

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. 911-001/
Commission, on its own) PI-52
motion, seeking to)
establish guidelines for) PROGRESSION ORDER No. 1
the administration of the)
Enhanced Wireless 911 Fund.) November 20, 2001

BY THE COMMISSION:

The Commission opened this docket on September 19, 2001, to establish guidelines for the administration of the Enhanced Wireless 911 Fund. The Commission received written comments from Sprint PCS and ALLTEL. The Commission held a hearing on October 31, 2001, at 10:00 a.m. in the Commission Hearing Room. Based upon comments received and recommendations of Commission staff, the Commission makes changes to the proposed policies, which are detailed in Appendix A.

The Commission seeks written comment on the revised proposed policies. The Commission has not scheduled a second hearing on the proposed policies, however, if interested parties desire a hearing, they should indicate such in their written comments.

In order to accommodate any public safety answering points (PSAPs) or wireless carriers seeking to implement wireless enhanced 911 in the very near future, the Commission will use the attached policy until a final policy is adopted. The Commission anticipates that a final policy will be adopted by the end of December.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that interested parties file comments on the above-outlined issues on or before 5:00 p.m. on December 7, 2001. Parties filing comments should file three paper copies and one electronic copy in WordPerfect 6.0 (or newer) format.

MADE AND ENTERED at Lincoln, Nebraska, this 20th day of November, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Vay

Ann C. Boyle

Rob Johnson

Frank E. Landis
Chairman

ATTEST:

Frank E. Landis

Frank E. Landis

//s// Frank E. Landis

Executive Director

APPENDIX A

I. General Guidelines Applicable to Wireless Carriers and Public Safety Answering Points (PSAPs)

- A. Fair Distribution of Funds: Distributions of funds by the Commission to wireless carriers and PSAPs must be fair and nondiscriminatory.
- B. Testing; Fund Distribution After Approval: The ~~local exchange carrier, the PSAP,~~ and the wireless carrier must establish schedules for testing prior to activating wireless enhanced 911 service. Testing must include, but shall not be limited to, examination of the following elements of wireless enhanced 911 service: ALI display accuracy, default routing, and callback accuracy, ~~network failure response, end-to-end testing and call response time.~~ After testing has been properly completed, carriers can submit their invoice to the Commission to be directly reimbursed for costs that have been previously approved by the Commission.
- C. Timing of Orders Timing of an order ~~granting or denying disposing of~~ a request will be affected by the Commission's meeting schedule. Orders on requests will be entered at the Commission's public meetings ("Grist"), which generally take place every two weeks. The Commission's meeting schedule is available on its website at www.nol.org/home/NPSC/.

II. Wireless Carrier Guidelines

- A. Wireless carriers seeking funding are required to comply with the following process:
 - 1. Wireless Carrier Implementation Plan: Upon receipt of a request for wireless E911 service from an eligible PSAP, a wireless carrier must develop an implementation Plan for that PSAP or for the appropriate service area if the wireless carrier's switch serves more than one PSAP. A wireless carrier must submit its Plan to the Commission. Email submission to the Director of the Wireless E911 Program is acceptable. A wireless carrier written funding request, which is described below, will not be accepted unless that wireless carrier has an implementation Plan filed with the Commission.

a. A wireless carrier implementation Plan must:

- 1) Describe chosen technology or technologies (SS7 solutions, LEC solution, third party service bureau, etc.).
- 2) Describe architecture to implement the chosen technology(s) in areas which have active requests for deployment. This description must include the architecture necessary to implement statewide. Indicate all counties and/or municipalities in the state in which the carrier provides wireless E911 service and where additional deployment is expected. Indicate areas of the state, if any, where deployment has already occurred.
- 3) List known cost elements for deployment, including non-recurring and recurring charges. Provide statewide costs, if possible.
- 4) Describe personnel costs (estimated number of hours and rates) and proposed third party service rates, if any.
- 5) If cost recovery is proposed at a monthly per subscriber rate, indicate the amount and describe the manner in which the rate was calculated.
- 6) Provide proposed schedule for rollout of wireless E911 service.
- 7) If costs are determined by number of cell towers, identify the number of cell towers in the applicable county or service area.
- 8) Identify E911 database vendor and include associated costs.
- 9) Provide any other information required by the Commission.

b. A wireless carrier must update its Plan to reflect any changes in implementation of additional PSAPs or

service areas, including associated changes in costs. The Commission may request additional revisions to an implementation Plan.

2. Wireless Carrier Written Funding Request: A wireless carrier requesting funding must submit a written request for funding from the Wireless Enhanced 911 Fund on the appropriate form provided by the Commission.

a. A request must be accompanied by a statement of unbundled costs incurred or to be incurred for implementation and operation of enhanced wireless 911 Phase 1. Such costs must be separated ~~as~~ into recurring or non-recurring costs. In order to be eligible for funding, these charges must be directly attributable to the implementation and operation of enhanced wireless 911 service as required by LB585, and the requesting party wireless carrier ~~should~~ must be able to explain and provide documentation for each item. Costs ~~shall~~ must be detailed showing item(s) or unit(s) or both. The following items ~~should~~ must be detailed:

- 1) Non-recurring costs, including network equipment, tariff costs, software, network access fees, number of access lines.
- 2) Item(s) or measurements and the associated tariff process applicable in the development of charges (for example, a tariff of \$5.00 for 100 access lines).
- 3) Where tariff prices are not available, a cost outline detailing the development of charges by item(s) shall be included.
- 4) Information from the telephone service providers detailing the equipment operated or needed to implement and operate enhanced wireless 911 service, including any technology upgrades necessary to provide service.
- 5) The total number of wireless subscribers in the PSAP's service area.

- 6) Recurring costs, including software, database management, and maintenance.

b. Disposition of Wireless Carrier Request: A request will be disposed by one of the following methods:

- 1) Granted;
- 2) Granted in part; or
- 3) Denied.

c. Hearing on a Wireless Carrier Request: The Commission may require a hearing on a request for funding. After receipt of a request, the Commission will determine whether a hearing is necessary. No request for funding will be denied or granted in part without a hearing unless a hearing is waived by the wireless carrier, but a request for funding may be granted without a hearing pursuant to modified procedures as provided in Rules of Commission Procedure.

d. Eligible Costs: The following is a list of costs that may be eligible for funding from the Enhanced Wireless 911 Fund:

- 1) E911 database management non-recurring fees, including:
 - a) PSAP implementation plan.
 - b) Collection of PSAP contact, boundary, and equipment information.
 - c) Collection of local exchange carrier E911 network infrastructure.
 - d) PSAP boundary mapping.
 - e) Coverage area descriptions and overlays.
 - f) Call routing recommendations and validation.
 - g) Initial pANI database creation and pANI/ESRD assignments.
 - h) Network interconnection and trunking recommendations.
 - i) Selective routing translations per pANI.
- 2) E911 database management recurring fees,

including maintenance of pANI/ESRD data-base. Vendor signal control point (SCP) service, where applicable, may be included.

3) Operation and transport costs, including:

- a) Wireless E911 Phase I implementation overall project management.
- b) Testing connectivity, routing, and translations of Phase I data.
- c) Wireless network planning and traffic engineering.
- d) Switch upgrades or patches to enable the provision of wireless E911 service.
- e) Network trunks/circuits, T1s or other equipment and software for connection and communication with local exchange carriers and/or PSAP equipment, signal control points (SCPs), and ALIs for the provision of wireless E911 service.

4) Wireless carrier non-recurring fees, including implementation of T1 facility from mobile switching center (MSC) to selective router (SR).

5) Wireless carrier recurring fees, including recurring fees for T1 facility from mobile switching center (MSC) to selective router (SR).

e. The amount of reimbursement that a wireless carrier is entitled to receive on a recurring basis may be calculated in one of the following ways:

- 1) By multiplying the number of wireless subscribers receiving wireless E911 service as reported by the wireless carrier prior to its request for reimbursement by the amount authorized

per subscriber for cost recovery by the Commission. Wireless carriers will be required to report their subscriber count not less than once per quarter. The dollar amount paid to the wireless carrier will vary based upon the total number of subscribers reported by the wireless carrier; or

- 2) By submission of actual or estimated recurring costs incurred by the carrier and approved by the Commission. If the estimated costs are submitted, these costs must be trued up annual at a date to be set by the Commission ; or
- 3) By a combination of methods 1) and 2); or
- 4) By multiplying the number of cell sites serving a PSAP or service area by the rate per cell site authorized by the Commission. Wireless carriers will be required to report their number of cell sites serving a PSAP or service area not less than once per quarter. The dollar amount paid to the wireless carrier will vary based upon the total number of cell sites reported by the wireless carrier.

e. **Fluctuations in Recurring Costs:** If methods (2) or (3) immediately above are used for calculating recurring costs, and if total recurring costs increase ten percent or greater over the amount approved by the Commission, the wireless carrier must submit an amended request for funding to the Commission for a review of its costs. The amended request for funding must include an explanation of the increase, the amount of the increase, and the effective date of the increase.

3. **Wireless Carrier Invoice:** After a request for funding has been approved, and after implementation has occurred, the wireless carrier may submit invoices to the Commission.
4. **Distributions to Wireless Carriers:** If the total amount of funds requested by wireless carriers and

PSAPs exceeds the amount in the Enhanced Wireless 911 Fund in any given month, wireless carriers must receive a pro rata share of funds and the balance of payments must be carried over to the following month or months until all of the approved payments are made.

II. Public Safety Answering Point (PSAP) Guidelines

A. PSAPs seeking funding are required to comply with the following process:

1. PSAP Implementation Plan: A PSAP seeking funding from the Enhanced Wireless 911 Fund must develop an implementation Plan. The Plan must be filed with the Commission. Email submission of a Plan to the Director of the Wireless E911 Program is acceptable. A PSAP written funding request, described below, will not be considered unless a PSAP implementation Plan has been filed with the Commission. A PSAP implementation Plan must include:

- a. List of hardware, software and equipment upgrades needed for implementation of wireless enhanced 911 and estimated costs of such upgrades.**
- b. Personnel training needed to process data elements of wireless enhanced 911 and estimated costs.**
- c. Characteristics of the PSAP, including volume of all 911 calls received by the requesting PSAP (broken down by wireless and landline calls, if available, or reasonable estimates), population served by the PSAP jurisdiction, size of geographical area in square miles served by the requesting PSAP jurisdiction, and identification of other PSAPs serving the same geographical area.**

2. [Commentary: Although the following is identified as new language, similar language was included in our Order of September 19, 2001 regarding both PSAPs and wireless carriers. Similar language applies to wireless carriers in Section II.]

Written Funding Request A PSAP requesting funds must submit a written request for funding from the Fund on the appropriate form provided by the Commission.

a. A request must be accompanied by a statement of unbundled costs incurred or to be incurred for implementation and operation of enhanced wireless 911 Phase 1. Such costs must be separated into recurring or non-recurring costs. In order to be eligible for funding, these charges must be directly attributable to the implementation and operation of enhanced wireless 911 service as required by LB585, and the requesting PSAP must be able to explain and provide documentation for each item. Costs must be detailed showing item(s) or unit(s) or both. The following items must be detailed:

- 1) Non-recurring costs, including network equipment, tariff costs, software, network access fees, number of access lines.
- 2) Item(s) or measurements and the associated tariff process applicable in the development of charges (for example, a tariff of \$5.00 for 100 access lines).
- 3) Where tariff prices are not available, a cost outline detailing the development of charges by item(s) shall be included.
- 4) Information from the telephone service providers detailing the equipment operated or needed to implement and operate enhanced wireless 911 service, including any technology upgrades necessary to provide service.
- 5) Recurring costs, including software, database management, and maintenance.

B. **Priority of PSAP Requests for Funding:** The Commission may approve the distribution of funds pursuant to a request if the Commission finds that the costs requested are eligible and that sufficient funds are available for distribution. If funds are not sufficient to finance satisfy all requests by PSAPs and wireless carriers, the requests will be funded in a sequence deemed appropriate by the Commission, in consultation with the advisory board, when the board is in place. The Commission shall consider, but is not limited to, the following factors:

1. Documented volume of all 911 calls received by each requesting PSAP.
2. Population served by each requesting PSAP jurisdiction.
3. Size of geographical area in square miles served by each requesting PSAP jurisdiction.
4. The number of wireless subscribers with a billing address in each requesting PSAP jurisdiction.
5. Whether there are multiple PSAPs serving the same geographical area.
6. Whether surrounding PSAPs are selectively routed and have an integrated ALI database.
7. Any other factor deemed appropriate by the Commission, in consultation with the advisory board when the board is in place.

C. Disposition of a PSAP Request. A request will be disposed by one of the following methods:

1. Granted;
2. Granted in part;
3. Denied; or
4. Granted with deferral of funding.
 - a) Grant with deferred funding will occur if the Commission finds that a request merits approval but the Enhanced Wireless 911 Fund lacks sufficient funds to satisfy all requests. Deferred requests will be funded in the order that they are granted when funds become available.

D. Deadlines. The Commission sets forth the following schedule for acceptance of requests for funding:

December 31, 2001
March 29, 2002
June 28, 2002

After June, 2002, the Commission will accept requests at least once every six months. Deadlines will be the last business day in December and June. The Commission may, upon request of a party or on its own motion, consider requests outside of the schedule of deadlines set forth, and the Commission must provide notice of such irregular requests pursuant to Rules of Commission Procedure.

E. ~~Commission Consideration of Request Hearing on a PSAP Request:~~ The Commission may require a hearing on a request for funding. After receipt of a request, the Commission will determine whether a hearing is necessary. No request for funding will be denied, approved with deferred funding, or granted in part without a hearing unless hearing is waived by the requesting party, but a request for funding may be granted without a hearing pursuant to modified procedures as provided in Rules of Commission Procedure.

F. The following may be eligible costs for PSAPs:

1. Recurring costs for:

- a. Digital Service, level 0 (DS-Os) off T1 facility from mobile switching center (MSC) to selective router (SR)
- b. Circuits from selective router (SR) to PSAP
- c. Data links and cell links

b. Non-recurring costs for:

- a. Digital Service, level 0, (DS-Os) off T1 facility from mobile switching center (MSC) to selective router (SR)
- b. Circuits from selective router (SR) to PSAP
- c. Data links and cell links
- d. Customer premises equipment (CPE)
- e. Software and hardware upgrades
- f. Tandem upgrades
- g. Personnel training for processing data elements of wireless enhanced 911 service.