

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. C-4892  
Public Service Commission, on )  
its own Motion, to conduct an )  
inquiry into failure of ) ORDER INITIATING SHOW CAUSE  
CenturyLink to comply with its ) AND SETTING HEARING  
September 20, 2016 Order and )  
requiring it to Show Cause why )  
the Commission should not impose )  
administrative penalties. ) Entered: February 7, 2017

BY THE COMMISSION:

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

The Commission hereby initiates this Show Cause Order to require Qwest Corporation d/b/a CenturyLink QC (CenturyLink) to demonstrate why it failed to timely comply with the requirements set forth in its September 20, 2016 Order. CenturyLink is subject to the Commission's jurisdiction as an incumbent local exchange carrier authorized to provide telecommunications services in the State of Nebraska.

On September 9, 2015, in Docket C-4787/911-063/PI-198 (C-4787), the Nebraska Public Service Commission (Commission) opened an investigation into the September 1, 2015, 911 emergency telecommunications service outage experienced in eastern Nebraska. The Commission posed a series of questions to determine the cause and scope of the outage and the impact on access to emergency communications. At base, the Commission concluded that the outage was caused by a cut on a CenturyLink fiber line that provided 911 service to wireless carriers' customers. The fiber cut was the result of an incorrect locate requested via the One-Call notification system by contractors for Cox Nebraska Telecom, LLC.

On September 20, 2016, the Commission closed the investigation in Docket C-4787 and ordered CenturyLink to test its redundant networks to ensure that they are properly configured and provide the Commission with a notice of completion within ninety (90) days from the date of its Order. In a letter addressed to the Director of the Communications Department on December 16, 2016, CenturyLink stated that it could not test its redundant networks as required by the Commission's Order as such testing would cause customers on that cable to be out of service for the duration of the test. CenturyLink stated it has complied with the FCC's audit standards which require annual review of their 911 networks, including physical diversity of the network and backup power capacity of central offices that serve PSAPs or host selective

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-4892

Page 2

routers.<sup>1</sup> No motion or request was filed by CenturyLink for the Commission's determination.

All local exchange carriers are required to provide adequate access line service.<sup>2</sup> In determining whether the access line service provided by an exchange carrier is adequate, the Commission's consideration shall include but shall not be limited to, the adequacy of the carrier's plant and equipment, and the number and nature of service interruptions.<sup>3</sup> In addition, each carrier shall employ appropriate engineering and administrative procedures to determine the adequacy of service being provided to its customers.<sup>4</sup> Each carrier must also continually review its operations to assure that the access line service provided is adequate.<sup>5</sup> To that end, the Commission also requires each carrier to adopt and pursue an adequate maintenance program, which includes provision for periodic tests, inspections and preventative maintenance for the purpose of insuring rendition of adequate service at all times.<sup>6</sup>

The Commission initiates this Show Cause Order to require CenturyLink to demonstrate why it failed to timely comply with the requirements set forth in its September 20, 2016 Order. CenturyLink must further demonstrate why it cannot test its redundant circuits as directed by the Commission. The Commission further orders CenturyLink to produce its maintenance plan and any and all records kept relevant to the testing and inspection of its circuits in the affected exchange pursuant to § 002.08A of the Commission's Rules on or before **February 28, 2017**. The Commission hereby sets the matter for hearing on **March 28, 2017**, at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920

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<sup>1</sup> CenturyLink noted, however, that the trunk involved in the September 1, 2015, 911 Outage was not a critical 911 circuit and was outside the scope of the FCC audit.

<sup>2</sup> Neb. Admin. Code Title 291, Chapter 5, § 2.02A.

<sup>3</sup> *Id.*

<sup>4</sup> Neb. Admin. Code Title 291, Chapter 5, § 002.02D.

<sup>5</sup> Neb. Admin. Code Title 291, Chapter 5, § 002.02H.

<sup>6</sup> Neb. Admin. Code Title 291, Chapter 5, § 002.08A.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-4892

Page 3

(Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned Show Cause Order be initiated and CenturyLink be ordered to Show Cause why it should not be assessed administrative penalties for its failure to comply with the Commission's September 20, 2016 Order.

IT IS FURTHER ORDERED that CenturyLink produce any and all maintenance plans and records kept pursuant to Neb. Admin. Code Title 291, Chapter 5 § 002.085A in the affected exchange on or before **February 28, 2017**.

IT IS FURTHER ORDERED that a Hearing shall be held on **March 28, 2017**, at 1:30 p.m. in the Commission Hearing Room, 300 The Atrium Building, 1200 N Street, Lincoln, Nebraska 68508.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 7th day of February, 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Piddis*  
*Crystal Guadalupe*  
*Dee Jones*

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

*Tim Schram*  
Chairman

ATTEST:

*Jeffrey L. Puley*  
Executive Director