

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 SETTING HEARING AND  
implementation of Next ) SEEKING COMMENT  
Generation 911 in Nebraska )  
relating to the provision of )  
Enhanced Wireless 911 Service. ) Entered: October 30, 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.

O P I N I O N   A N D   F I N D I N G S

The Commission is also aware that surrounding states are at various stages of planning and implementing elements NextGen 911, such as text-to-911 functionality. Recently, the Commission was advised that the state of Iowa has begun to initiate implementation of text-to-911 functionality and is making unilateral changes to the network which is 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.

Because time is of the essence and the impending network changes in Iowa present a significant public safety issue, the Commission finds that a hearing shall be scheduled for **November 19, 2012 at 1:30 p.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln. The Commission will take evidence regarding the nature of the issue, the proposed costs, and determine whether such costs should be paid by the Enhanced Wireless 911 Fund.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the

Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

In addition to the present situation involving Iowa, the Federal Communications Commission has an open rule making regarding the deployment of NextGen 911.<sup>1</sup> In light of the continuing move toward an IP based 911 network, it is necessary for the Commission to determine its role in the implementation, funding, and operation of NextGen 911. As a threshold matter, it is essential that the regulatory landscape related to the NextGen 911 be clarified.

Therefore, in an effort to better define the regulatory framework, the interested parties, the stakeholders, and the role, if any, the Commission and the Enhanced Wireless 911 Fund (Fund) should play in the planning and implementation of NextGen 911, the Commission seeks comment on the following:

1. Please identify the federal, state and local authorities, agencies, and governing bodies, whose participation and cooperation will be necessary for the implementation of NextGen 911 with respect to the receiving and processing of 911 calls. In commenting please provide the following specifics:
  - a. The basis and scope of their authority including references to applicable state and federal statutes, administrative or court orders, and regulations;
  - b. Any efforts, projects or initiatives currently in progress or being planned related to any portion of the implementation of NextGen 911; and
  - c. Identify any impediments to their participation.
2. The cooperation and participation of wireless service providers, local exchange carriers and other interested parties will be necessary for the implementation of NextGen 911 with respect to the receiving and processing of 911 calls. In commenting please provide the following specifics:

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<sup>1</sup> *In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications and Framework for Next Generation 911 Deployment*, PS Docket Nos. 11-153 and 10-255 (rel. Sept. 22, 2011).

- a. The nature of their participation including what elements of a robust NextGen 911 for which they would be responsible;
- b. Any efforts, projects or initiatives currently in progress or being planned related to any portion of the implementation of NextGen 911 including any state or federal deadlines or requirements currently in place; and
- c. Identify any impediments to their participation.

All interested parties should file comments on the above-listed issues with the Commission **on or before December 14, 2012 at 3:00 p.m.** All parties filing comments should file one original and five (5) paper copies and email one electronic copy to [angela.melton@nebraska.gov](mailto:angela.melton@nebraska.gov) and [brandy.zierott@nebraska.gov](mailto:brandy.zierott@nebraska.gov).

The Commission will determine the scope of its responsibility related to NextGen 911 based upon the current law, comments received and any developments at the FCC. Based upon that analysis, the Commission may seek further comment, hold any necessary workshops or hearings or take other appropriate action.

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that hearing regarding the intertandem trunking issues resulting from changes in Iowa's 911 network and the implementation of NextGen 911 functionality is set for **November 19, 2012 at 1:30 p.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

IT IS FURTHER ORDERED that during the November 19, 2012 hearing, the Commission will take evidence regarding the nature of the issue, the proposed costs, and determine whether such costs should be paid by the Enhanced Wireless 911 Fund.

IT IS FINALLY ORDERED that all interested parties should file comments on the above-listed issues with the Commission **on or before December 14, 2012 at 3:00 p.m.** All parties filing comments should file one original and five (5) paper copies and email one electronic copy to [angela.melton@nebraska.gov](mailto:angela.melton@nebraska.gov) and [brandy.zierott@nebraska.gov](mailto:brandy.zierott@nebraska.gov).

MADE AND ENTERED at Lincoln, Nebraska, this 30<sup>th</sup> day of  
October, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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MADE AND ENTERED at Lincoln, Nebraska, this 30<sup>th</sup> day of October, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Tim Schram*

*Gene Boyle*

*Gerald L. Vay*

Chairman

*Rod Johnson*

ATTEST:

*Frank E. Landis*

Executive Director

//s//Rod Johnson

//s//Frank E. Landis