

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-075
Public Service Commission, on its) /PI-248
own motion, conducting an)
investigation into the 911)
service outage that began on) ORDER OPENING INVESTIGATION
August 31, 2023 in areas of)
Nebraska served by Lumen and its)
affiliates.) Entered: September 12, 2023

BY THE COMMISSION:

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

The Nebraska Public Service Commission ("Commission") opens the above-captioned investigation into the 911 emergency telecommunications service outage that occurred over a wide area of the Lumen network in Nebraska beginning at approximately 7:00 p.m. on Thursday, August 31, 2023 (the "Outage"). During the Outage, callers who dialed 911 in the affected area received a busy signal and calls were not delivered to 911 call centers (also known as public safety answering points or "PSAPs"). 911 service was not fully restored until approximately 7:20 a.m. on Friday, September 1, 2023.¹

The Outage disrupted 911 service across much of the State of Nebraska. Commission staff has preliminarily determined that the Outage disrupted 911 calls to at least 41 of Nebraska's 68 PSAPs. The Outage also disrupted calls to admin lines in 14 of the affected PSAPs.

Accordingly, the Commission opens this investigation to determine the cause or causes of the Outage, including, without limitation, an evaluation of all aspects of the 911 system that were impacted, in order to ascertain what the actions may be warranted by the Commission to respond to this Outage and prevent such occurrences in the future.

¹ The outage investigated pursuant to this Docket appears to be unrelated to a separate outage that occurred September 2-3, 2023 and disrupted 911 service in areas of Nebraska where Windstream is the 911 service provider ("Windstream Outage."). The Commission is conducting an investigation into the Windstream Outage under a separate docket. *See, In the Matter of the Nebraska Public Service Commission, on its own motion, conducting an investigation into the 911 service outage that began on September 2, 2023 in areas of Nebraska served by Windstream and its affiliates*, App. No. 911-076/PI-249, Order Opening Investigation (Sept. 12, 2023).

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One focus of this inquiry will be determining why the Outage resulted in the loss of 911 service to such a large area of Nebraska. 911 service providers are required to maintain geographically diverse redundant connections between PSAPs and the telecommunications infrastructure that delivers 911 calls to their intended destinations.² The Commission seeks both an explanation of why the redundancy required of Lumen failed in this instance and a solution to prevent this from happening again.

We note that the Outage not only impacted PSAPs that are still connected to the legacy E-911 system, but also impacted PSAPs that have connected the next generation 911 ("NG911") system. 911 calls are routed and delivered to NG911 PSAPs via the Emergency Services Internet Protocol Network ("ESINet") and NG911 Core Services ("NGCS") provided by Lumen pursuant to contract with the Commission.³ The Commission seeks to understand why those PSAPs connected to the NG911 ESINet and NGCS did not experience the reliability, resiliency and redundancy expected from NG911.

Among other things, the Commission will also seek to determine through this investigation whether locate requests were timely made and accurately provided via the Nebraska One-Call system,⁴ and whether PSAPs received timely notification of the outage from responsible parties.⁵ However, none of the above examples should be deemed to be a limitation on the scope of this inquiry. The Commission reserves the right to follow this investigation wherever it leads.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned investigation be, and hereby is, opened.

² See, e.g., 47 C.F.R. § 9.19.

³ [https://das.nebraska.gov/materiel/purchasing/contracts/pdfs/92858\(o4\)awd.pdf](https://das.nebraska.gov/materiel/purchasing/contracts/pdfs/92858(o4)awd.pdf)

⁴ See, One-Call Notification System Act, Neb. Rev. Stat. §§ 76-2301 to 76-2334.

⁵ See, e.g., 47 C.F.R. § 4.9.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 12th day of September, 2023.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Eric M. Hamler

[Signature]

Tim Schram

Kevin Stocker

[Signature]

Chair

ATTEST:

Thomas W. Golden

Executive Director