

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. C-5564/PI-250
Public Service Commission, on)
its own motion, to review and) ORDER OPENING INVESTIGATION,
consider modifications to the) SEEKING COMMENT, AND
Commission's service outage) SCHEDULING WORKSHOP
reporting requirements.)
) Entered: April 3, 2024

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 proceeding in order to review and consider modifications to the Commission's service outage reporting requirements.

Telecommunications carriers in Nebraska are subject to regulation by the Commission "to ensure the delivery of essential and emergency telecommunications service."¹ All certificated local exchange carriers in Nebraska are required to provide adequate access line service to their customers.² Each carrier must make all reasonable efforts to prevent interruptions of access line service.³ The Commission has previously opened two dockets for the purpose of developing and requirements and procedures for local exchange carriers to report service outages.⁴ Pursuant to those dockets, the Commission has put in place a service outage reporting requirements policy.⁵

¹ Neb. Rev. Stat. § 86-128(1)(a).

² 291 Neb. Admin. Code § 5-002.02A.

³ 291 Neb. Admin. Code § 5-002.03A.

⁴ See Commission Docket No. C-4946/PI-209, *In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate service outages and possible modification to the Commission's service outage reporting requirements*, Order (July 10, 2018); Commission Docket No. C-4272/PI-169, *In the Matter of the Nebraska Public Service Commission, on its own motion, to investigate practices related to network reliability and requirements governing notification for service interruptions*, Order (Oct. 1, 2013).

⁵ The current policy is available on the Commission's website at <https://psc.nebraska.gov/sites/psc.nebraska.gov/files/doc/Service%20Outage%20Reporting%20Requirements.pdf>.

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Outage reporting is essential to the Commission's ability to monitor the performance of local exchange carriers and ensure adequacy of service. However, the Commission has recently observed an increase in the number of significant and concerning outages, and in reports of cable cuts. The Commission has also received feedback that the requirements in its outage reporting policy are unclear and could be subject to multiple interpretations.

For those reasons, the Commission hereby opens the present docket for the purpose of reviewing its service outage reporting policy. The Commission has prepared a revised service outage reporting policy, attached hereto as Attachment A. The Commission seeks feedback from interested parties on this proposed policy.

W O R K S H O P

We further find that a workshop in this matter should be scheduled. The workshop will begin with a staff presentation of the current service outage policy and the changes proposed. The workshop will then turn to a collaborative discussion to address the following topics:

1. Whether the requirements of the policy should be clarified;
2. Whether carriers are able to comply with the requirements of the policy;
3. Whether the Commission is collecting all of the information necessary for it to assess quality of service;
4. Whether the outage reporting thresholds are sufficient to collect useful information;
5. Whether additional information should be collected when outages impact schools, malls, or other public areas where public safety might be impacted; and, if so, what the reporting thresholds and guidelines for this type of incident should be; and
6. Any additional steps the Commission may wish to take to minimize the frequency of outages and ensure accurate and timely reporting.

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A workshop is hereby scheduled on **Wednesday, May 29, 2024 at 1:30 p.m. Central Time** in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508, and via WebEx, available at <https://psc.nebraska.gov/stream>. If auxiliary aids or reasonable accommodations are needed for attendance at the workshop, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Nebraska Relay System at (800) 833-7352(TDD) or (800) 833-0920 (Voice). Advance notice of at least seven (7) days is needed when requesting an interpreter.

C O M M E N T S

The Commission finds that following the workshop in this matter, interested parties should be invited to submit written comments regarding the proposed revisions to the outage reporting policy. Attendees at the workshop may submit written comments in order to memorialize any position statements, offer testimony, or provide documentation for the Commission's consideration. Interested parties are specifically requested to submit comments as to whether the language of the policy is clear. If any changes are recommended, the Commission requests that parties describe the basis for those changes and provide supporting documentation if available.

Comments responsive to these topics may be submitted on or before **Friday, June 14, 2024 at 5:00 p.m. Central Time** by email service to psc.telecom@nebraska.gov.

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.

IT IS FURTHER ORDERED that a workshop will be held in this matter on **Wednesday, May 29, 2024 at 1:30 p.m. Central Time** in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508 and by videoconference as indicated above.

IT IS FURTHER ORDERED that comments responsive to this Order may be filed on or before **Friday, June 14, 2024 at 5:00 p.m. Central Time** by email service to psc.telecom@nebraska.gov.

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 3rd day of April, 2024.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:






Chair

ATTEST:


Executive Director

**Nebraska Public Service Commission
Service Outage Reporting Requirements**

1. Each local exchange carrier certificated in Nebraska (“company”) shall report to the Public Service Commission, orally or in writing, any service interruptions described below in subsection (5) within one hundred twenty (120) minutes of the company’s discovery of such interruptions. If the Commission is closed at the conclusion of the one hundred twenty (120) minute period and the interruption has not been reported, the company shall report the interruption within one hundred twenty (120) minutes of the Commission’s opening for business. In its initial report the company shall provide the following information:
 - (a) The date and time of the interruption;
 - (b) The geographic area affected;
 - (c) Cause of the outage and estimated restoration time, if known;
 - (d) Estimated number of working access lines affected by the outage; and
 - (e) A listing of any public safety answering points, government officials, other agencies, or news media notified of the outage.

2. If the interruption extends beyond three (3) days, interim reports containing the information required by subsection (1) shall be submitted to the Commission in writing on a daily basis beginning three (3) days from the start of the interruption. Such interim reports must include any relevant additional information obtained since the previous report was filed, and correct any errors in previously filed reports.

3. A final written report shall be submitted to the Commission within five (5) business days from the date of restoral of service. The final written report shall be submitted using forms prepared by the Commission and containing responses to all required fields. In the final report the company shall provide the following information:
 - (a) The date and time of the interruption;
 - (b) The geographic area affected;
 - (c) Actual restoration date and time;
 - (d) The name of the affected central office(s) along with the switch manufacturer(s);
 - (e) The type of equipment or facility involved with the outage if the outage is not central office related, including age of the equipment;
 - (f) If the outage was a result of a cable cut, identify:
 - i. The contractor doing the work (or general public if applicable)
 - ii. What type of lines were cut (copper or fiber)
 - iii. Were locates requested?
 1. Were locates completed?

2. If so, who performed the locates
 3. Were locates correct?
- (g) Number of working access lines affected;
- (h) Whether 911 services were impacted, and if so, to what extent;
- (i) The number of customer reports received related to the outage, if readily available;
- (j) Description of corrective action taken.

The Final Report must include any relevant additional information obtained since the previous report was filed, and must correct any errors in previously filed reports.

4. If the initial or interim written report contains the information required in subsection (3) and is marked as Initial or Interim and Final report, no subsequent report is required.
5. For the purposes of reporting under this rule, a service interruption is defined as one or more of the following:
 - (a) Any significant degradation in the ability of an end user to establish and maintain a channel of communications by use of a company or its affiliate's local exchange or long distance facilities, affecting service to one hundred or more of the company's working lines, for thirty minutes or longer;
 - (b) Complete loss of extended area service or toll trunk groups in a central office for thirty (30) minutes or longer;
 - (c) Any service outage of company operated 911 equipment or facilities that causes isolation of working lines in any exchange from 911 access for thirty minutes or longer;
 - (d) Any loss of service to airports, military facilities, schools, hospital facilities, public safety answering points, police stations, fire houses, civic centers, financial institutions, or large-scale shopping centers for thirty minutes or longer.

Service interruptions do not include planned and scheduled outages of a duration less than thirty (30) minutes, when notice has been provided to affected customers at least twenty-four (24) hours in advance of the planned and scheduled outage.

**Nebraska Public Service Commission
Service Outage Reporting Requirements**

1. Each [local exchange carrier certificated in Nebraska](#) (“company”) shall report to the Public Service Commission, orally or in writing, any service interruptions described below in subsection (5) within one hundred twenty (120) minutes of the company’s discovery of such interruptions. -If the Commission is closed at the conclusion of the one hundred twenty (120) minute period and the interruption has not been reported, the company shall report the interruption within one hundred twenty (120) minutes of the Commission’s opening for business. -In its initial report the company shall provide the following information:
 - (a) The date and time of the interruption;
 - (b) The geographic area affected;
 - (c) Cause of the outage and estimated restoration time, if known;
 - (d) [Estimated number of working access lines affected by the outage; and](#)
 - ~~(d)~~(e) [A listing of any public safety answering points, government officials, other agencies, or news media notified of the outage.](#)

2. If the interruption extends beyond ~~five (5)~~[three \(3\)](#) days, interim reports containing the information required by subsection (1) shall be submitted to the Commission [in writing every five \(5\) day on a daily basis](#) beginning ~~three (3)~~[five \(5\)](#) days from the start of the interruption. [Such interim reports must include any relevant additional information obtained since the previous report was filed, and correct any errors in previously filed reports.](#)

3. A final written report shall be submitted to the Commission within ~~fourteen (14)~~[five \(5\)](#) [business](#) days from the date of restoral of service. [The final written report shall be submitted using forms prepared by the Commission and containing responses to all required fields.](#) - In the final report the company shall provide the following information:
 - (a) The date and time of the interruption;
 - (b) The geographic area affected;
 - (c) Actual restoration date and time;
 - (d) The name of the affected central office(s) along with the switch manufacturer(s);
 - (e) The type of equipment or facility involved with the outage if the outage is not central office related, including age of the equipment;
 - (f) If the outage was a result of a cable cut, identify:
 - i. The contractor doing the work (or general public if applicable)
 - ii. What type of lines were cut (copper or fiber)
 - iii. Were locates requested?

1. Were locates completed?
2. If so, who performed the locates
3. Were locates correct?

(g) Number of working access lines affected;

~~(g)~~(h) Whether 911 services were impacted, and if so, to what extent;

~~(h)~~(i) The number of customer reports received related to the outage, if readily available;

~~(i)~~(j) Description of corrective action taken.

The Final Report must include any relevant additional information obtained since the previous report was filed, and must correct any errors in previously filed reports.

4. If the initial or interim written report contains the information required in subsection (3) and is marked as Initial or Interim and Final report, no subsequent report is required.
5. For the purposes of reporting under this rule, a service interruption is defined as one or more of the following:

(a) Any significant degradation in the ability of an end user to establish and maintain a channel of communications by use of a company or its affiliate's local exchange or long distance facilities, affecting service to one hundred or more of the company's working lines, for thirty minutes or longer;

(b) Complete loss of extended area service or toll trunk groups in a central office for thirty (30) minutes or longer;

(c) Any service outage of company operated 911 equipment or facilities that causes isolation of working lines in any exchange from 911 access for thirty minutes or longer;

(d) Any loss of service to airports, military facilities, schools, hospital facilities, public safety answering points, police stations, fire houses, civic centers, financial institutions, or large-scale shopping centers for thirty minutes or longer.

~~(a) Any service outage of a company's (LEC's) intraLATA long distance facilities for more than thirty (30) minutes.~~

~~(b) A service outage for thirty (30) minutes or longer affecting an exchange or five hundred (500) working lines in any NXX per central office excluding planned and scheduled outages under thirty (30) minutes.~~

~~(c) Complete loss of EAS or toll trunk groups in a central office for thirty (30) minutes or longer.~~

~~(d) Loss of local distribution facilities affecting service to one hundred (100) or more of the working lines in an exchange for thirty (30) minutes or longer.~~

~~(e) Any service outage of company operated 911 equipment or facilities which causes isolation of working lines in any exchange from 911 access for thirty (30) minutes or longer.~~

~~(f) The loss of service to airports, military facilities, or hospital facilities affecting public safety.~~

Service interruptions do not include planned and scheduled outages of a duration less than thirty (30) minutes, when notice has been provided to affected customers at least twenty-four (24) hours in advance of the planned and scheduled outage.