

**AT&T MICHIGAN'S SEPTEMBER 10, 2009 REPLY COMMENTS TO STAFF'S
SECOND INFORMAL REQUEST FOR COMMENTS ON PROPOSED RULES FOR 911
MULTILINE TELEPHONE SYSTEMS**

I. INTRODUCTION

Michigan Bell Telephone Company d/b/a AT&T Michigan (“AT&T Michigan”) hereby submits these informal Reply Comments on Staff’s second draft of proposed rules for 911 Multiline Telephone Systems (“MLTS”). AT&T Michigan appreciates the extent to which several of its suggestions have been incorporated in the revised draft rules. As discussed below, however, the draft rules could be improved with a few more changes.

Attached to these Reply Comments as Exhibit 1 is a copy of the July 29, 2009 version of Staff’s proposed rules, redlined to show the further changes recommended by AT&T Michigan. These changes are explained below.

II. DISCUSSION

PART 1 – GENERAL PROVISIONS

Rule 1 - Applicability

Rule 1(2) should be moved because it is not a rule of general applicability. Rather, it sets forth a very specific requirement for multi-unit hotel, motel and apartment buildings. This rule addresses the responsibilities of service users involved with a particular type of property and should be moved to Part 3, Service User Responsibilities.

In addition to moving this rule, AT&T Michigan proposes edits to make the language more precise. For example, we have eliminated the reference to the “Emergency Response Location” because that term, as edited by AT&T Michigan, no longer includes a requirement to identify locations within 7,000 square feet and is therefore unnecessary. In addition, our

language makes it clear that residential and common area are to be added together to determine whether the building meets the 40,000 square foot requirement in Part 3 of the Proposed Rules. As previously drafted, it was unclear whether the common area and the residential area each had to separately meet the 40,000 square foot requirement.

Rule 2 – Definitions

(1)(b) - The Proposed Rule contains two alternative definitions of “Automatic Location Information”. The definition set forth in the Emergency 9-1-1 Services Enabling Act should be used.

(1)(c) - The Proposed Rule contains two alternative definitions of “Automatic Number Identification”. The definition set forth in the Emergency 9-1-1 Services Enabling Act should be used.

(1)(e) - The proposed definition of “Emergency Response Location” should follow the NENA definition. The reference to a specific area of identification that is not larger than 7,000 square feet should be eliminated.

(1)(f) - The Proposed Rule contains two alternative definitions of “Master Street Address Guide”. The definition set forth in the Emergency 9-1-1 Services Enabling Act should be used.

(1)(g) - The proposed definition of “Multiline Telephone System Operator” is not used in the rules and should be deleted.

(1)(h) - The term “Multiline Telephone System” is used in the rule and should remain in the definitions. In addition, the term should be revised to make it clear that a multiline telephone system falls within the purview of this rule regardless of the technology used to provide the underlying service, e.g., circuit-switched or VOIP.

(1)(j) - The term “Public Safety Answering Point”, as edited, properly tracks the definition in the Emergency 9-1-1 Services Enabling Act.

(1)(l) - The definition of “Service Supplier” should be added, as Verizon proposes, to track the language in the Emergency 9-1-1 Services Enabling Act.

(1)(m) - The proposed definition of “Specific Location” is not used in the rules and should be deleted.

(1)(n) - The proposed definition of “Tariff” is not used in the rules and should be deleted.

(1)(o) - The proposed definition of “Voice Over Internet Protocol” is not used in the rules and should be deleted.

PART 2 - RECORDS, REPORTS, AND TARIFFS

This section is deleted in the most recent draft – a result supported by AT&T Michigan. Andrews University, on the other hand, proposes a new obligation that would be imposed on “database service providers”, a new term that refers to providers like AT&T Michigan that have an ALI database and a Master Street Address Guide database. These database owners would be required to permit end users to have the same access to these complex databases as other carriers and would further be required to provide access at the same (tariffed) rates charged to other carriers.

There are several problems with this proposal. First, it would impose obligations on service suppliers like AT&T Michigan, but the under Section 413(4) of the Act, “the rules promulgated under this section do not apply to service suppliers”. Second, the type of database access needed by another carrier is dramatically different from the type of access needed by a multiline end user. A carrier, for example, needs the ability to input, create and manage records

for all of its customers. An end user only needs the ability to do this for its own lines. Accordingly, AT&T Michigan uses access, control and system administration procedures for ILECs and CLECs that are designed to facilitate large exchanges of data daily on a highly secured basis. End users simply do not have the same needs as do carriers. To be sure, end users would have access to the same database with security, yet it would be on a smaller model. Third, AT&T Michigan's pricing to end users should not be the same as pricing to carriers. AT&T Michigan provides a different type of access in each situation, and its prices should be able to vary accordingly.

PART 3 - SERVICE USER RESPONSIBILITIES

Rule 4(1) - AT&T Michigan supports the rule as it appears in the most recent draft. Verizon proposes to delete the statement that multiline telephone systems should connect to the "public switched telephone network", but that proposal should not be adopted because 911 calls to PSAPs are routed over the public switched network. The inclusion of that term makes it clear that the rules apply to traditional 911 call delivery within the 911 infrastructure that exists today.

The only change AT&T proposes is a deletion of the language that is no longer necessary because the term "service user" is defined elsewhere.

Rule 4(2)(a) – insert a comma after the word "property".

Rule 4(2)(b) – AT&T Michigan supports the language as it appears in the most recent draft. Verizon proposes to add the words "utilizing PSALI or other solutions" at the end of the sentence, but AT&T Michigan does not believe that this addition is necessary.¹ The service user will select the technological solution that best fits its situation and there is no need for the rule to

¹ "PSALI" stands for Private Switch Automatic Location Identification.

specify any particular solution. Moreover, while AT&T uses the name PSALI in some regions of the country (like the Southwest), the name for AT&T Michigan's location identification product is "Locator ID", or "Locator ID Lite". Since there is no uniform name in the industry to refer to the commercially available location identification product offered by LECs, the rule should not attempt to use such a name.

Rule 4(2)(c) – AT&T Michigan proposes edits to make the sentence more readable, but not to change its meaning.

Rule 4(2)(d) – See comments to Rule 4(2)(b), above.

Rule 4(3) - See comments to Rule 1(2), above.

PART 4 - MONITORING

Rule 5(1) - AT&T Michigan proposes to delete the reference to the defined term "specific location" because this term conflicts with the term "emergency response location". Each term attempts to describe the granularity of information that a service user must provide – but each defines the obligation in a different way. For example, under Rule 4(2)(b), a service user is required to provide the "emergency response location", which is defined in Rule 2(e) to be a "location specific enough to provide a reasonable opportunity for the emergency response team to quickly locate a caller". Under Rule 5(1), however, a service user is required to notify the Commission that it has the capability to provide "specific location information", which is defined in Rule 2(m) to be "a room or unit number, or room name, or equivalent designation of a portion of a building...". These two standards are quite different, and the rule should be clear about what it is requiring.

AT&T Michigan's solution is to eliminate the definition of "specific location" and to delete that term from Rule 5(1). Rule 5(1) would then simply require a service user to notify the Commission that it has taken the necessary steps to comply with the location requirements of Part 3.

PART 7 - WAIVERS

AT&T Michigan recommends that these rules authorize waivers, but does not have any proposed language at this time.

PART 8 - EXCEPTIONS

AT&T Michigan continues to believe that the proposed rules should permit exceptions for service users that maintain alternative means of providing location information to emergency responders and for service users that are not technically able to provide the requested Emergency Response Location information. We are pleased to see that Staff's most recent draft of the rules includes many of AT&T Michigan's suggestions.

AT&T Michigan agrees with and adopts many of the proposed changes to this section of the rules offered by Verizon. Likewise, AT&T Michigan agrees with and adopts the changes proposed by Michigan State University. These changes, as modified by AT&T Michigan, have been incorporated into AT&T Michigan's redlined version of the rules in Exhibit 1.

AT&T Michigan has reviewed the submission of the Michigan Department of Information Technology ("DIT") and does not believe that any of those proposed changes should be adopted. One of those proposals, however, requires some discussion. DIT suggests that end users may not be able to find out whether their locations are served by enhanced 911 service, so carriers or 911 districts should be required to affirmatively notify end users about this. See DIT

comment on Proposed Rule 7(3). This recommendation should be rejected because end users can find out from their local PSAPs whether they are served by enhanced 911. Moreover, as we stated above, under Section 413(4) of the Act, “the rules promulgated under this section do not apply to service suppliers”. In any event, this issue is likely moot because it is AT&T Michigan’s understanding that enhanced 911 is already deployed in almost all areas of the state. DIT also suggests that carriers and 911 districts be required to advise end users about which requirements of the rule each end user must comply with. This recommendation should be rejected because it is not appropriate to require a carrier or a 911 district to provide legal advice to end users.

III. CONCLUSION

WHEREFORE, for all of the reasons set forth herein, AT&T Michigan respectfully requests that Staff revise its proposed rules consistent with the recommendations herein.

Respectfully submitted,

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