

# Why City and County communications are at risk

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Federal Communications Commission  
Homeland Security/Public Safety Committee

**National Association of Telecommunications  
Officers and Advisors (NATOA)**  
**[www.natoa.org](http://www.natoa.org)**

# Hundreds of cities and counties rely on core fiber infrastructure from franchise agreements



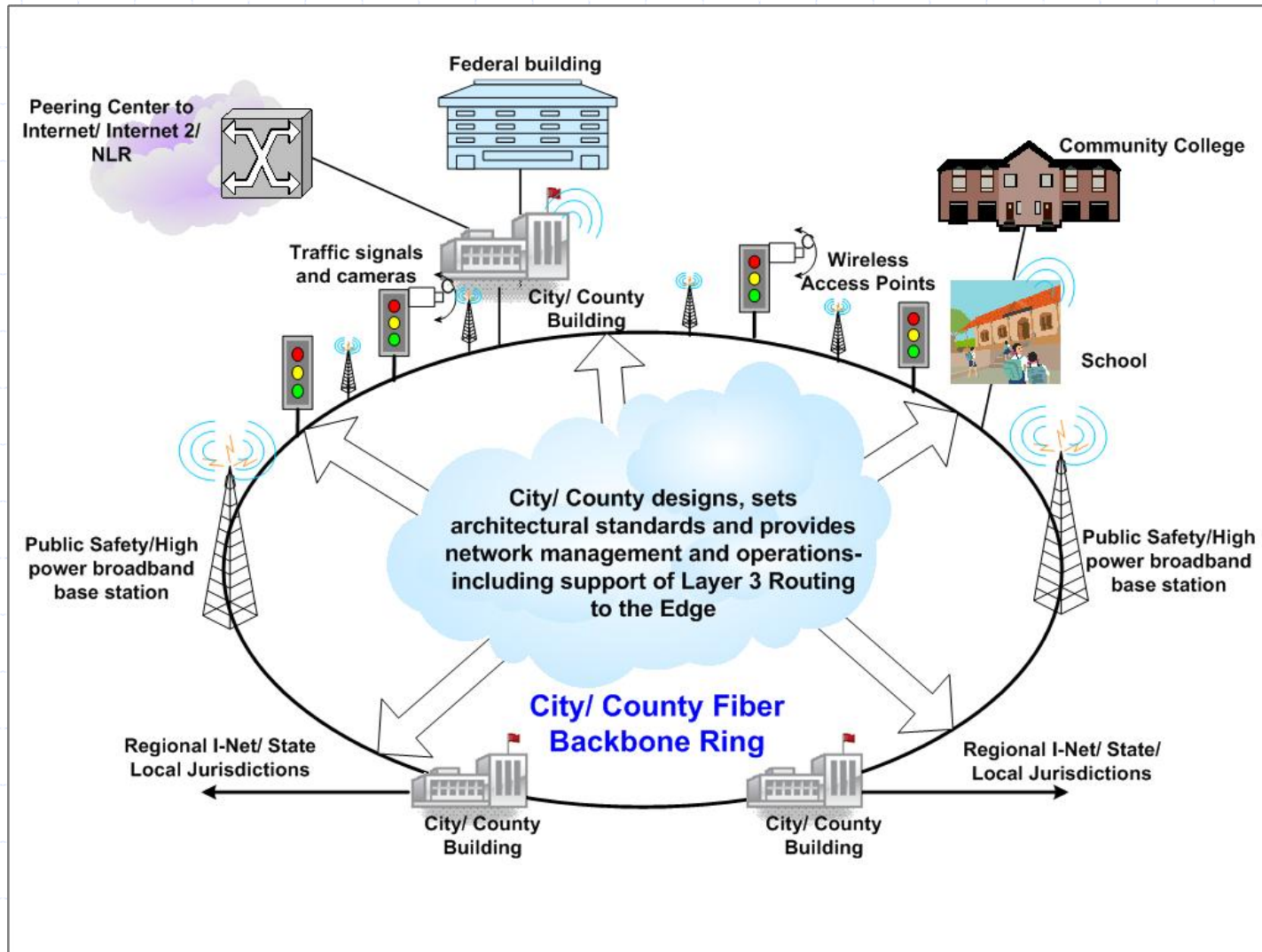
- ◆ Paid for by city/county at direct cost typically as part of 15 year cable franchise agreement
- ◆ Long lifetime infrastructure
- ◆ Endlessly scalable
- ◆ Range of ownership/use arrangements
  - Fiber IRU
  - Fiber lease
  - Reduced-cost services

# Risk of losing fiber

- ◆ Franchises of 1990s up for renewal
- ◆ Preemption by state or federal franchising
- ◆ Unfavorable environment for cities and counties in recent years



# Critical public safety needs of local governments



# Case study: New York City I-Net

- ◆ Fully redundant SONET backbone ring
- ◆ Network operated through the 9/11 attack, despite loss of connectivity to hub site





U.S. Representative • 9<sup>TH</sup> CD, New York • Brooklyn-Queens

**ANTHONY D. WEINER**

P R E S S   R E L E A S E

December 20, 2006

### **NY DELEGATION CALLS ON FCC TO RETAIN NYC CONTROL OF CABLE FRANCHISES**

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**Washington DC** - Today, members of the New York delegation sent a letter to the Federal Communications Commission (FCC) urging the Commission to reject a rule under consideration today that would effectively take control over cable franchises away from New York City.

Rep. Anthony Weiner (D-Brooklyn & Queens) organized the letter, which is also signed by Edolphus Towns (D-Brooklyn), Carolyn Maloney (D-Manhattan & Queens) and Jerrold Nadler (D-Manhattan & Brooklyn). Weiner and Towns are members of the House Energy & Commerce Committee which has jurisdiction over the FCC.

The full text of the letter is below.

Dear Commissioner Martin:

We understand that the Federal Communications Commission (FCC) plans to consider enacting regulations that would ostensibly preempt wide areas of state and local authority with respect to franchises for cable television. We urge you to delay any action in this regard.

As you know, Congress is well aware of the need for and is supportive of bringing more competition to the cable television marketplace. We are concerned, however, that the approach the FCC is taking will undermine cable television's place in the market rather than enhance it. It takes more to ensure the widest and swiftest possible buildout of competitive, reliable broadband cable television service than can be accurately assessed at the FCC.

In fact, municipal authorities charged with franchising cable television services have obligations over a wide range of matters such as protection of public rights-of-ways, consumer service, programming for public, educational and governmental use, basic tier rate administration, and institutional networks.

For example, the City of New York found that its cable franchise agreement requirements for an institutional network (I-Net) were of tremendous value to the City residents when the tragic events of September 11, 2001 unfolded. Although, many telecommunications networks were significantly impaired after the attacks, the City's highly resilient I-Net continued to function, helping to keep City government operating throughout the crisis.

Any actions the Commission may take will necessarily lack a comprehensive approach and is likely to make things worse rather than better. For example, the regulations being contemplated by the FCC do not sufficiently provide for I-Net support. Worse, we understand that the FCC's legal authority to act in this area is dubious, thus risking years of litigation and delay, rather than progress, for competition in the cable television marketplace. This is a matter for Congress and, thus, we urge you to forestall any action.

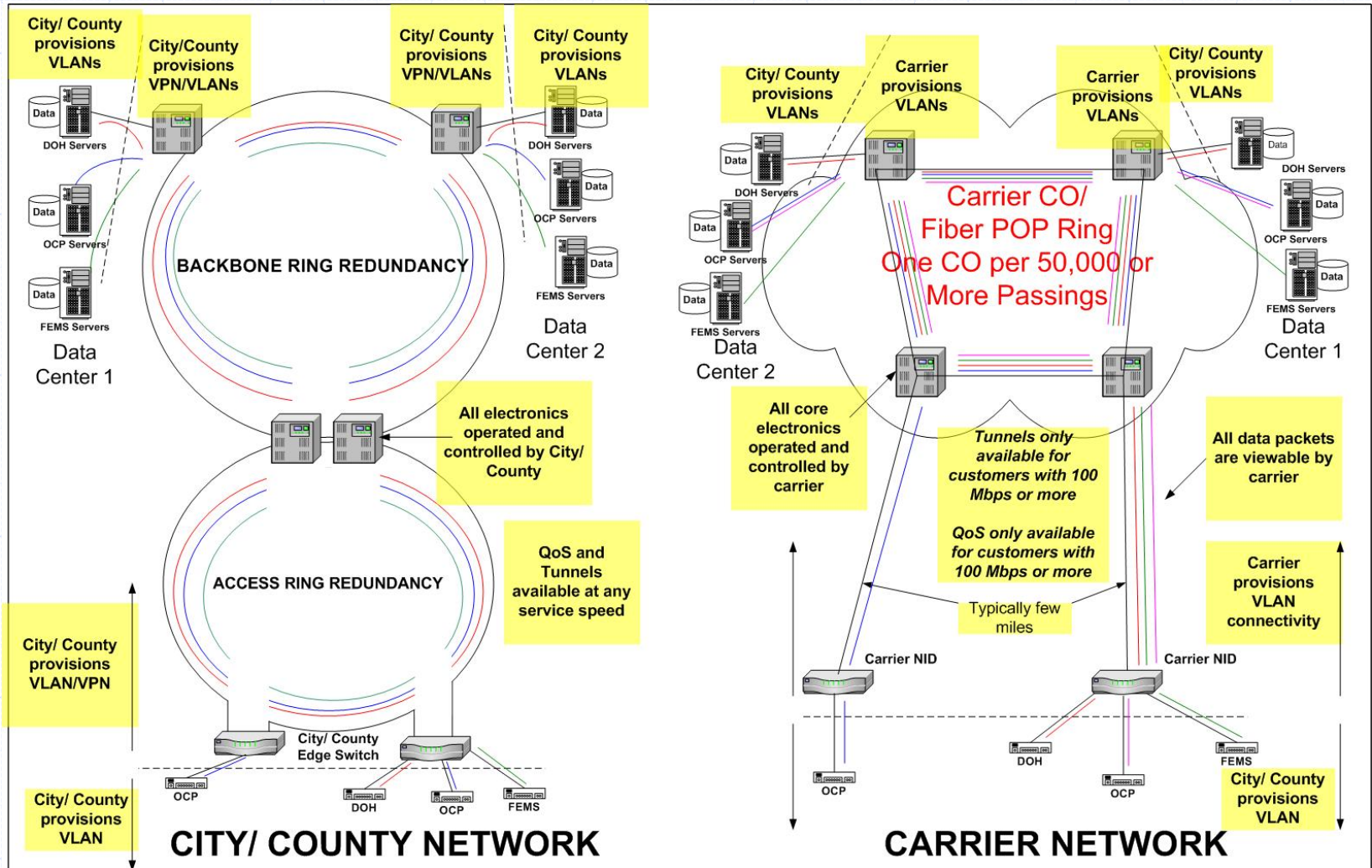
Congressman Anthony D. Weiner

# Drawbacks of traditional leased services

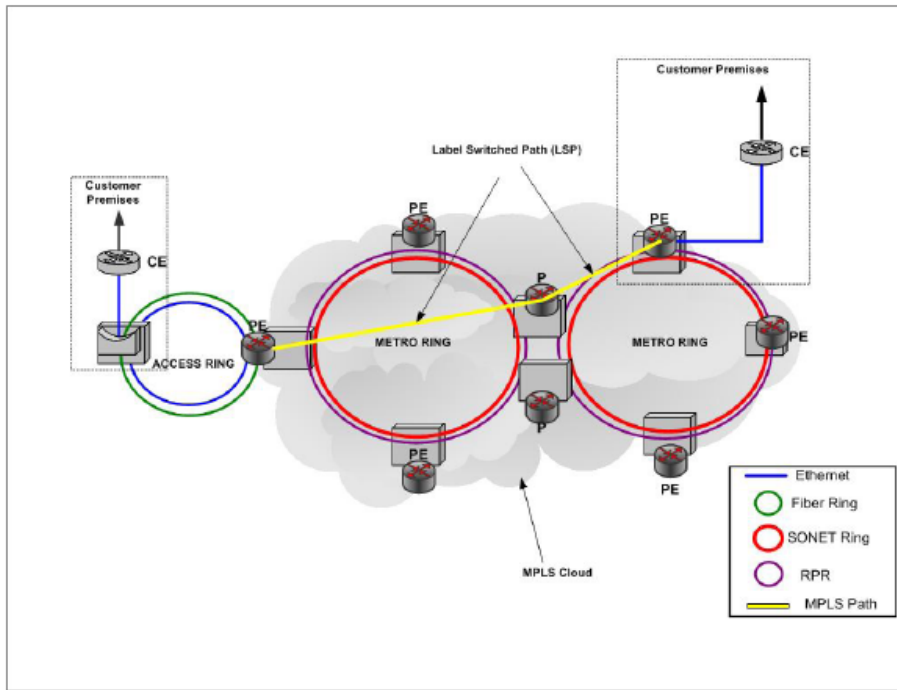
- ◆ Architecture not transparent
  - Redundant physical connectivity almost never provided end-to-end
  - Difficult to assess vulnerabilities from damage or security risks to backbone plant and equipment
- ◆ Maintenance and reliability driven by broader business considerations
- ◆ Capacity provided on a shared-basis
  - Non-critical communications may not be prioritized in a crisis situation
- ◆ Sensitive communications may not be sufficiently secure
- ◆ Backbone equipment redundancy
- ◆ Quality and capacity of backup electrical power



# City network customized by city for city needs and processes



# District of Columbia public safety-grade "Route Diversity Network Service"



- ◆ Connects local, state, and DHS in National Capital Region
- ◆ Available for Federal agencies to fulfill NSPD-51/ HSPD-20 directives

# Cities and counties cannot afford to lose access to franchise infrastructure

- ◆ Market prices of services ***10 to 20 times*** what is currently paid
  - Medium sized county– few million dollars per year
- ◆ Substituting off-the-shelf carrier-provided “managed services” reduces effectiveness of public safety communications
  - Security
  - Scalability
  - Capacity
  - Flexibility

# Cities and Counties cannot afford to lose access to franchise infrastructure

- ◆ Some communities exploring building their own networks or public/private partnership
  - Long-term payoff
  - Only an option for wealthier communities—increases digital divide
  - Not generally coordinated with other network construction
  - Typically limited to core portions of network

# To preserve city and county communications

◆ *Franchise fiber is a demonstrated successful model that cities and counties would like to keep*

◆ Need ability to retain existing functionality

- Current and future capacity
- Reliability/availability
- Security

◆ Need ability to retain comparable cost structure

# Desired interaction with FCC

- ◆ Include CIOs and elected officials as well as public safety
- ◆ LSGAC example of successful state-local model
  - Elected officials with access to Officials and Staff
  - Respond to inquiries from FCC
  - Initiate own projects (Wireless Siting Guide)