

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 1, 2003

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUC-2003-00103

Ex Parte: In the matter of  
establishing rules governing  
the provision of enhanced 911  
service by local exchange carriers

ORDER FOR NOTICE AND COMMENT OR REQUESTS FOR HEARING

Enhanced 911 ("E-911") is the telephone emergency access service that is critically important to the safety and health of many Virginia citizens.<sup>1</sup> The reliability of E-911 service and the accuracy of the customer database information is essential to protecting public safety and health. Recent informal complaints to the State Corporation Commission ("Commission") from Public Safety Answering Point ("PSAP") administrators and local governments regarding quality and billing issues related to providing E-911 service prompted the Commission's Division of Communications to draft "Rules Governing Enhanced 911 Service" ("Proposed Rules") that seek to bring additional reliability and

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<sup>1</sup> E-911 is a service consisting of telephone network features and Public Safety Answering Points ("PSAPs") provided to users of telephone systems enabling such users to reach a PSAP by dialing the digits "9-1-1." Such service automatically directs 911 telephone calls to the appropriate PSAP by selective routing based on the geographical location from which the emergency call originates and provides the capability for automatic number identification ("ANI") and automatic location identification ("ALI"). (Section 56-484.12 of the Code of Virginia.)

accountability to the provisioning of E-911 service. The Staff's Proposed Rules are attached as Attachment A.

In part, the Staff proposes rules in Attachment A that address E-911 database reliability issues and require a Local Exchange Carrier ("LEC") to: provide adequate and accurate customer information to the PSAP; submit database changes to the E-911 database provider within 24 hours of notification of the change; correct, or cause to be corrected, any incorrect ALI record within 24 hours of notification by the PSAP; exclude from the E-911 database those telephone numbers not capable of accessing E-911 service; temporarily maintain residential access to E-911 service during the suspension of local service for non-payment; and communicate to a PSAP such information that will assist the PSAP in ordering E-911 service consistent with an industry standard grade of service. The Staff also proposes rules that require a LEC to provide billing detail to each PSAP sufficient to identify the number of access lines served by the LEC in that PSAP's territory.

The Commission's Division of Information Resources is directed to forward the Proposed Rules to the Registrar of Virginia for publication in the Virginia Register of Regulations and to make the Proposed Rules available on the Commission's website. Interested persons should be permitted to comment on,

propose modifications or supplements to, or request a hearing on the Proposed Rules.

In addition, the Commission requests comments from interested parties on the following questions:

1. What are the relevant and necessary components that constitute intrastate regulated E-911 service as they are currently provisioned?
2. How should localities be precluded from being assessed duplicate charges for intrastate regulated E-911 service?
3. For purposes of PSAP billing, how should E-911 accessible lines be counted (i.e., thousand blocks, hundred blocks, or other), and by whom?

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUC-2003-00103.

(2) The Commission's Division of Information Resources shall forward the Proposed Rules to the Registrar of Virginia for publication in the Virginia Register of Regulations.

(3) On or before August 25, 2003, the Commission's Division of Information Resources shall make a downloadable version of the Proposed Rules available for access by the public at the Commission's website,

<http://www.state.va.us/scc/caseinfo.htm>. The Clerk of the Commission shall make a copy of the Proposed Rules available for public inspection and provide a copy of the Proposed Rules, free of charge, in response to any written request.

(4) Interested persons wishing to comment on, propose modifications or supplements to, or request a hearing on the Proposed Rules shall file an original and fifteen (15) copies of such comments, proposals, or requests with the Clerk of the Commission, State Corporation Commission, P.O. Box 2118, Richmond, Virginia 23218, on or before September 26, 2003, making reference to Case No. PUC-2003-00103. Interested persons desiring to submit comments electronically may do so by following the instructions found on the Commission's website, <http://www.state.va.us/scc/caseinfo/notice.htm>.

(5) On or before August 25, 2003, the Commission's Division of Information Resources shall publish the following notice as classified advertising in newspapers of general circulation throughout the Commonwealth of Virginia.

NOTICE TO THE PUBLIC OF A PROCEEDING TO  
ADOPT RULES GOVERNING THE PROVISION OF  
E-911 SERVICE BY LOCAL TELEPHONE COMPANIES  
CASE NO. PUC-2003-00103

Recognizing that Enhanced 911 ("E-911") service is of critical importance to the health and safety of the citizens of Virginia, the State Corporation Commission ("Commission") now proposes rules ("Proposed Rules") establishing specific duties for local exchange carriers ("LECs") to follow when providing E-911 service.

Interested parties may obtain a copy of the Proposed Rules by visiting the Commission's website, <http://www.state.va.us/scc/caseinfo.htm>, or by requesting a copy from the Clerk of the

Commission. The Clerk's office will provide a copy of the Proposed Rules to any interested party, free of charge, in response to any written request. The Proposed Rules have been forwarded to the Office of the Registrar of Virginia for publication in the Virginia Register of Regulations.

Any person desiring to comment in writing or request a hearing on the Proposed Rules may do so by directing such comments or requests for hearing on or before September 26, 2003, to the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Interested persons desiring to submit comments electronically may do so by following the instructions found on the Commission's website, <http://www.state.va.us/scc/caseinfo.htm>. Comments and requests for hearing must refer to Case No. PUC-2003-00103. Requests for hearing shall state with specificity why such concerns cannot be adequately addressed in written comments.

VIRGINIA STATE CORPORATION COMMISSION

(6) This matter is continued for further orders of the Commission.

STATE CORPORATION COMMISSION  
Division of Communications

CHAPTER 425.

RULES GOVERNING ENHANCED 9-1-1 ("E-911") SERVICE.

20 VAC 5-425-10. Definitions.

The words and terms in § 56-484.12 of the Code of Virginia shall have application to this chapter. In addition, the following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Automatic location identification" ("ALI") means the feature by which the name, address, and supplemental emergency service information associated with the calling party's telephone number are forwarded to the Public Safety Answering Point ("PSAP") for automatic display on the PSAP terminal equipment.

"Automatic number identification" ("ANI") is a feature by which the calling party's telephone number associated with the access line is forwarded to the PSAP for display on the 911 terminal.

"Average busy hour" means the one-hour period during the week statistically shown over time to be the hour in which the most telephone calls are received.

"Competitive local exchange carrier" ("CLEC") means an entity, other than a locality, certificated to provide local exchange telecommunications services in Virginia after January 1, 1996, pursuant to § 56-265.4:4 of the Code of Virginia. An incumbent local exchange carrier shall be considered a CLEC in any territory that is outside the territory it was certificated to serve as of December 31, 1995, for which it obtains a certificate to provide local exchange telecommunications services on or after January 1, 1996.

"Database error" means an error caused by a Local Exchange Carrier ("LEC") that affects the ability of a PSAP to route correctly emergency services.

"E-911 ALI database" means the set of ALI records residing on a computer system.

"E-911 service" means the tariffed services purchased by a jurisdiction for the purpose of processing E-911 calls.

"Foreign central office service" means local exchange telecommunications services that are furnished from one central office to a location typically served by another central office.

"Foreign exchange service" means local exchange telecommunications services that are furnished from one exchange to a location typically served by another exchange.

"Incumbent local exchange carrier" or "incumbent" ("ILEC") means a public service company providing local exchange telecommunications services in Virginia on December 31, 1995, pursuant to a certificate of public convenience and necessity, or the successors to any such company.

"Local exchange carrier" ("LEC") means a certificated provider of local exchange telecommunications services, whether an incumbent or a new entrant.

"Local exchange telecommunications services" means local exchange telephone service as defined by § 56-1 of the Code of Virginia.

"Locality" means a city, town, or county that operates an electric distribution system in Virginia.

"Municipal local exchange carrier" ("MLEC") means a locality certificated to provide local exchange telecommunications services pursuant to § 56-265.4:4 of the Code of Virginia.

"Network access line" ("NAL") means a customer dial tone line, or its equivalent, which provides access to the public switched network.

"New entrant" means a CLEC or an MLEC.

"P.01 grade of service" means a standard of service quality reflecting the probability that no more than one call out of 100 during the average busy hour will be blocked.

"Public safety answering point" ("PSAP") means a facility that has been designated to receive 911 calls and route them to emergency services personnel.

"Staff" means the commission's Division of Communications and associated personnel.

"Trunk" means a communication line between two switching systems.

20 VAC 5-425-20. General provisions.

A. A LEC shall:

1. Provide access to E-911 service on all NALs where applicable;

2. Provide each relevant PSAP with a means for immediate access to personnel to assist in obtaining E-911 record related information on a 24-hour basis, 365 days a year. Any changes to this contact information shall be communicated in writing to affected PSAPs within five business days;

3. Provide LEC identification information on each ALI record submitted to the E-911 ALI database;

4. Provide customer ALI information such that the E-911 ALI database error rate is no greater than 1.0%. The ALI database error rate shall be calculated by dividing the number of incorrect ALI records returned from PSAPs to a serving LEC by the number of ALI records submitted by a LEC, on a company-wide basis, during any given quarter. Deviations from this standard shall be reported in writing to the staff no later than the last business day of the month following the end of each quarter. A corrective action plan may be required when appropriate as determined by the staff;

5. Submit all E-911 ALI database affecting changes to the E-911 ALI database provider within 24 hours of the notice of the change, excluding holidays and weekends;

6. Correct, or cause to be corrected, any ALI record within 24 hours of notification from a PSAP, excluding holidays and weekends;

7. Exclude from the E-911 ALI database telephone numbers not capable of accessing E-911 services;

8. Provide the ANI and ALI for non-published and non-listed telephone numbers in the normal database entry process. This provision does not apply to any telephone number excluded by government mandate;

9. Provide customer ALI information relating to an E-911 emergency immediately upon the verbal request of a verified authorized agent of the PSAP;

10. Advise customers applying for foreign exchange or foreign central office service of the potential for problems reaching the appropriate PSAP;

11. Maintain access to E-911 service during any period of temporary suspension for the non-payment of residential local exchange telecommunications services for a period of not less than seven calendar days from the date of temporary suspension, where practicable; and

12. Render to each PSAP, on an annual basis, at no charge, where it provides ALI database services, billing detail sufficient to identify the number of access lines associated with each LEC in that PSAP's territory.

B. A new entrant shall notify each relevant PSAP at least 30 days prior to the commencement or discontinuance of local exchange telecommunications services.

20 VAC 5-425-30. Rates and tariffs.

A. A new entrant's rates for any E-911 service shall be no higher than the lowest applicable rates established by the ILEC or ILECs serving the geographic area of the relevant PSAP.

B. A LEC shall input or cause to be input E-911 ALI database information as part of the general cost of providing local exchange telecommunications services.

C. A LEC shall structure its tariffed E-911 services to preclude a PSAP from purchasing duplicate services.

20 VAC 5-425-40. Provisioning.

A LEC providing E-911 services shall:

1. Design, construct, maintain, and operate its facilities to provide E-911 services on an uninterrupted basis;

2. Determine wireline E-911 service requirements in consultation with the relevant PSAP. These requirements shall be communicated to the PSAP prior to implementation and shall include detail sufficient to allow the PSAP to order E-911 service consistent with a P.01 grade of service; and

3. Provide E-911 service consistent with a P.01 grade of service. Performance below this standard for three consecutive months, and a detailed explanation of such, shall be reported in writing to the PSAP and to the staff no later than the last business day of the month following the end of a quarter.