

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. 911-049/PI-174
Public Service Commission, on)	
its own motion, to investigate)	
the affect of statewide prepaid)	
wireless subscriber counts on)	ORDER OPENING INVESTIGATION,
local exchange carrier payments)	SEEKING COMMENT AND
for enhanced wireless 911)	SCHEDULING WORKSHOP
service under the permanent)	
funding mechanism and quarterly)	
reporting requirements.)	Entered: September 28, 2010

BY THE COMMISSION:

The Nebraska Public Service Commission (Commission) opens the above-captioned docket, on its own motion to investigate the affect of statewide prepaid wireless subscriber counts on local exchange carrier payments for enhanced wireless 911 service under the permanent funding mechanism and quarterly reporting requirements.

On February 23, 2010, the Commission entered an order adopting a permanent funding mechanism for the implementation and provision of enhanced wireless 911 service as required by Neb. Rev. Stat. § 86-465(1)(e) (2008).

The Commission held that payments to local exchange carriers (LECs) on behalf of PSAPs would be made on a quarterly basis in arrears based upon the number of wireless subscribers found in quarterly reports filed by wireless service providers. Such an approach eliminated the need for invoicing. Therefore, the Commission required each of the LECs to file a tariffed rate.

The approach was based upon the expectation that all wireless subscribers would be reported on a county by county basis and could therefore be allocated to the appropriate LEC. However, it was determined that certain prepaid wireless carriers could not provide the county by county breakdown of subscribers.

As a result, on September 21, 2010 the Commission entered Progression Order No. 2 in Docket No. 911-019/PI-118 clarifying that the rates established by the LECs and payments made to LECs would be based upon the number of subscribers capable of being reported on a county by county basis but would exclude the prepaid wireless subscribers that could not be provided on a county bases representing approximately 1% of total subscribers in Nebraska. Such an approach will be utilized pending the outcome of the present investigation.

In order to develop appropriate methods for addressing the issues, the Commission seeks comment regarding the following:

1. What other reporting options exist for wireless carriers providing prepaid wireless services who are unable to report subscribers on a county basis that would permit the subscribers to be properly assigned to the LEC for the purpose of setting rates for the provision of enhanced wireless 911 services and making payment for the services?

2. In the event that no reporting option is available, what methods could be used for the allocation of subscribers reported on a statewide basis to the appropriate LEC for the purpose of setting rates for the provision of enhanced wireless 911 services and making payment for the services?

3. Any other issues that should be addressed.

Interested parties wishing to comment on the issues outlined herein shall file written comments no later than **3:00 p.m. on November 1, 2010** by filing one (1) original and eight (8) copies with the Commission and providing one (1) electronic copy via e-mail to brandy.zierott@nebraska.gov.

Furthermore, the Commission finds that a workshop on the matter should be scheduled for **December 1, 2010 at 10:00 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

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.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that this docket is opened to investigate the affect of statewide prepaid wireless subscriber counts on local exchange carrier payments for enhanced wireless 911 service under the permanent funding mechanism and quarterly reporting requirements.

IT IS FURTHER ORDERED that interested parties wishing to comment on the issues outlined herein shall file written comments no later than **3:00 p.m. on November 1, 2010** by filing one (1) original and eight (8) copies with the Commission and providing one (1) electronic copy via e-mail to brandy.zierott@nebraska.gov.

IT IS FINALLY ORDERED that a workshop on the matter should be scheduled for **December 1, 2010 at 10:00 a.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 28th day of September, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director