

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. 911-045/
on its own motion, seeking to) PI-166
investigate the requirements,)
costs and impact of the) ORDER APPROVING FUNDING FOR
implementation of Next) NETWORK CHANGES
Generation 911 in Nebraska)
relating to the provision of)
Enhanced Wireless 911 Service.) Entered: November 27, 2012

BY THE COMMISSION:

On June 2, 2010, the Nebraska Public Service Commission (Commission) opened the present docket on its own motion, seeking to investigate the requirements, costs and impact of the implementation of IP based Next Generation 911 (NextGen 911) in Nebraska relating to the provision of Enhanced Wireless 911 Service. Recently, the Commission was advised that the state of Iowa has begun to initiate implementation of an IP network and is making unilateral changes affecting the ability of Iowa PSAPs to transfer location and caller data back to Nebraska PSAPs from wireless 911 calls made along the state line. As a result of Iowa's project, the existing intertandem trunking established by the Commission between Omaha and Des Moines to transport location information with wireless 911 calls requires immediate upgrades in order to ensure the continued safety of wireless subscribers in Nebraska.

A hearing on the Iowa situation and possible solutions was held on November 19, 2012. Angela Melton appeared on behalf of Commission staff and Ms. Katherine Vogel appeared on behalf of Viaero Wireless.

E V I D E N C E

Ms. Sue Vanicek, director of the Nebraska Telecommunications Infrastructure and Public Safety Department, testified Nebraska established intertandem trunking between Nebraska and Iowa to allow for the exchange of wireless caller identification and location information between public safety answering points along the stateline. Iowa's implementation of an IP network will sever the connection between the Iowa network and the intertandem trunking and prevent the transfer of ANI/ALI information between PSAPs. The Des Moines tandem will be decommissioned on December 31, 2012.

Ms. Vanicek proposed two solutions. First, CenturyLink can install four two-way trunks between Council Bluffs and Des

Moines which would connect with the TCS NextGen router in West Des Moines. This solution would require a one-time cost of \$22,000 for network installation of the new trunks, translations and project management fees with a monthly recurring cost of \$1,700. Certain translation costs required in Iowa would be funded by Iowa. A second solution is to establish permanent trunks between the Des Moines tandem and the TCS NextGen router allowing us to use existing trunks between Council Bluffs and Des Moines. The one-time cost would be the same for this solution; however, the recurring cost would be less than \$1,700. Ms. Vanicek recommended that in order to continue the exchange of location and caller identification information, the Commission approve the least cost solution and the expenditure of funds to implement and maintain the necessary network connection between Nebraska and Iowa.

Mr. Mark Conrey, Douglas County 911 director, testified that he did not believe that Nebraska should pay the costs of these solutions as the problems were a direct result of Iowa's decisions. Mr. Conrey provided call routing information detailing the number of calls transferred from Nebraska to Iowa.

Mr. Chris Moore, communications technologist for the Pottawattamie County sheriff's department, also testified. Mr. Moore testified that the Iowa project was done without any consultation with local agencies. He further described the difficulties resulting from the network changes and provided the number of calls transferred from Iowa to Nebraska.

FINDINGS AND CONCLUSIONS

The Enhanced Wireless 911 Services Act, § 86-465(2)(c) states that "costs incurred or to be incurred by public safety answering points for the purchase, installation, maintenance, and operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service" may be eligible for funding from the Enhanced Wireless 911 Fund.

The ability to transfer calls to the appropriate PSAP while maintaining the ANI/ALI data is an integral piece of the provision of enhanced wireless 911 service. Although we recognize that Iowa's actions require the change, it is incumbent upon Nebraska PSAPs to take steps to ensure the safety of Nebraska citizens. Therefore, the Commission finds that the costs to address the network issue described herein are eligible for funding.

The proposed solutions will enable all counties along the stateline between Nebraska and Iowa to transfer wireless 911 calls between PSAPs. Because the services are provided over multiple counties and benefit multiple PSAPs, the Commission finds that costs should be paid directly from the Fund and not be allocated to particular PSAPs or deducted from their individual funding amounts.

This is consistent with the Commission's February 23, 2010 order adopting the permanent funding mechanism in which the Commission stated, "Payments for intertandem trunking ... will not be allocated to any PSAP but will instead be paid directly by the Commission." ¹

Therefore, the Commission staff is directed to implement the least cost solution to resolve issues with the intertandem network described herein. The Fund shall pay one-time costs not to exceed \$22,000 and monthly recurring costs not to exceed \$1,700.00 based upon a contract with CenturyLink. Iowa will be responsible for translation costs for its network.

The trunking established and funded by the Fund shall be used solely for the transfer of enhanced wireless 911 calls between Nebraska and Iowa.

If the Nebraska Legislature fails to appropriate or authorize the expenditure of sufficient funds to provide for the payment of costs from the Fund or, if a lawful order issued in or for any fiscal year reduces the funds appropriated or authorized in such amounts as to preclude making the payments from the Fund, the Commission will not be responsible for any costs not paid by the Fund.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding to establish and provide necessary intertandem trunking between Iowa and Nebraska is approved.

IT IS FURTHER ORDERED that Fund shall pay one-time costs not to exceed \$22,000 and monthly recurring costs not to exceed \$1,700.00 based upon a contract with CenturyLink.

¹ In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service, Application No. 911-019/PI-118 at 4 (Feb. 23, 2010).

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of November, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

Chairman

Rod Johnson

Aune Boyle

ATTEST:

Phil R. 142

Executive Director

Gerald L. Vap

//s//Rod Johnson

//s//Frank E. Landis