



# PUBLIC NOTICE

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## **PUBLIC SAFETY AND HOMELAND SECURITY BUREAU LAUNCHES EAS TEST REPORTING SYSTEM (ETRS) AND SEEKS COMMENT ON EAS OPERATING HANDBOOK RECOMMENDATIONS**

**PS Docket No. 15-94**

**COMMENTS DUE: (15 days after date of publication in the Federal Register)**

Today, the Public Safety and Homeland Security Bureau (Bureau) of the Federal Communications Commission (FCC or Commission) provides notice to all Emergency Alert System (EAS) Participants that the EAS Test Reporting System (ETRS) is operational and is ready to accept filings.<sup>1</sup> Initial instructions are also provided on how EAS Participants are to begin the ETRS filing process. This *Public Notice* also seeks comment on the recommendations adopted by the Communications Security, Reliability, and Interoperability Council (CSRIC) on June 22, 2016, for updating the EAS Operating Handbook.<sup>2</sup>

### **I. BACKGROUND**

On June 3, 2015, the Commission directed the Bureau to implement ETRS, an improved electronic filing system and related database upgrading the system the Commission used for the first nationwide EAS test.<sup>3</sup> The Bureau subsequently released a *Public Notice* on April 18, 2016, that provided initial information about ETRS format and features, including previews of ETRS forms and a description of how ETRS would integrate with other Commission databases.<sup>4</sup>

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<sup>1</sup> EAS Participants are those entities that are required to comply with the Commission's EAS rules, including analog radio and television stations, wired and wireless cable television systems, digital broadcast systems, digital television broadcast stations, Satellite Digital Audio Radio Service, digital cable and digital audio broadcasting systems, and wireline video systems. 47 CFR § 11.2(d).

<sup>2</sup> See CSRIC V, Working Group Three, Emergency Alert System, Final Report – Updating the EAS Operating Handbook (2016), [https://transition.fcc.gov/bureaus/pshs/advisory/csrlic5/WG3\\_Report\\_Operating-Handbook\\_062216.pdf](https://transition.fcc.gov/bureaus/pshs/advisory/csrlic5/WG3_Report_Operating-Handbook_062216.pdf) (*EAS Operating Handbook Report*). The CSRIC is a federal advisory committee charged with providing recommendations to the FCC to ensure, among other things, the optimal security and reliability of communications systems, including telecommunications, media, and public safety systems, subject to the requirements of the Federal Advisory Committee Act (FACA). See 5 U.S.C.A. § 10.

<sup>3</sup> *Review of the Emergency Alert System et al.*, Sixth Report and Order, EB Docket No. 04-296, 30 FCC Rcd 6520, 6532, 6536, paras. 25, 33 (2015) (*Sixth Report and Order*).

<sup>4</sup> *Public Safety and Homeland Security Bureau Provides Information on Implementation of EAS Test Reporting System*, Public Notice, PS Docket No. 15-94, 31 FCC Rcd 3682 (PSHSB 2016) (*ETRS Implementation PN*).

Pursuant to Section 11.61 of the Commission's rules,<sup>5</sup> EAS Participants must submit the identifying information required by ETRS Form One for each of their facilities no later than 60 days after the latter of the launch of the ETRS or publication in the Federal Register of Office of Management and Budget approval of the information collection represented by ETRS. In this case, OMB approval occurred on December 22, 2015,<sup>6</sup> so the triggering event for EAS Participant compliance with ETRS registration and filing requirements is this *Public Notice*. EAS Participants must complete Form One of ETRS on or before August 26, 2016. Under the *Sixth Report and Order*, EAS Participants have until September 26, 2016 to update or correct any errors in their initial Form One filings.<sup>7</sup> ETRS Forms Two and Three will become available on ETRS at the time of initiation of the nationwide test.<sup>8</sup>

## II. ETRS REGISTRATION INSTRUCTIONS

To register for ETRS and access Form One, EAS Participants must do the following:

- Visit the ETRS page of the Commission's website (<https://www.fcc.gov/general/eas-test-reporting-system>) and click on the ETRS Registration Page link.
- After successfully completing the ETRS Registration Page, filers will be e-mailed their ETRS account credentials and a link to the ETRS log-in page.
- When EAS Participants click on the emailed link and log into ETRS, they will view the ETRS Homepage, which will provide instructions on how to access Form One.

EAS Participants should be precise when completing fields in ETRS.

- EAS Participants should ensure that their filers accurately enter the EAS Participant's legal name on the ETRS Registration Page.
- EAS Participants that are owned by a larger entity should accurately enter the owning entity's legal name in the Owner of EAS Participant field in Form One.

It is recommended that large EAS Participants (*e.g.* EAS Participants with several facilities) request that at least one of their filers serve as a "coordinator."

- EAS Participants may designate a coordinator by sending a request to [ETRS@fcc.gov](mailto:ETRS@fcc.gov).
- Coordinators have the ability to "batch" file, as well as view records, update forms, and generate reports from all data associated with other filers that share the same FCC Registration Number.

Filers may contact Bureau staff for assistance in completing Form One at [ETRS@fcc.gov](mailto:ETRS@fcc.gov).

## III. EAS OPERATING HANDBOOK

The EAS Operating Handbook (Handbook) is an informational document that aids EAS Participant personnel in handling EAS messages by outlining operational procedures reflective of the

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<sup>5</sup> See 47 CFR § 11.61(a)(3)(iv)(A).

<sup>6</sup> Federal Communications Commission, Review of the Emergency Alert System, 80 FR 79484 (Dec. 22, 2015).

<sup>7</sup> *Sixth Report and Order*, 30 FCC Rcd at 6533, para. 27.

<sup>8</sup> Form Two requests "day of test" data, which must be submitted within 24 hours of any nationwide test or as otherwise required by the Public Safety and Homeland Security Bureau. See 47 CFR § 11.61(a)(3)(iv)(B). Form Three requests detailed post-test data, which must be submitted within 45 days following any nationwide test. See 47 CFR § 11.61(a)(3)(iv)(C). Additional information about the Forms Two and Three, including their availability and filing deadlines, will be provided in a future public notice officially announcing the 2016 nationwide EAS test.

requirements found in the Part 11 rules.<sup>9</sup> The Commission tasked CSRIC with developing recommendations for textual and visual modifications to the Handbook to make it suitable for each category of EAS Participant, with particular attention paid to rural, smaller and less resourced EAS Participants.<sup>10</sup> On June 22, 2016, CSRIC adopted the recommendations described in the *EAS Operating Handbook Report*. Specifically, CSRIC has recommended that the Commission adopt the subject Handbook that employs checkboxes and “fill-in-the-blank” operational steps.<sup>11</sup> This will mean that to optimize the utility of the Handbook, each EAS Participant should customize it to describe the Participant’s individual EAS implementation procedures.<sup>12</sup> The Bureau seeks comment on the Handbook presented in Appendix A of CSRIC’s *EAS Operating Handbook Report*, together with the accompanying instructions set forth in Appendix B, to support future FCC guidance regarding Handbook use.<sup>13</sup>

#### IV. PROCEDURAL MATTERS

##### A. Ex Parte Rules

The proceeding initiated by Part III of this *Public Notice* shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>14</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native

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<sup>9</sup> See 47 CFR § 11.15; *Review of the Emergency Alert System et al.*, Third Further Notice of Proposed Rulemaking, 26 FCC Rcd 8149, 8207, para. 153 (2011); *Review of the Emergency Alert System et al.*, Fifth Report and Order, 27 FCC Rcd 642, 716, para. 211 (2012).

<sup>10</sup> CSRIC V Working Group Descriptions and Leadership at 3, [https://transition.fcc.gov/bureaus/pshs/advisory/csric5/Working\\_GroupCSRICV\\_062016.doc](https://transition.fcc.gov/bureaus/pshs/advisory/csric5/Working_GroupCSRICV_062016.doc).

<sup>11</sup> *Id.* at 9-10, Appendices A-B.

<sup>12</sup> *Id.* at 9-10.

<sup>13</sup> *Id.* at Appendices A-B. The *EAS Operating Handbook Report* also recommends that the Commission develop an EAS Participant Guide and consider amending specific EAS rules. *Id.* at 11, Appendices C-D. The Bureau does not seek comment on those recommendations at this time.

<sup>14</sup> 47 CFR §§ 1.1200 – 1.1216. To the extent any other aspect of this Public Notice involves a proceeding or a presentation under the Commission’s *ex parte* rules, it is exempt from the application of those rules. See 47 CFR § 1.1200(a).

format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

## **B. Comment Filing Procedures**

Interested parties may file comments in response to Part III of this *Notice* on or before the date indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- **Paper Filers:** Parties that choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  1. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  2. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
  3. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.
- **People with Disabilities:** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information, contact Austin Randazzo, Attorney Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418-1462 or [austin.randazzo@fcc.gov](mailto:austin.randazzo@fcc.gov).

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