

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska        ) Application No. C-4272/PI-169  
Public Service Commission, on        )  
its own motion, to investigate        )  
practices related to network         ) ORDER  
reliability and requirements         )  
governing notification for            )  
service interruptions.                 ) Entered: October 1, 2013

BY THE COMMISSION:

The Nebraska Public Service Commission (Commission) opened this investigation on its own motion to investigate practices related to network reliability and standards governing telephone service interruptions. Telecommunications carriers in Nebraska are subject to regulation by the Commission "to ensure the delivery of essential and emergency telecommunications service."<sup>1</sup> According to the Commission's rules, telecommunications carriers are under a general obligation to take "all reasonable efforts to prevent interruptions of access line service."<sup>2</sup>

The purpose of the proceeding was to determine whether sufficient network reliability and diversity existed to prevent or minimize service disruptions and to ensure accurate and timely information regarding outages was provided to the Commission.

The Commission held a technical workshop with industry participants on July 13, 2010. Written comments were also accepted. Qwest Corporation filed written comments. On March 15, 2011, the Commission issued an order seeking additional comments. Comments were filed by Cox Nebraska Telcom, LLC (Cox), Windstream, the Rural Independent Companies (RIC), United Company of the West d/b/a CenturyLink and Qwest Corporation (CenturyLink), and Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska (Frontier).

*Network Reliability*

The Commission sought further comment on whether companies had sufficient paths and equipment for redundancy and diversity. Most commenters reported that they were constantly investing in their networks and continually reviewing network design and performance. Some commenters provided specific examples of network improvements being made. RIC commented there were various degrees of redundancy and diversity throughout RIC networks. The level of diversity was based upon a balancing of

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<sup>1</sup> See Neb. Rev. Stat. § 86-128 (2008).

<sup>2</sup> Neb. Admin. Code Title 291, Chapt. 5, § 002.03A.

the specific factual situation for that exchange, the cost considerations, and the subscriber benefit that would result from additional route diversity. In addition, RIC commented that it experienced weaknesses in reliability in terminating long distance calls.

Upon consideration of the comments filed in this proceeding, the Commission is of the opinion and finds that although there may be a need for additional diversity and redundancy in some areas, this investigation should be closed. The Commission will continue to monitor network quality issues to ensure that carriers are appropriately using all reasonable efforts to prevent interruptions of access line service but will do so informally and on a case-specific basis when service interruptions occur.

With respect to RIC's comments about reliability in terminating long distance calls, the Commission recently addressed this issue, in part, through its call completion rules. Those rules were adopted and made effective on September 2, 2013. The Commission will also continue to work with carriers, industry organizations, and the FCC to ensure the reliability of long distance communications.

#### *Reporting:*

The Commission also sought comments on changing the reporting requirements for outages. The current requirements list notice by facsimile or hand delivery as notification options but do not take into account the ability to file initial reports electronically by email. The Commission sought comment on revising these requirements so that notice can be provided to the Commission more efficiently and effectively. The Commission finds that electronic mail should be used to notify the Commission of service interruptions. The Communications Department has requested carriers to incorporate electronic communication into their notification process so that the Commission can assist consumers more quickly when an outage has occurred. The Commission finds that electronic notification should be provided to the Commission as soon as practicable in accordance with the requirements of Neb. Admin. Code Title 291, Chapter 5, § 002.03, when a network outage has occurred.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the findings and opinions set for the above be and they are hereby adopted.

IT IS FURTHER ORDERED that the above-captioned investigation shall be and it is hereby closed.

MADE AND ENTERED at Lincoln, Nebraska, this 1st day of October, 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

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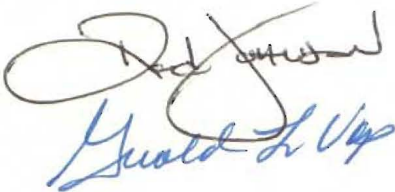
COMMISSIONERS CONCURRING:



Chair



ATTEST:



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

  
Executive Director