

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. 911-055/
on its own motion, seeking to) PI-182
investigate and revise wireless)
tower testing standards and)
procedures pursuant to the) ORDER ADOPTING TESTING POLICY
Enhanced Wireless Services Act,)
Neb. Rev. Stat. § 86-442 et seq.)
) Entered: December 17, 2013

BY THE COMMISSION:

The Nebraska Public Service Commission opened this docket on its own motion seeking to investigate and revise wireless tower testing standards and procedures pursuant to the Enhanced Wireless Services Act, Neb. Rev. Stat. § 86-442 et seq (The Act).

The Commission originally adopted testing standards for the implementation of enhanced wireless 911 service on wireless towers on July 16, 2002.¹

On October 12, 2011, the Commission sought comment from wireless carriers, public safety answering points and other interested parties as to revisions to the existing tower testing standards and procedures. Comments were received from N.E. Colorado Cellular, Inc. d/b/a Viaero Wireless (Viaero); Cellco Partnership d/b/a Verizon Wireless (Verizon) ; United States Cellular Corporation; New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T); GeoComm; and Douglas County Emergency Communications Department.

Additionally, a technical workshop was held on April 10, 2012. Based upon the input received, on October 22, 2013, the Commission released for comment a revised enhanced wireless 911 tower testing policy. Viaero Wireless, Sprint Spectrum LP and Virgin Mobile USA, LP filed joint comments. Additional comments were filed by the McCook Police Department and Verizon.

Hearing was held on December 3, 2013 in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln. Attorney Angela Melton entered an appearance on behalf of Commission staff; and attorney Loel Brooks appeared on behalf of Viaero, Sprint and Virgin Mobile.

¹ *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish guidelines for the administration of the Enhanced Wireless 911 fund.*, Application No. 911-001/PI-52, Order Adopting Guidelines (July 16, 2002).

E V I D E N C E

Ms. Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department, testified regarding the proposed testing policy. Ms. Vanicek stated that the Department recommended that the NENA guidelines be adopted for purposes of developing a test and acceptance plan and proceeded to testify regarding the proposed policy. In response to comments received from wireless service providers, Ms. Vanicek recommended the proposed policy be changed to require that wireless service providers submit testing validation worksheets (TVWs) to the Commission prior to testing and then include the Commission on correspondence to the PSAP documenting the completion of testing.

Ms. Kara Thielen testified on behalf of Viaero. Ms. Thielen stated that Viaero generally supports the proposed policy; but opposes placing the onus solely on wireless service providers to provide the TVWs.

F I N D I N G S A N D C O N C L U S I O N S

The Act provides in part, "The commission shall have any powers necessary to carry out the intent and purposes of the act."² Furthermore, "The commission shall determine the most efficient method for providing enhanced wireless 911 service."³

The Commission finds that the NENA standard ensures the proper routing and delivery of enhanced wireless 911 calls. Furthermore, adopting the policy as amended by staff provides clarity to the PSAPs and wireless service providers regarding the processes and responsibilities during the testing of towers throughout the state. Such goals are consistent with the Commission's statutory obligation for the implementation and provision of statewide enhanced wireless 911 service.

The Commission, therefore, finds that the testing policy attached hereto as Appendix A and incorporated herein by this reference shall be adopted. Further, all wireless service providers, regardless of whether they are currently receiving reimbursement from the Fund, shall comply with the testing procedures set forth in Appendix A. Failure to do so may result in loss of funding or assessment of civil penalties pursuant to Neb. Rev. Stat. § 75-156.

² Neb. Rev. Stat. § 86-465(3).

³ Neb. Rev. Stat. § 86-464.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the enhanced wireless 911 tower testing policy attached hereto as Appendix A is adopted.

MADE AND ENTERED at Lincoln, Nebraska, this 17th day of December, 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

APPENDIX A

Enhanced Wireless 911 Tower Testing Policy

The following policy applies to testing of all new cell sites and sectors, all maintenance testing completed, and the testing of any re-homed cell sites and sectors or network changes.⁴

In order to ensure proper routing of all wireless 911 calls, enhanced wireless 911 testing should be conducted pursuant to a test and acceptance plan that is consistent with current National Emergency Number Association (NENA) guidelines as set forth in NENA documents 57-502 (NENA E9-1-1 Wireless Maintenance Call Routing and Testing Validation Standard) and 57-002 (NENA Wireless Phase I/II Planning and Implementation Checklist and Modules Operational Information Document (OID)).

The wireless carrier shall file with the Nebraska Telecommunications Infrastructure and Public Safety Department (Department), a copy of the original test validation worksheet (TVW) that is provided to the PSAP and notice regarding when testing will take place. The wireless carrier shall verify whether testing has been completed under the plan and shall identify any discrepancies and their resulting solutions by documenting the completion of testing with a letter to the PSAP, copying the Department, within seven (7) day of deployment. The notice shall note any outstanding issues that are still to be resolved by any party.

If a letter is not received from the wireless carrier to report completed testing and any issues experienced during testing prior to the allocation of funding for the next funding year, the cell site will not be considered when determining the allocation of funding for the wireless carrier with respect to the county in which the tower is located. Additionally, the Department may seek administrative penalties for failure to timely file the letter to report completed testing.

⁴ A "re-homed" cell site or sectors is one that is moved from one mobile switching center (MSC) to another.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the enhanced wireless 911 tower testing policy attached hereto as Appendix A is adopted.

MADE AND ENTERED at Lincoln, Nebraska, this 17th day of December, 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Tim Schram

Red Johnson

Gerald L. Vay

Anne Boyle
Chair

ATTEST:

Irene Meradith
Executive Director

//s//Anne C. Boyle
//s//Frank E. Landis