

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-039/PI-145
Public Service Commission, on)
its own motion, to investigate)
issues associated with Viper 911) ORDER OPENING DOCKET AND
equipment.) REQUESTING COMMENT
)
)
) Entered: December 16, 2008

BY THE COMMISSION:

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

The Nebraska Public Service Commission (Commission) hereby opens the above-captioned docket, on its own motion, to investigate issues associated with Viper 911 equipment.

The Enhanced Wireless 911 Act (the Act) provides in part, "The commission shall have any powers necessary to carry out the intent and purposes of the act."¹ Furthermore, "The commission shall determine the most efficient method for providing enhanced wireless 911 service."² In anticipation of the costs and data development associated with Phase II, the Commission established a process by which implementation of Phase II can be handled in an efficient and cost effective manner.

On May 21, 2004, as part of that process, the Commission issued a Request for Proposal (RFP) to vendors in an effort to coordinate the purchase of Phase II equipment and services for all PSAPs that have implemented Phase I and require these resources. On August 31, 2004, the Commission designated Vendors of Choice for Phase II of Enhanced Wireless 911.

On October 24, 2006, the Commission approved new vendors and amended offerings and pricing from approved Vendors of Choice, including an offering by Positron for the Viper product.

Since that time, the Viper product has been purchased by and installed in the following Public Safety Answering Points (PSAPs): Box Butte/Alliance PD; Buffalo County; Chase County; Cheyenne County; Cuming County; Dawes/Chadron PD; Dawson/Gosper Counties; Douglas County; Howard County; and Keith County.

Beginning in approximately May 2008, the Commission began receiving complaints from PSAPs regarding call quality, routing issues, and other miscellaneous problems with the Viper system.

¹ Neb. Rev. Stat. § 86-465(3).

² Neb. Rev. Stat. § 86-464.

Maintenance for the Viper equipment is handled through Qwest. Qwest was made aware of the various problems and made efforts to address the concerns.

The Commission has again begun to receive complaints regarding the operation and quality of the Viper system. The Commission therefore opens the present docket to explore the problems encountered by the PSAPs and to devise appropriate action, including but not limited to, removal of the Viper system from the list of equipment offerings approved to receive funding from the Fund.

Therefore, the Commission requests comment from all interested parties including but not limited to PSAPs utilizing the Viper systems, Qwest and any other vendors involved with the Viper product regarding the specific nature and extent of the problems experienced, the types of corrective action that have been taken, and any proposed solutions to resolve the outstanding issues.

The Commission would request that all comments be filed with the Commission **no later than January 16, 2009**. Any individual submitting comments should provide eight (8) copies and send one electronic copy via email to angela.melton@nebraska.gov.

The Commission will schedule any necessary public workshops or a public hearing on dates to be determined, if necessary, to further investigate the issues outlined herein.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket be, and it is hereby, opened to investigate issues associated with Viper 911 equipment as outlined herein.

IT IS FURTHER ORDERED that comments should be submitted by all interested parties regarding the issues set forth herein no later than **January 16, 2009**.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of
December, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director