 Electric Power Outage:** Any known failure or failures that prevent the electric power company from distributing electricity to residential and/or business customers.

**3.5 System Provider -** An entity that provides the systems and support necessary to enable 911 calling for one or more Public Safety Answering Points (PSAPs) in a specific geographic area.

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**3.6 Voice Service** - A service that provides voice transmission services. These services are provided over a network that transmits any combination of voice, video and/or data between users. Voice service is provided by an OC that could be, but is not limited to, a facilities based fixed voice service that is line powered, a facilities based fixed voice service that is not line powered, or a Commercial Mobile Radio Service provider.

#### 4.0 Requirements for Originating Carriers

**4.1** All facilities based fixed voice service OC's providing voice service in the State of Vermont shall report any known outage lasting more than 30 minutes that limits or prevents 25 or more subscribers from completing calls to, or communicating with, 911. The OC shall notify the 911 system provider and the Board within two hours of discovery of each occurrence, or as soon as reasonably possible.

**4.1.1** The facilities based fixed voice service OC's outage notification to the 911 system provider and the Board shall include, to the extent that it is known, the following information:

- OC name
- Location of affected facility
- Approximate subscriber physical locations – at a minimum town or community name
- Approximate number of subscribers affected
- Date and time outage began
- Estimated date and time for restoration of service
- Cause
- Description of the limitation of 911 calling capability: Example - Subscribers are receiving dial-tone and can make calls to other local subscribers but cannot complete calls to 911.
- Contact Name
- Contact Phone
- 24/7 contact if different from above contact

**4.1.2** A restoration of service report shall be provided to the 911 system provider and the Board within two hours of resolution of the outage or as soon as reasonably possible and shall include, to the extent it is known, the following information:

- OC name
- Location of affected facility
- Approximate subscriber physical locations to include identification of street or section of road, if available.
- Actual restoration time

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- The call back number(s) of any subscribers that attempted to reach 911, but were unable to do so, due to the outage, if available.
- Any other information requested in the initial notification that was previously unavailable or unverified such as cause, or number of subscribers affected.

**4.2** All Commercial Mobile Radio Service (CMRS) OC's providing voice service in the State of Vermont shall report any known wireless service outages and/or outages meeting the definition of section 3.3.1 "Originating Carrier Outage" that lasts more than 30 minutes, and limits or prevents subscribers from completing calls to, or communicating with, 911. The OC shall notify the 911 system provider and the Board within two hours of discovery of each occurrence, or as soon as reasonably possible

**4.2.1** The CMRS OC's outage notification to the 911 system provider and the Board shall include, to the extent it is known, the following information:

- OC name
- Location of affected facility and/or geographic area
- Approximate number of subscribers affected
- Date and time outage began
- Estimated date and time for restoration of service
- Cause
- Description of the limitation of 911 calling capability: Example - Subscribers can make calls to local subscribers but cannot complete calls to 911.
- Contact Name
- Contact Phone
- 24/7 contact if different from above contact

**4.2.2** A restoration of service report shall be provided to the 911 system provider and the Board within two hours of resolution of the outage or as soon as reasonably possible, and shall include, to the extent it is known, the following information:

- OC name
- Location of affected facility
- Approximate number of subscribers affected
- Actual restoration time
- the call back number(s) of any subscribers that attempted to reach 911, but were unable to do so, due to the outage, if available.
- Any other information requested in the initial notification that was previously unavailable or unverified such as cause, or number of subscribers affected.

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**4.3** The Board may request additional details about the cause of the outage and any mitigating steps taken to prevent future outages of a similar nature. All OCs shall work cooperatively with the Board to provide the level of detail needed to assist the Board in its assessment of the outage and its impact on access to 911 for the affected subscribers.

#### **5.0 Requirements for Electric Power Companies**

**5.1** Electric power companies shall provide a detailed monthly report on all outages affecting 25 or more customers and lasting 8 or more hours to the Board by the 15th of each month.

**5.1.1** Quarterly reporting may be allowed if, in the judgment of the Board, that frequency will allow for sufficient and timely information gathering.

**5.2** The monthly reports will be provided in CSV, XML, Excel or other importable dataset accepted by the Board, and will include, at a minimum:

- Date and time of outage
- Date/time of restoration of service
- Approximate number of impacted customers
- Location of outage and approximate subscriber physical locations including identification of street or section of road, if available.
- Cause of the outage

#### **6.0 Confidentiality**

**6.1** Information that is properly exempt from public disclosure under Vermont Public Records Law shall be maintained confidentially by the Board.

**6.2** All report submitters shall mark information they believe to be exempt from public disclosure and provide for each the subsection of 1 V.S.A. §§ 315-320 upon which they rely.

#### **7.0 Effective Date**

**7.1** Mandatory outage reporting will begin as soon as originating carriers and electric power companies are technically capable of providing the information but no later than six months after adoption of the final rule.

#### **8.0 Enforcement**

**8.1** Pursuant to section 30 V.S.A. § 7061(a), the Enhanced 9-1-1 Board may file a civil action for injunctive relief in Washington County Superior Court to enforce this rule. The Court shall award the Board its costs and reasonable attorneys' fees in the event that the Board prevails in an action under this subsection.