

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

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

COMMENTS OF THE VOICE ON THE NET COALITION

The Voice on the Net (“VON”) Coalition¹ hereby submits these comments in response to the Third Further Notice of Proposed Rulemaking (the “FNPRM”)² in the above-referenced dockets, wherein the Commission seeks comment on proposed changes to the Disaster Information Reporting System (DIRS). VON supports the Commission proposal to eliminate DIRS reporting obligations for non-facilities based interconnected VoIP providers and limit reporting to facilities-based providers who control the critical infrastructure.

As the Commission observes, DIRS enables the collection of infrastructure status and restoration information from communications service providers during disasters.³ To the extent that the existing rules could be interpreted as including reporting obligations for providers that do not own or operate the facilities that provide user connectivity, they would

¹ The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of internet communications. See www.von.org.

² *Third Further Notice of Proposed Rulemaking*, PS Docket No. 21-346, PS Docket No. 15-80, and ET Docket No. 04-35 (rel. August 6, 2025); See also, 90 Fed. Reg. 42355 (Sept. 2, 2025) (establishing a comment date of October 2, 2025). The comment date was extended to November 18, 2025, as a result of the federal government shutdown. See, Public Notice, DA 25-937 (rel. November 13, 2025).

³ FNPRM at 20.

be misaligned with the focus of the rules, which is to evaluate the status of physical connectivity that might be affected by disasters. Providers of nomadic interconnected VoIP services typically do not provide their customers with the type of physical connectivity that would be affected by disasters. Accordingly, VON supports the exclusion of nomadic interconnected VoIP providers from DIRS reporting. Not only will this remove ambiguity as to whether a nomadic interconnected VoIP provider must report but will also relieve the time and expense of preparing reports that are duplicative of any reports made by the underlying connectivity provider.

The Commission should be mindful of the differences between fixed VoIP providers (who provide the end customer's broadband connectivity) and nomadic providers who provide an over-the-top service requiring their customers to procure the broadband connectivity. In the event of a disaster, providers of physical connectivity in the affected area are in the best position to notify and keep the Commission informed on the progress of restoring those facilities (and, by extension, the services that utilize them). Nomadic interconnected VoIP providers would not have reliable visibility on the extent of the damage to the affected connectivity facilities or efforts to, or the timing of, restoring that connectivity. That said, because nomadic interconnected VoIP service providers are accessible from any internet service provider, the customer may be able to continue using the interconnected VoIP service from another connectivity source (if available), include wireless carriers, private lines, or Wi-Fi networks.

Because nomadic interconnected VoIP providers are not providing the physical network infrastructure, there is no rational basis to require them to provide DIRS reports, and doing so could introduce a lack of reliability in reporting. The California Public Utilities Commission

recognized these differences in a recent decision adopting service quality standards for fixed interconnected VoIP providers but exempting nomadic interconnected VoIP providers.⁴

CONCLUSION

The Commission should act in accordance with the recommendations herein

Respectfully submitted,

VOICE ON THE NET COALITION

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⁴ See Order Instituting Rulemaking Proceeding to Consider Amendments to General Order 133, R. 22-03-016, Decision 25-09-031 (issued September 26, 2025) at 97.