

November 1, 2016

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East  
St. Paul, Minnesota 55101-2147

RE: **911 Plan for Charter Fiberlink CC VIII, LLC**  
Docket No. P5615/EP-16-758

Dear Mr. Wolf:

The following sections summarize the Department's review of the above listed 911 plan. This review takes into consideration the applicable requirements of Minnesota law and the Commission's rules.

#### **BACKGROUND**

*The date(s) on which the 911 plan was filed:* September 14, 2016

*The 911 plan covers the following area:* statewide

*The 911 plan was filed by:*

Kennard B. Woods  
Friend, Hudak, and Harris, LLP  
Three Ravinia Drive, Suite 1700  
Atlanta, GA 30346

*Type of 911 plan:*

- A. 911 Plan for company certified as a facilities-based local exchange service provider that provisions service with some of its own facilities in Minnesota.
- B. 911 Plan for company certified as a facilities-based local exchange service provider that does not use any of its own facilities to provision service in Minnesota. **BEFORE PROVIDING FACILITIES-BASED SERVICE, COMPANY MUST FILE AND RECEIVE COMMISSION APPROVAL OF A FACILITIES-BASED 911 PLAN.**
- C. 911 Plan for company certified only to provide service in Minnesota as a reseller of local exchange service

*Compliance with Minn. Rules Chapter 7580:*

- A. Letter has been received from Metropolitan Emergency Services Board indicating statutory compliance (if eight county metro area is affected).
- B. Letter has been received from Department of Public Safety indicating statutory compliance.

*Compliance with Telephone Assistance Plan (TAP) Reporting Requirements:*

- A. TAP Reporting Form has been filed (monthly, quarterly, or annual January report for the most recent calendar year)
- B. Company is not in compliance with TAP reporting requirements for the most recent calendar year.
- C. Not applicable (911 plan is a compliance filing for a new authority application and the first TAP report is not yet due).

**Department Recommendation Including any Conditions for Approval**

*Department recommendation:*

- Approve with no conditions. OR

Approve contingent upon the company making the following revisions and filing a final copy of the 911 plan with the Minnesota Public Utilities Commission and the Minnesota Department of Commerce:

- A. Revise the proposed 911 plan consistent with the changes requested by the Metropolitan Emergency Services Board in its comments of .
- B. Revise the proposed 911 plan consistent with the changes requested by the State 911 Coordinator of the Department of Public Safety in its comments of .
- C. Revise the proposed 911 plan consistent with the changes requested by the in its comments of .
- D. Make the following other revisions to the 911 plan:
- E. Approve contingent upon the company fulfilling the following conditions: Filing a Telephone Assistance Plan (TAP) Reporting Form for the year 2014 or 2015 within the deadline established by the TAP rules. The TAP Reporting Form may be found at <http://mn.gov/puc/utilities/forms-and-applications/telecom.jsp>

The analysis conducted by the Metropolitan Emergency Services Board and the Department of Public Safety have found that the 911 plan complies with the legal requirements as indicated in the following attachment. The Department is submitting this memorandum to the Commission requesting that the Executive Secretary issue an order approving the filing, either at a Commission hearing or by way of the Commission's Consent calendar process.

Sincerely,

/s/ DIANE DIETZ  
Rate Analyst

DD/It  
Enclosure

## LEGAL REQUIREMENTS FOR 911 PLANS

Minn. Stat. §237.16 mandates that companies obtain a certificate of authority prior to offering regulated telecommunications services in Minnesota. Minn. Rules pt. 7812.0600 includes 911 access as a basic service requirement. Minn. Rules pt. 7812.0550, subpt. 1 requires a competitive local exchange carrier to obtain Commission approval of a comprehensive 911 plan before providing local service in an area. Minn. Rules pt. 7812.0550, subpt. 3 establishes the requirements for a 911 plan. In determining whether to approve a competitive local exchange carrier's 911 plan under Minn. Rules pt. 7812.0550, subpt. 1, consideration must be given to a carrier's ability and intent to:

- A. Comply with Minn. Rules Chapter 7580:
- B. Integrate into the state designated 911 network as specified in the relevant county 911 plan approved by the Department of Public Safety.
- C. Design and demonstrate a network, with diversity, between the originating office and the incoming trunk port to the 911 network infrastructure approved and provided by the Department of Public Safety with default-routing capability;
- D. Provide for the display at the public safety answering point (PSAP) of the customer's old and new telephone numbers when call-forwarding technology is used for interim number portability;
- E. Cooperate with each relevant county and the Department of Public Safety designated 911 Service Provider in developing a 911 contingency plan;
- F. Maintain circuit-routing profiles and expedite service restoration;
- G. Advanced notification to the Public Safety Answering Point by an authorized company representative of any routine maintenance work to be performed which may affect the 911 system reliability or capacity. Any such work shall be performed during PSAP off-peak hours.
- H. Share customer information and data consistent with current national standards for sharing information related to providing emergency telephone service;
- I. Enter into nondisclosure agreements with the Department of Public Safety designated Automatic Location Identification (ALI) database provider;
- J. Submit data to the Department of Public Safety designated ALI database provider in the format required by the Department of Public Safety;
- K. Ensure that the competitive local exchange carrier's identity is shown on the ALI record and displayed at the Public Safety Answering Point (PSAP) to the extent required by the county;
- L. Provide accurate ALI data to the Department of Public Safety designated ALI database with no more than 0.5 percent of all calls received by the 911 network during any calendar year resulting in a No Record Found (NRF) condition.
- M. Provide for operator-assisted emergency calls, including calls from speech-impaired, hearing-impaired, or non-English speaking customers.

## **CERTIFICATE OF SERVICE**

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce  
Comments**

**Docket No. P5615/EP-16-758**

**Dated this 1<sup>st</sup> day of November 2016**

**/s/Sharon Ferguson**

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	No	OFF_SL_16-758_EP-16-758
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_16-758_EP-16-758
Pete	Eggimann	PEGGIMANN@MN-MESB.ORG	Metropolitan Emergency Services Board	2099 University Ave W Ste 201  St. Paul, MN 551043431	Electronic Service	No	OFF_SL_16-758_EP-16-758
Charles	Hudak	chudak@fh2.com	FRIEND, HUDAK & HARRIS, LLP	3 Ravinia Dr Ste 1450  Atlanta, GA 303462131	Electronic Service	No	OFF_SL_16-758_EP-16-758
John	Lindell	john.lindell@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	No	OFF_SL_16-758_EP-16-758
Michael R.	Moore	michael.moore@charter.com	Charter Communications, Inc.	12405 Powerscourt Dr  St. Louis, MO 63131	Electronic Service	No	OFF_SL_16-758_EP-16-758
Jason	Topp	jason.topp@centurylink.com	CenturyLink	200 S 5th St Ste 2200  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_16-758_EP-16-758
Dana	Wahlberg	dana.wahlberg@state.mn.us	Department of Public Safety	Town Square Ste 137 444 Cedar St St. Paul, MN 551015126	Electronic Service	No	OFF_SL_16-758_EP-16-758
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	No	OFF_SL_16-758_EP-16-758
Kennard B.	Woods	kwoods@fh2.com	FRIEND, HUDAK & HARRIS, LLP	Suite 1450 Three Ravinia Drive Atlanta, GA 303462117	Electronic Service	No	OFF_SL_16-758_EP-16-758