

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Resilient Networks	)	PS Docket No. 21-346
	)	
Amendments to Part 4 of the Commission’s Rules	)	PS Docket No. 15-80
Concerning Disruptions to Communications	)	
	)	ET Docket No. 04-35
New Part 4 of the Commission’s Rules	)	
Concerning Disruptions to Communications	)	

**COMMENTS OF PUBLIC KNOWLEDGE**

Maintaining situational awareness of communications infrastructure can make the difference between life and death, and the FCC plays the central role in creating this situational awareness. It is important, however, to distinguish this role from the Commission’s equally important, but somewhat different, role in tracking and ensuring the long-term reliability of our nation’s critical communications infrastructure. This distinguishes the Network Outage Reporting System (NORS) from the Disaster Information Reporting System (DIRS) and the more recent DIRS-Lite. Public Knowledge agrees with the Commission’s goal of streamlining filings for DIRS to what is necessary to provide useful information as quickly as possible to all necessary stakeholders, while at the same time collecting more granular information so that stakeholders can improve their disaster response. Importantly, the Commission must keep in mind that “stakeholders” includes not simply emergency managers and responders, but also members of the general public.

Accordingly, these comments urge the Commission to strike a balance between streamlining too little or too much. PK supports proposals to make more information available to the public, and to reduce the burdens on accessing, sharing and analyzing information imposed on Tribal, state and local officials. At the same time, PK opposes eliminating mandatory reporting for MVNOs, as doing so may miss important information in light of the complicated arrangements of many MVNOs and “hybrid” MVNOs such as cable mobile providers. Pk also cautions that it is far too soon to determine whether changes in reporting requirements that went into effect last February are salutary or burdensome – especially as the 2025 hurricane season turned out to be one of the least active in recent history. In considering these changes, the Commission must take account in its cost/benefit analysis not only the value of information for immediate situational awareness, but the importance of historic information for analysis and planning. For this reason, if the Commission does extend the NORS waiver to DIRS-Lite filers, the Commission should annually reconcile the three databases into one consolidated annual report.

**The Commission Should Make More Data Available to the Public.**

PK enthusiastically supports the proposal to make DIRS data more widely available to the public.<sup>1</sup> PK has repeatedly called on the Commission to make both DIRS and NORS data fully available to the public, so that consumers may “vote with their feet” for networks which invest in reliability. Even proposals that fall short of that goal should be embraced, as any movement toward greater transparency is to be applauded and encouraged as allowing individuals to respond appropriately in emergencies and manage expectations during recovery.

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<sup>1</sup> *NPRM* Par. 25.

Outage information does not fit into the usual category of confidential, proprietary information. People impacted by the outage obviously know that the outage has occurred. What the current treatment of data as confidential does is make it difficult for interested parties to collect data over time by geographic region and by carrier. Unfortunately, this does more than simply protect carriers from the repercussions of insufficient investment. It prevents states and researchers from identifying patterns which may help to harden networks going forward. It interferes with strategic planning by making it harder for state and local officials to anticipate weak spots in communications networks, and plan accordingly.<sup>2</sup>

**The Commission Should Make It Easier for Tribal and Government Officials to Share Information.**

PK also supports steps to make it easier to share information with state, local and Tribal governments to assist them in emergency response. Such steps will enable better, faster and more coordinated responses in times of emergency. Wherever possible, burdensome obligations on the release of outage information to state, local and Tribal officials should be eliminated.

Specifically, PK recommends that the Commission modify the requirements for access under Rule 4.2 as follows. First, relevant officials should have unrestricted access to historic data more than one year old for purposes of research and to benchmark performance. Second, relevant officials should have blanket permission to share information with contractors and with other local and state jurisdictions, provided they have demonstrated procedures to safeguard the information. This will facilitate planning and analysis for both the specific jurisdiction, and facilitate the creation of regional, state, and multi-state response plans. Finally, in addition to the release of aggregate data, agencies with access to specific carrier data should be allowed to issue

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<sup>2</sup> While the Commission has made it easier for officials to access data, the limitations imposed on sharing this data make it harder and more expensive for Tribal and government officials to analyze the data for future planning purposes.

general “report cards” to the public on the performance of specific carriers, both in specific emergencies and over time.

**The FCC Should Not Relieve MVNOs of Their Reporting Obligations.**

As an initial matter, blackouts can come from a variety of sources, not simply from infrastructure failure. But even assuming all MVNO blackouts were the result of the failure of the infrastructure they lease, there is no definitive list which matches MVNOs to their underlying wholesalers. During an emergency, there is no way for relevant officials to determine what percentage of the population is not receiving vital communications simply because they know the underlying provider is not operational. The Commission’s proposal to require the underlying network to list MVNOs operating on its networks in the first filing, and only in the first filing, is not an effective substitute. In emergency situations, placing the burden on emergency coordinators to manage this information shifts a modest burden to MVNOs to those least capable of handling the added burden in time of crisis.

The situation is made even more complicated because providers such as cable operators use a mix of Wi-Fi offload and MVNO agreements. Some of these mixed MVNOs may retain functionality even when the mobile carrier is down. Alternatively, they may lose functionality even while the MVNO portion of the network is operational because the Wi-Fi component is down. Additionally, some MVNOs may rely on multiple carriers for capacity, leading to a situation where they may have limited capacity in different locations. Finally, given that the leasing network retains priority, an MVNO may fail even if the primary network remains operational because the primary network diverts resources to service its own customers.

In short, there is little to be gained from relieving MVNOs from the modest burden of filing outage reports. But the failure to require the filing of such outage reports may degrade

situational awareness, increase confusion and add burdens to those attempting to coordinate emergency response.

**The Commission Should Not Terminate the Obligation of Cable Providers to Report.**

The Commission seeks comment on the general mandatory requirements for DIRS filing. But while the Commission seeks comment with regard to emergency managers and public safety officials, it ignores the impact on the public. DIRS is the only form of communication between the public and the FCC with regard to realtime information about the damage to the communications system and the rate of repair. The Commission – and now public safety officials – have access to NORS. But the public has only the aggregated DIRS data the Commission makes available on a daily basis.

In any event, it is far too soon for the Commission, or emergency managers and public safety responders, to judge the benefits of mandatory DIRS reporting. The rules have been in place for less than a year. To make it even more difficult to judge the necessity of these rules, the past hurricane season was the least active in over a decade.<sup>3</sup> There is simply insufficient evidence to reverse the Commission’s previous determination – based on a far more substantial historical record – that DIRS reporting should be mandatory and should include all providers of video and voice services.

**As Part of Its Cost Benefit Analysis, the Commission Should Consider the Benefit of Greater Transparency and More Granular Data Collection to Future Planning.**

In addition to promoting situational awareness in times of crisis, the Commission should also consider the long-term advantages of both greater granularity in data collection and in making it easier to share information with state, local and Tribal officials – and with the public at

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<sup>3</sup> Chris Doice, “Why Atlantic Hurricane Season Has Gone Silent,” CNN (September 9, 2025). <https://www.cnn.com/2025/09/09/weather/hurricane-season-peak-atlantic-quiet-climate>

large. An analysis of patterns that emerge from the data can prove invaluable in future planning for disaster prevention and disaster recovery. Critically, vulnerabilities may not be the fault of network neglect or underinvestment. The unfortunate pressure by carriers to keep data on outages proprietary for fear of embarrassment (and to avoid requirements to invest more in network resilience and recovery) prevents state and Tribal planners and researchers from determining systemic vulnerabilities in communications networks. These vulnerabilities may flow from terrain issues, changing demand requirements, climate change, or any of a number of factors. But unless parties can analyze data over time, they cannot determine patterns or measure improvements.

**If the Commission Adopts the Proposed NORS Waiver for DIRS-Lite Activations, It Should Require Bureau of Public Safety and Homeland Security to Manually Reconcile the NORS, DIRS and DIRS-Lite Databases.**

Finally, PK urges that if the Commission extends the NORS waiver for DIRS to DIRS-Lite, the Commission should explicitly charge the Public Safety and Homeland Security Bureau to reconcile the NORS filings, DIRS and DIRS-lite filing on an annual basis. This will ensure that the Commission maintains a complete picture of the resilience of our communications infrastructure. NORS and DIRS serve different functions. But they jointly serve the purpose of ensuring that the FCC has a clear picture of the reliability of our critical communications infrastructure. With information scattered among three separate databases, the Commission cannot maintain a comprehensive understanding of the weak points in our critical communications infrastructure without regularly compiling the information into one report.

## **CONCLUSION**

The Commission has an opportunity to further the important work of disaster preparation and recovery by making it easier for emergency planners and the public to more easily access

critical information. This is important for more than situational awareness in the moment. Improved access to information and a greater ability to share the information for analysis and planning will greatly assist planners in hardening networks for the future.

At the same time, in the understandable desire to reduce burdens on carriers during a crisis, the Commission must not compromise the collection of necessary information. During a crisis, the public depends on the FCC's DIRs information to have reasonable expectations of when communications will be restored. Emergency planners rely on detailed information not only for public safety operations on the ground, but to understand whether substantial portions of the public are or are not receiving necessary communications.

Finally, the Commission should not underestimate the value of the information collected over time and the duty of the Commission to maintain a clear picture of our national network resiliency. Atomizing the information into multiple databases, without regularly reconciling the information into a single report, will make it impossible over time for the Commission to fulfill this critical function.

Respectfully submitted,

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