

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 SEEKING FURTHER COMMENT
reliability and requirements)
governing notification for)
service interruptions.) Entered: March 15, 2011

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."¹ 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."²

The purpose of this proceeding is twofold. First, the Commission seeks assurance from the industry that sufficient network reliability and diversity exists to prevent or minimize service disruptions. Second, in the event of a service disruption, the Commission needs accurate and timely information regarding the status of communications services in the affected area so that the Commission and providers can properly inform the public.

The Commission held a technical workshop with industry participants on July 13, 2010. Written comments were also accepted. Qwest Corporation filed written comments. No other entity filed comments; however a number of providers were represented at the workshop and discussed best practices and emergency back-up plans.

Network Reliability

The Commission seeks further comment on whether companies have sufficient paths and equipment for redundancy and diversity. In particular, the Commission seeks information on what infrastructure improvement projects are currently being planned or implemented in the state. Such information can be provided to the Commission through a confidential response. Carriers providing information should discuss how these projects will enhance network reliability or redundancy.

¹ See *Neb. Rev. Stat.* § 86-128 (2008).

² *Neb. Admin. Code* Title 291, Chapt. 5, § 002.03A.

In addition, the Commission seeks comments from carriers who have experienced any weaknesses in the reliability or redundancy through the use of another provider's network. If there is a lack of reliability or redundancy has it been reported to the underlying carrier? Has there been an adequate response to your report? How is the lack of reliability or redundancy being addressed to insure your company can provide quality service to your customers?

Reporting:

Under the current reporting requirements companies must identify the geographic area, cause of outage, number of affected lines and the estimated restoration time. Recently, although consumer-affecting outages have occurred, notification to first responders, competing carriers, the public, and appropriate governmental entities like the Commission was lacking. Although information regarding the impact on 911 services should be included, such information is not always specifically provided by the carriers.

In order to strengthen and clarify the Commission's network outage reporting requirements we seek comment on definitional standards, reporting standards and the methods by which notification must be made to the Commission. To that end, we seek comments on the following:

What is the definition of a network "service outage"? Should this be defined only in terms of service disruptions experienced by end user consumers? Should this also include network disruptions which affect other carriers? Should the Commission develop a more specific definition in this regard? If so, commenters are invited to offer proposed definitions to the Commission for consideration.

The Commission currently requires the provider to report the number of lines affected by the outage. Based on review of reports historically, it appears that the number of lines reported in these reports have been underestimations. We seek comment on how to obtain a more accurate report of the number of lines affected by an outage which could impact service provided to wireless service providers, other wireline competitive carriers, business customers, broadband connections, etc.

We seek comment on changing the reporting requirements so that outages affecting 911 services must be more specifically described. In addition, we seek comment on the process used by the industry to notify first responders and Public Safety

Answering Points (PSAPS) of outages which may disrupt or impair customer access to 911 services.

We also seek comment on the process used by the industry to notify other carriers of an outage which may disrupt or impair wholesale network access, switching or signaling. Should the Commission adopt any requirements with respect to carrier-to-carrier notification?

In addition, we seek comment on whether the details required to be provided in the notice should be modified. For example, should we require the carriers to inform the Commission about their steps to notify PSAPS, media outlets and the public? Should we require carriers to provide information on remedial actions taken to prevent or minimize disruptions going forward?

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. Electronic mail will make it possible for communication providers to notify the Commission more promptly and easily. This, in turn, could facilitate a faster reaction by the Commission in the event of a serious outage. We seek comment on revising these requirements so that notice can be provided to the Commission more efficiently and effectively.

Comments responsive to these issues or which are otherwise germane to this investigation may be filed on or before April 22, 2011. Commenting parties must file one (1) paper copy and one (1) electronic copy of their comments with the Commission. Electronic comments may be submitted to deena.ackerman@nebraska.gov. Public comments filed will be posted on the Commission's website. Commenting parties filing confidential information should clearly mark any confidential pages or material.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that further comments responsive to the issues raised above or which are otherwise germane to this proceeding may be filed on or before April 22, 2011.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of
March, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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MADE AND ENTERED at Lincoln, Nebraska, this 15th day of March, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Aune Boyle
Harold J. Voss

//s// Frank E. Landis
//s// Tim Schram

Tim Schram

Chairman

ATTEST:

Michelle S. [Signature]

Executive Director