

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of	)	
Facilitating Implementation of Next Generation	)	PS DOCKET NO. 21-479
911 Services (NG911)	)	
	)	PS DOCKET 13-75
Improving 911 Reliability	)	

COMMENTS OF FAILSAFE COMMUNICATIONS, INC.

INTRODUCTION

We have all been taught help is three digits away: 911. Yet the many networks used to connect to 911 are built by human beings, and like every other human system, they fail. When it happens, no one knows that a 911 call even occurred.

Since 2023, FailSafe Communications has focused on invisible emergencies like these. Our mission is to identify unsuccessful attempts to reach 911 before those call failures become forgotten tragedies.

During disasters, outages, and periods of network congestion, some emergency calls fail before reaching help. Those unsuccessful attempts represent real people facing real emergencies at the very moment they need assistance most.

America can do better than this.

FailSafe has deployed a methodology that identifies unsuccessful 911 calls. It provides real-time notification to emergency communications centers, elected officials, and regulators. It helps assure that no 911 call goes unheard. Technology alone though, is not enough. Real change requires awareness, and people willing to support solutions before tragedy strikes. We have come a long way toward making America safer, but we cannot do it alone. We respectfully request the Commission's support so that this capability can continue to advance and become available to the public safety community.

Fortunately, the foundation already exists. FailSafe applies the same intelligent signaling network technology that processes billions of phone calls each day, but in a new way to protect those who need it most. We humbly request this Commission's support so that we can finish the job.

If this Commission believes every emergency deserves a chance to be heard, we invite you to join us. Together, we can build a future in which fewer emergencies go unseen, fewer calls go unanswered, and more lives are protected.

Because when help is needed most, no 911 caller should disappear into silence.

COMMENTS

On June 4, 2026, the Federal Communications Commission (“FCC” or “the Commission”) issued its draft “Second Report and Order and Second Further Notice of Proposed Rulemaking,” (“Second Report”) in these dockets. FailSafe files these comments in order to focus the Commission’s attention on technological advances that should be considered by the industry and the Commission.

The “fact sheet” accompanying the Second Report explained that the Commission is seeking to ensure that Next Generation 911 (“NG911”) “networks are reliable and interoperable.”¹ The same sheet recognizes that the Commission wants to “encourage technical innovation.”² The Second Report reflects that Congress wants “the most modern and state-of-the-art telecommunications capabilities possible” for the 911 system.³ FailSafe supports Congress and the Commission’s goals.

NG911 has the potential of providing more information that will be useful to emergency responders. However, there is a transition period as the nation moves away from legacy systems to full implementation of NG911. The Commission has recognized that this transition has its problems. FailSafe believes the nation must use every available tool to make that transition as smooth as possible.

The Second Report acknowledges “recent 911 outages attributable to vulnerabilities in heretofore unregulated network elements.”⁴ The Second Report also incorporates network monitoring and reporting as a key part of easing the transition to NG911. It specifically points to the recommendations of the “Communications Security, Reliability, and Interoperability Council” (CSRIC) to have “service providers monitor for events that could result in a loss of service; incorporate network monitoring tools on originating and transport networks specifically, to protect 911 traffic before it reaches the ESInet perimeter; and work with stakeholders to share monitoring information.”⁵

Network monitoring is important. FailSafe’s approach is unique because it **identifies emergency calls that did not get through** to a 911 authority. This is a “blind spot” in current operations, including NG911, but it is a blind spot that can be quickly and easily corrected. The FailSafe solution is a way to add detection of missed calls and provide a new layer of accountability.

FailSafe’s approach is similar to the “heartbeat monitors” the Commission praised in Paragraph 106 of the Second Report and the “failover” approach adopted in Paragraph 84. The “heartbeat monitors” use the *Intelligent Signaling Network* to “ping” the various nodes of call pathways without using the voice network. FailSafe’s approach utilizes that exact same network, but by capturing and reporting callers who do not get through to the 911 authority. Similarly, the “failover” mechanism uses the ability of the *Intelligent Signaling Network* to dynamically route calls that would normally go to one PSAP to another PSAP.

1 FCC Fact Sheet, June 4, 2026 at 1.

2 *Id.*

3 *Second Report*, ¶157.

4 *Second Report*, ¶25.

5 *Id.*, ¶23. (internal footnotes omitted).

The FailSafe approach uses the intelligent signaling network to send a specific instruction in the form of an Initial Access Message (IAM) or SIP INVITE to the FailSafe platform as if it was requesting to complete a call - - but no call is ever set up. The request includes information about the caller. 911 centers, regulators, elected officials, and other authorities are subsequently given that information automatically, and in real time, without any action required by the Communications Service Provider (CSP).⁶ The result is something new – real time identification about 911 callers including those who are in trouble but not getting through.

Bona fide disasters notwithstanding, we must strive to reach a level of performance where every 911 call completes every time.⁷ The FailSafe solution will move the needle closer to that goal by readily identifying every network delivery mechanism that does not meet this standard. The cold fact today is that every Next Generation Core System (NGCS) and NG911 system in the U.S. is nowhere close to this standard. Reliability improvements begin with visibility, and emergency call attempts that cannot be observed cannot be analyzed or improved.

FailSafe has been bringing this technology to the attention of the Commission for several years now.⁸ FailSafe made a live presentation to the Commission Staff.⁹

6 If the caller is using a cell phone, the caller receives a text letting them know that their call has been recognized.

7 Footnote 478 says it well. “The system can’t go down.”

8 FailSafe has been filing comments at this Commission since 2018, see

<https://www.fcc.gov/ecfs/document/10721062624784/1>;

with regard to detecting and reporting on emergency calls, please see:

<https://www.fcc.gov/ecfs/document/104143031400844/1> (April 14, 2023)

<https://www.fcc.gov/ecfs/document/10606943017850/1> (June 6, 2023)

<https://www.fcc.gov/ecfs/document/1062099699039/1> (June 20, 2023)

<https://www.fcc.gov/ecfs/document/1071513465683/1> (July 14, 2023)

<https://www.fcc.gov/ecfs/document/10906728330583/1> (September 6, 2023)

<https://www.fcc.gov/ecfs/document/10183004215540/1> (October 18, 2023)

<https://www.fcc.gov/ecfs/document/101160243030301/1> (January 16, 2024)

<https://www.fcc.gov/ecfs/document/10423192929678/1> (April 23, 2024)

<https://www.fcc.gov/ecfs/document/10251170625690/1> (October 25, 2024)

<https://www.fcc.gov/ecfs/document/10115597621449/1> (January 15, 2025)

<https://www.fcc.gov/ecfs/document/102282791607310/1> (February 28, 2025)

<https://www.fcc.gov/ecfs/document/1042978641694/1> (April 28, 2025)

<https://www.fcc.gov/ecfs/document/1071163008209/1> (July 11, 2025)

<https://www.fcc.gov/ecfs/document/10714978312943/1> (July 14, 2025)

<https://www.fcc.gov/ecfs/document/108071469211307/1> (August 7, 2025)

<https://www.fcc.gov/ecfs/document/10826017560816/1> (August 26, 2025)

<https://www.fcc.gov/ecfs/document/109160776814421/1> (September 15, 2025)

<https://www.fcc.gov/ecfs/document/100291824411/1> (October 2, 2025)

<https://www.fcc.gov/ecfs/document/1040378859678/1> (April 3, 2026)

9 <https://www.fcc.gov/ecfs/document/108071469211307/1> (August 7, 2025)

It is important to note – NO stakeholder has told the Commission that the approach would not work and NO stakeholder has opposed our requests that the FailSafe approach be required by the Commission. The Commission need only consider the current political and regulatory atmosphere in Washington to recognize how rare it is for *any* proposal to stir absolutely no opposition. The Commission Staff should therefore be able to reassure the Commission that:

- The FailSafe approach works;
- The FailSafe approach can be deployed on a nationwide basis in a short period of time;
- The FailSafe approach is compatible with both legacy networks and NG911;
- That the FailSafe approach assists in the transition to NG911 by supplementing existing network monitoring and reporting capabilities;
- The SMS messages generated by the FailSafe approach are the only method of alert communications between ESNets by different vendors that is currently truly interoperable.

The *Second Report* recognizes that “the Commission and 911 Authorities have lacked visibility into the reliability practices employed by providers . . .”¹⁰ The FailSafe approach addresses that problem by creating reports of incomplete calls. Those reports can go to whatever authority is designated by the user. FailSafe anticipates that those reports could go to mayors or PSAP administrators or regulators. They would provide a new way of looking at the problem of outages and incomplete calls. This is exactly the kind of innovation the Commission should be fostering.

The Commission seeks to impose resiliency standards “preventatively to facilities instead of after an outage . . .”¹¹ The FailSafe approach can add to that goal. If added now, the *Intelligent Signaling Network* will provide early detection and reporting capabilities to 911 Centers. If a 911 Center administrator sees a lot of FailSafe reports in a short period of time, that administrator can launch a real-time investigation into the cause of those failures.

The FailSafe approach solves another problem identified by the Commission. The Commission is concerned that some providers have practices that “may be invisible.”¹² The FailSafe approach produces real-time reports that identify callers who are – at that very moment – having trouble completing an emergency call.

The Commission includes a footnote in the *Second Report* that deserves more prominence: “[I]n the public safety arena the priority must be on prevention versus determining blame after a tragic event.”¹³ The FailSafe approach provides a valuable signal that something is wrong with the network, often by specific carrier. It eliminates finger pointing while preventing the tragedy of lost 911 callers.

¹⁰ *Second Report*, ¶27.

¹¹ *Second Report*, ¶39.

¹² *Id.*, ¶64.

¹³ *Id.*, Footnote 186.

The Commission has set a goal - “keep the 911 reliability framework current as the technology landscape evolves.”¹⁴ To that end, it seeks “to cover new best practices.”¹⁵ It praises technology that addresses the problem of the network “overwhelmed even when traffic surges.”¹⁶ The FailSafe approach is a new application of technology that adds a tool to the 911 tool chest. It should be adopted by the Commission as a new “best practice.”

The Commission should add the FailSafe solution to the recommended “permissible mitigation strategies” and should “strongly encourage CSPs to adopt them where appropriate to enhance resiliency.”¹⁷ It should direct stakeholders to test the FailSafe approach in order to “facilitate reporting and inform future work on NG911 interoperability.”¹⁸ FailSafe urges the FCC to include test scenarios where the 911 call does **not** complete, but the attempt is still detected and reported.

FailSafe agrees with Lumen – our mutual goal should be “to facilitate as soon as possible a provider’s response to, and notification to others regarding, an outage potentially affecting completion of 911 calls.”¹⁹ The FailSafe approach provides PSAPs, regulators and the industry, more information about an outage in real time.

The Commission urges providers to “adopt the five nines standard as an internal target.”²⁰ Intelligent signaling networks have achieved that goal over decades of development. FailSafe’s approach uses that legacy system to provide an approach that has “five nines” reliability *now*. It will be able to continue to provide that level of reliability into the future. This is critical. Citizens seeking emergency assistance should not need to understand the underlying technology in order to rely upon it. That caller just needs to know that *someone* is aware that he or she is in trouble and needs help. The FailSafe solution can provide that assurance with best-of-industry reliability.

FailSafe specifically requests that the Commission add to Subpart H, §9.19(c)(3), a new paragraph (iii) to read as follows: “For all facilities, maintaining, testing and monitoring the network in order to capture and report calls that were not completed constitutes physically diverse monitoring.”

FailSafe looks forward to working with the Commission and other stakeholders to introduce a new tool that will provide real-time reporting of callers who are in trouble – callers that are currently invisible to the 911 Center.

14 *Id.*, ¶77.

15 *Id.*

16 *Id.*, ¶83.

17 *Id.*, ¶86.

18 *Id.*, ¶123.

19 *Id.*, ¶107.

20 *Id.*, ¶112.

SUMMARY

For generations, Americans have been taught a simple promise: **Dial 911 and Get Help.**

That promise has become part of our national identity. Parents teach it to their children. Seniors living alone trust it. Citizens assume that in their darkest moments, someone will hear their call. But a promise is only meaningful if someone knows when it has been broken.

Although millions of emergency calls are completed successfully each day, some call attempts fail before ever reaching a PSAP or ESInet. Those unsuccessful calls leave little or no record and remain outside the visibility of existing systems.

The Commission's Second Report correctly recognizes that reliability, resiliency, interoperability, and innovation must all be strengthened as America transitions to NG911. FailSafe respectfully submits that reliability cannot be measured solely by the calls that successfully arrive. True reliability must also account for those calls that never make it through.

The technology to illuminate this blind spot now exists. It is compatible with legacy systems and NG911 architectures alike. It complements, not replaces, the work already being performed by carriers, ESInet providers, PSAPs, and emergency communications professionals across the nation.

This proceeding presents an opportunity to acknowledge a simple truth: **A call for help should not disappear simply because technology failed before anyone answered.**

FailSafe is not asking the Commission to abandon existing approaches. We are asking only that the Commission recognize and encourage a new capability that provides visibility into emergencies that today remain unseen.

History will not judge our communications systems by how they performed on ordinary days. It will judge them by how they performed when Americans needed them most.

No emergency caller should vanish into a busy signal.

No cry for help should disappear without a trace.

And no American should become invisible simply because their 911 call never reached its destination.

Respectfully, FailSafe Communications urges the Commission to ensure that as the Nation builds the next generation of emergency communications, it also remembers those callers who today leave behind no record at all.

Because when someone's worst day becomes their last opportunity to ask for help, silence should never be the final answer.

PRAYER FOR RELIEF

FailSafe filed a Petition for Declaratory Ruling on this matter July 14, 2025²¹ and supplemented that Petition with a “Request for Action” on April 3, 2026.²² Given that no Commission action occurred on either filing, we theorize that the preference of this Agency may be for more incremental actions such as workshops or industry comment before imposing new requirements. If we are correct in this assumption and our Petition is premature for this reason, we welcome a forum of this Commission’s choosing whereby the FailSafe methodology can be subjected to scrutiny by the FCC and industry.

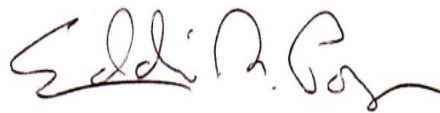
WHEREFORE, FailSafe Communications, Inc. respectfully requests that the Commission:

1. Recognize that 911 calls that fail before reaching a PSAP constitute an important reliability and visibility issue deserving continued attention, and make mention of that fact in the Final Order;
2. Acknowledge that technologies capable of identifying and reporting incomplete emergency call attempts provide an additional layer of resiliency, accountability, and public safety during the nation's transition to NG911, and document that fact in its Final Order;
3. Encourage CSPs, ESInets, 911 and NG911 Authorities, standards bodies, and other stakeholders to evaluate, methodologies that detect and report unsuccessful 911 calls in the Final Order;
4. Consider whether these capabilities should be included in best practices, mitigation strategies, interoperability initiatives, or reliability metrics developed by the Commission, the PSHSB, CSRIC, or other advisory bodies;
5. Footnote the fact that certain municipalities have requested this capability in the Final Order;
6. Grant such other and further relief as may be just, proper, and in the public interest.

Respectfully submitted,



Leo A. Wrobel, CEO



Eddie M. Pope, General Counsel

²¹ <https://www.fcc.gov/ecfs/document/10714978312943/1>

²² <https://www.fcc.gov/ecfs/document/1040378859678/1>

WHEN YOUR 911 CALL DOESN'T GET THROUGH, NO ONE KNOWS YOU NEED HELP.

Supporting Reliability, Resiliency,
and Innovation During the
Transition to NG911

Some emergency calls fail before
they ever reach help.

When communications fail,
lives are at risk.

FailSafe has developed a method
to identify incomplete emergency
call attempts.



INVISIBLE CALL ATTEMPTS.

Calls can be dropped, blocked,
or lost—without anyone
knowing.



REAL EMERGENCIES.

When help can't be reached,
seconds matter and
outcomes change.



ADDITIONAL VISIBILITY.

FailSafe provides real-time
visibility into calls that never
reach the 911 authority.



We're Building the Future of 911 Reliability
Because No 911 Caller Should Ever Be Invisible.

FailSafe
Communications Inc.
"Because Lives Are On The Line™"

Working Together for
More Reliable Emergency
Communications.

www.failsafecommunications.com

