

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2417
of the Commission, on its own)
motion, to seek comment on) ORDER IMPLEMENTING 711
the establishment and) ACCESS TO TRS
implementation of "711" as a)
statewide three digit calling)
number reserved for access to)
telecommunication relay services) Entered: January 9, 2001
(TRS).

BY THE COMMISSION:

In response to the Federal Communications Commission (FCC) release in its *Second Report and Order* in CC Docket No. 92-105, *In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements* (Hereinafter, the FCC order), this Commission opened this docket to examine issues related to the implementation of three-digit, 711, dialing for access to all telecommunication relay services (TRS). The FCC order further established a October 1, 2001 deadline for all telecommunications carriers, including wireline, wireless, PBX and payphone providers.

In addition to opening this docket, the Commission held a workshop on 711 implementation issues on November 1, 2000. The Commission directed that public comments should be invited on five preliminary conclusions issued on November 8, 2000. Those preliminary conclusions were:

1. Telecommunications providers must continue to send the same call information as already provided including the calling party's automatic number identification (ANI); the correct information digits for originating number restrictions; and, the DNIS (the established 888 toll-free number assigned for 711 calls as established by Hamilton Telecommunications). The toll number will be provided to local exchange carriers upon request.
2. The Commission should tentatively set June 1, 2001, as the deadline for compliance with 711 routing for all non-wireless carriers including PBX and payphone providers in Nebraska.
3. The Commission recognizes October 1, 2001, is the mandatory deadline set by the FCC for all carriers to comply with 711 routing nationally.
4. The Commission encourages wireless carriers to implement 711 routing by the June 1, 2001, deadline but recognizes that the mandatory date of October 1, 2001, may be the more practicable

deadline should the wireless providers use a national implementation plan.

5. The Commission finds that there may be payphones currently providing service in the state that are unable to meet the technical requirements for 711 access to TRS. The Commission encourages those carriers utilizing such payphones to petition the FCC for a waiver or modification of the order's requirements relative to certain payphone technology.

Two parties, Qwest Corporation (Qwest) and the subsidiaries of Aliant Communications, d/b/a ALLTEL (ALLTEL), submitted comments on the Commission's preliminary conclusions.

Qwest made a specific request that the Commission delay its deadline for compliance with 711 routing for all non-wireless carriers, including PBX and payphone providers, from June 1, 2001, to June 30, 2001. The request for the deadline change was to allow Qwest more time to efficiently make the system changes. We find that Qwest's request should be granted with one slight modification. Since June 30, 2001, falls on a Saturday, we find that the deadline for compliance with 711 routing for all non-wireless carriers should be Friday, June 29, 2001.

Qwest further comments that it has not determined what costs will be associated with the deployment of 711 access. Qwest states that no decision has been made regarding the method for the recovery of any costs. We address the cost recovery issues below.

Finally, Qwest comments that it agrees with the Commission decision to set the deadline for 711 access for wireless carriers as October 1, 2001, and further states that it does not anticipate any network issues which will prevent 711 access by payphones.

ALLTEL acknowledges that the June 1, 2001, deadline allows for "adequate time for network implementation and testing, notification, and education of customers, and training of customer service representatives."

ALLTEL further comments that the October 1, 2001, deadline for 711 routing by wireless carriers is "reasonable and achievable." The deadline, they comment, allows ample time for implementation and testing.

The comments from ALLTEL do relay concerns over certain cost issues. ALLTEL, citing costs of customer notification and education, asks the Commission "for flexibility" in its decisions on recovery of these associated costs.

We recognize that there will be significant customer notification and education issues. Hamilton Telecommunications, the relay service provider for the state of Nebraska, intends to continue their TRS customer outreach programs and to use these outreach programs to educate the public on the availability of 711 access in conjunction with the various deadlines established by this Commission. These programs include their presence at conventions with appropriate informational flyers, magnets and brochures; meetings with community service organizations; presentations at schools; town hall meetings; and individual consultations with businesses and business leaders.

Hamilton will develop a customer notification letter, a bill insert that describes 711 access to TRS and also provide to telephone companies a sample telephone directory page that contains information about 711 service. Hamilton will absorb the costs for production of these items, including layout, copy and design. Telephone companies and directory publishers must bear the cost of reproduction of these items. Hamilton will also make available for reproduction, flyers and brochures that telephone companies will be encouraged to make available to subscribers at the companies' customer service locations.

Finally, Hamilton will develop stickers for use on payphones which will inform users that 711 access to TRS is available. Again, it will be up to the telephone companies to reproduce, distribute, display and maintain these stickers on pay phones.

Given these outreach programs, the Commission strongly encourages telephone companies to take advantage of the materials developed to inform their customers on the upcoming implementation of 711 TRS access. The Commission will be issuing public statements and press releases regarding these changes at the appropriate times.

We find the FCC order vague regarding cost recovery. It is our preliminary belief that individual carrier costs for 711 access will not be significant. If, however, significant costs are demonstrated, the Commission will address those costs in a future proceeding. We believe that the TRS fund is the legitimate source for reimbursement of demonstrated costs; therefore, reasonable costs will be reimbursed from the TRS fund. If significant costs are identified by a carrier, this Commission will, upon application, review and approve those applications and make proper reimbursement.

We finally reach the concerns of those companies that own and operate payphones that may not be able, for technical reasons, to meet the implementation date for 711 access to TRS services. These companies have asked for some relief from the Commission's guidelines and deadlines. We

cannot grant a waiver of an FCC order without a specific grant of authority to do so. We encourage those providers to seek a waiver from the FCC. Further, the Commission finds that it should support these specific and limited waiver requests and will, upon request, send a letter supporting the waiver request to the FCC.

O R D E R

IT IS THEREFORE ORDERED that the deadline for implementing 711 access to TRS for all non-wireless carriers, including PBX and payphone providers should be, and is hereby, established to be midnight Friday, June 29, 2001.

IT IS FURTHER ORDERED that all other preliminary conclusions in our prior order of November 8, 2000, and discussed earlier in this order should be, and are, hereby adopted as final conclusions.

MADE AND ENTERED in Lincoln, Nebraska on this 9th day of January, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director