

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,	)	Application No.C-3479/
on it's own motion, to seek	)	PI-107
comment on the establishment and	)	
implementation of "811" as a	)	ORDER INITIATING
statewide three digit calling	)	INVESTIGATION AND SEEKING
number reserved for access to	)	COMMENT
the Nebraska One-Call	)	
Notification System.	)	Entered: September 13, 2005

BY THE COMMISSION:

On March 14 2005, the Federal Communications Commission (FCC) released its Sixth Report and Order in CC Docket 92-105, "The Use of N11 Codes and Other Abbreviated Dialing Arrangements". The FCC order specifically -

- Requires One Call Centers to notify carriers of the toll-free number or local number the One Call Center uses in order to ensure that callers do not incur toll changes.
- Allows carriers to use either the Numbering Plan Area (NPA)-NXX or the originating switch to determine the appropriate One Call Center to which a call should be routed.
- Requires the use of 811 as the national abbreviated dialing code for providing advanced notice of excavation activities to underground facility operators.
- Delegates authority to the states, to address the technical and operational issues associated with the implementation of the 811 code.

The Nebraska Legislature established the One-Call Notification System Act, which is codified at Neb. Rev. Stat. § 76-2301 through 76-2330 (Reissue 2003)(the One-Call Act). The requirements of the One-Call Act have been implemented with the establishment of the Diggers Hotline of Nebraska, which is operated by a board of directors and certified by the Nebraska State Fire Marshall.

The FCC's Sixth Report and Order at paragraph 20 delegated ". . . authority to the state commissions, pursuant to section 251(e), to address the technical and operational issues associated with the implementation of 811."

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

The Commission believes a task force representing appropriate segments of the industry can best achieve an examination and resolution of implementations issues. Some members of the industry and other experts in this area have already expressed an interest to serve on this task force. Other interested persons are welcome to send a letter to the Commission asking to be considered to serve on this task force. Letters of interest must be filed with the Commission on or before October 13, 2005.

The Commission seeks comment on the following questions.

1. In translating calls dialed as 811 [Diggers Hotline (402) 344-3565 if a local call or (800) 331-5666 if toll] how should a wireless call received by a tower located out of state, for location service in Nebraska, be handled? How should misdialed calls to 911 be handled?
2. To be effective the public will need to be educated on the use of 811 to reach the Diggers Hotline. Such education could be provided through use of billing inserts, directory listings, media campaigns, and One Call literature. What other means of educating the public should be used?
3. How long will it take for Nebraska phone companies to make the necessary changes to their phone books?
4. How long will it take for Nebraska phone companies to provide their consumers with education regarding the new 811 access to the One Call notification system? Will the PSC be involved in this information campaign?
5. The FCC has set the time limit for implementation of 811 as a state One Call notification system at two years from the publication of the order in the Federal Register (which will be April 13, 2007). What is a reasonable time frame to implement 811 in Nebraska?
6. Is the 811 code presently being used anywhere in Nebraska for any other purpose? If so, how long will the current user need to discontinue such use of 811?
7. The FCC defers to the expertise of the carriers and the states to determine and develop the most appropriate technological means of implementing 811 access to the One Call notification system as dictated by their particular network architectures. What is the most

appropriate technological means to implement this system in Nebraska?

Comments on these questions should be filed with the Commission on or before October 28, 2005. Persons filing comments should file five (5) paper copies along with one (1) electronic copy in Word or WordPerfect format.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that an investigation into the implementation of 811 as the national abbreviated dialing code to be used for access to the state One Call notification system be conducted.

IT IS FURTHER ORDERED that interested parties provide comment on the makeup of the 811 Task Force as provided herein.

IT IS FINALLY ORDERED that interested parties provide comment on the questions raised in this investigation and other issues that may require investigation relating to the implementation of 811.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of September, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director