

Minnesota Public Utilities Commission

Staff Briefing Paper

Meeting Date: February 2, 2017 *Agenda Item # 6

Companies: Charter Fiberlink CCO & Charter Fiberlink CC VIII

Docket No. PUC Docket Number: P-6716/EP-16-757
In the Matter of the Annual Update of the 911 Plan of Charter Fiberlink CCO

PUC Docket Number: P-5615/EP-16-758
In the Matter of the Annual Update of the 911 Plan of Charter Fiberlink CC VIII

Issues: Should the Commission approve the Companies' 911 Plans?

Staff: Kevin O'Grady.....651-201-2218

The attached materials are work papers of Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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Relevant Documents

Charter Fiberlink CCO

Charter Fiberlink CCO 911 Plan.....	September 14, 2016
Comments: MN Emergency Services Board (MESB).....	September 21, 2016
Comments: MN Department of Public Safety (DPS).....	October 24, 2016
Comments: MN Department of Commerce (DOC).....	November 1, 2016
Reply Comments: Charter Fiberlink CCO.....	November 14, 2016
Response: MN Department of Commerce.....	December 12, 2016

Charter Fiberlink CC VIII

Charter Fiberlink CC VIII 911 Plan.....	September 14, 2016
Comments: MN Emergency Services Board (MESB).....	September 21, 2016
Comments: MN Department of Public Safety (DPS).....	October 24, 2016
Comments: MN Department of Commerce (DOC).....	November 1, 2016
Reply Comments: Charter Fiberlink CC VIII.....	November 14, 2016
Response: MN Department of Commerce.....	December 12, 2016

Background

On September 14, 2016, Charter Fiberlink CCO and Charter Fiberlink CC VIII (the Companies) submitted their annual 911 Plans for approval by the Commission.

On September 21, 2016, the Minnesota Emergency Services Board (MESB) submitted comments stating that the Companies' Plans satisfactorily addressed relevant Commission Rules.

On October 24, 2016, the Minnesota Department of Public Safety (DPS) submitted comments stating that the Companies' Plans satisfactorily addressed relevant Commission Rules and Minnesota Statutes.

On November 1, 2016, the Minnesota Department of Commerce (DOC) filed comments recommending denial of the Companies' Plans, arguing that the Companies had not met Telephone Assistance Plan (TAP) filing requirements.

On November 14, 2016, the Companies responded to DOC arguing that the TAP requirements were irrelevant with respect to 911 Plan approval requirements.

On December 12, 2016, DOC responded to the Companies' comments stating any disagreement between the parties should not delay approval of the Companies' 911 Plans.

Staff Analysis

Minn. Rules Parts 7812.0550, subpt. 1 requires a competitive local exchange carrier to obtain Commission approval of a comprehensive 911 plan before providing local service. Minn. Rules pt. 7812.0550, subpt. 3 establishes the requirements for a 911 plan.¹

MESB has reviewed the Companies' Plans and finds that they satisfactorily address the requirements of 7812.0550.

DPS states that the Companies' Plans appear to satisfactorily address Commission Rules, DPS Rules, Part 7850, and Minn. Stat. § 403 (911 Emergency and Public Safety Communications).

DOC did not raise any objection as to the sufficiency of the Plans.

Staff recommends the Commission approve the Plans.

Commission Options

1. Approve the 911 Plans filed by Charter Fiberlink CCO and Charter Fiberlink CC VIII.
2. Reject the 911 Plans filed by Charter Fiberlink CCO and Charter Fiberlink CC VIII.
3. Take other action.

¹ Part 7812.0550 applies to local exchange carriers serving 50,000 or more subscribers. Part 7811.0550 applies to local exchange carriers that serve fewer than 50,000 subscribers. The language of the two Parts is nearly identical. Staff does not believe the difference in language substantially affects the parties' arguments or recommendations.