

TESTIMONY OF
JAMES P. GRIFFIN, Ph.D.
CHAIR, PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

TO THE
HOUSE COMMITTEE ON
INTRASTATE COMMERCE

March 27, 2019
11:30 a.m.

Chair Ohno and Members of the Committee:

MEASURE: H.C.R. No. 191

TITLE: REQUESTING THE PUBLIC UTILITIES COMMISSION TO MONITOR COMPLIANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION MANDATES FOR THE DEPLOYMENT OF BACKUP POWER GENERATORS FOR WIRELESS COMMUNICATIONS PROVIDERS AND COLLECT AND PUBLISH DATA ON CELLULAR TOWER BACKUP CAPACITY.

DESCRIPTION: REQUESTING THE PUBLIC UTILITIES COMMISSION TO MONITOR COMPLIANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION MANDATES FOR THE DEPLOYMENT OF BACKUP POWER GENERATORS FOR WIRELESS COMMUNICATIONS PROVIDERS AND COLLECT AND PUBLISH DATA ON CELLULAR TOWER BACKUP CAPACITY.

POSITION:

The Public Utilities Commission offers the following comments for consideration.

COMMENTS:

The Public Utilities Commission (“Commission”) supports the intent of the resolution and agrees that more data and transparency would be helpful for the public to make informed decisions when choosing a wireless communications provider.

Collecting and publishing data and statistics on backup power capacity for wireless cellular towers may provide greater assurances to the public regarding the reliability of a particular wireless communications provider’s network.

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Thank you for the opportunity to testify on this measure.



March 26, 2019

Honorable Takashi Ohno, Chair
Honorable Dale T. Kobayashi, Vice Chair
Hawaii House Committee on Intrastate Commerce

Re: Opposition to House Resolution 172, House Concurrent Resolution 191

Dear Chair Ohno Vice Chair Kobayashi and Committee Members:

On behalf of CTIA, the trade association for the wireless communications industry, write outlining concerns regarding House Resolution 172/House Concurrent Resolution 191, which include collection and publication of data regarding cellular tower backup capacity is unnecessary. Although well intentioned, CTIA believes the bill is not necessary and is unworkable.

We understand our consumers' frustration when their wireless service is interrupted by storms and natural and manmade disasters. Having a reliable network and quickly responding to service interruptions are necessities in the competitive wireless ecosystem. If a carrier's network is down while its competitors' networks are operating, that carrier will suffer reputational harm and will likely lose subscribers. As such, wireless carriers are incentivized to ensure that their networks are as resilient as possible and they have disaster recovery plans in place to immediately deal with outages. The Federal Communications Commission (FCC) rules referenced in the resolution apply only to residential landline service and are not applicable wireless service. The resolutions incorrectly describe the underlying FCC regulatory framework. Those "battery backup" rules in question relate to fixed local services and cable operators' local voice telephony offerings, not to mobile wireless services. Similarly, there are no "Federal Communications Commission mandates for the deployment of backup power generators for wireless communications providers."

The wireless industry understands the need to promote continuity of service and network resiliency and backup power is part of this. Wireless carriers have implemented several strategies to address network reliability. Carriers have built redundant networks where appropriate. Overlapping cell sites allow for rerouting of traffic and enable networks to continue operating even if a single site goes down. Carriers also deploy portable cell sites to increase network capacity when needed. Carriers also use cellular base stations on wheels



(COWs), cellular base stations on light trucks (COLTs), and the first-ever use of drones - Cell on Wings – in the U.S. to help restore service in Puerto Rico, as well as other portable equipment, including antennas, generators, switching gear and air conditioning units, in storm impacted and disaster areas.

Wireless carriers have a history of promptly responding to emergencies and disasters to ensure their networks are operational as quickly as possible and restore communication links for their consumers. Recently, CTIA, along with its members, released “Best Practices for Enhancing Emergency and Disaster Preparedness and Restoration,” which are designed to help maintain wireless service during hurricanes and other natural disasters. The initiative will enhance coordination between wireless carriers and local governments in preparing for a natural disaster or emergency and speed the restoration of wireless services in the wake of such events.

Recognizing that emergency coordination efforts will vary depending upon the event and available resources, the best practices focus on: planning before disasters and emergencies occur; coordination during and after emergencies and disasters; and education awareness campaigns. These flexible tools will enable greater coordination between wireless service providers and local governments to maintain mobile service continuity, promote resiliency efforts, and expedite restoration during and after natural disasters. These best practices build on the wireless industry’s 2016 Wireless Network Resiliency Cooperative Framework. We would encourage the Government of Hawaii to review these best practices and work with the wireless industry to implement them.

Additionally – where appropriate and safe – carriers currently provide back-up power to maintain network operations when local power is lost. These power sources include batteries, onsite and mobile generators and fuel. Wireless carrier emergency and disaster recovery plans, which include information on backup power, contain highly sensitive and confidential information. Accordingly, for national security, cybersecurity, and competitive reasons such information cannot be disclosed. Federal agencies have sought to limit these types of sensitive disclosures. For example, after the FBI’s National Information Protection Center was warned of the use of publicly available information by criminals and terrorists to plan attacks against U.S. infrastructure, a number of federal agencies removed data and information from their websites. In fact, the Federal Communications Commission (FCC) reaffirmed that public disclosure of this type of “information about the types of equipment [a carrier] uses, the locations of the equipment, the configuration of its networks, and the methods and procedures for dealing with outages” would pose significant competitive and public safety harms. Therefore, carriers do not disclose information regarding their networks and recovery plans in specific areas, which includes backup power.



The wireless industry continues to take action, before, during and after natural disasters to respond as quickly as possible to maintain wireless service through implementing the Best Practices for Enhancing Emergency and Disaster Preparedness and Restoration. The best practices work to enhance coordination between wireless carriers and local governments in preparing for natural disasters and speed the restoration of wireless service when such events occur.

As mentioned, wireless carriers are already incentivized to ensure that their networks are as resilient as possible, which includes providing backup power, and they have disaster recovery plans in place to immediately deal with outages in order to provide continuity of service for their customers, making the additional regulation in this area is unnecessary.

Sincerely,

A handwritten signature in black ink that reads "Lisa V McCabe". The signature is written in a cursive style with a large initial "L" and a distinct "V" for the middle name.

Lisa V McCabe
Director, State Legislative Affairs

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Testimony of Alan Lennard

In STRONG SUPPORT of HOUSE RESOLUTION H.R. 172 & CONCURRENT RESOLUTION H.C.R. 191
HCR 191 / HR 172

Before the
HOUSE OF REPRESENTATIVES [2019] COMMITTEE ON INTRASTATE COMMERCE
Rep. Takashi Ohno, Chair Rep. Dale T. Kobayashi, Vice Chair
March 27, 2019 TIME: 11:30 AM PLACE: Conference Room 430 State Capitol 415 South Beretania Street

Aloha Chair Ohno, Vice-Chair Kobayashi, and Members of the Committee,

My name is Alan Lennard. I reside on the north shore of Oahu.

I STRONGLY SUPPORT HR 172 & HCR 191. The language of these Resolutions is important and will encourage the Hawaii Public Utilities Commission to identify antenna sites throughout the state where essential mobile communications is vulnerable to loss of commercial power without any FCC mandated power backup capacity provided.

Hawaii rural communities are increasingly reliant on wireless voice communications via cellphone carriers. As a result it is necessary for the cellphone carriers to provide resilient backup [eventually using renewable sources] to the carrier's antenna and transmission equipment to provide reliable communications when there are utility power outages.

Many rural antenna sites are ideal for solar + storage backup in conjunction with standby generators.

Thank you for giving me the opportunity to testify.

Alan Lennard -dy signature

Alan Lennard