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April 4, 2008

VIA FACSIMILE and OVERNIGHT MAIL

Ms. Renee Jenkins
Docketing Division Chief
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

Dear Ms. Jenkins:

RE: Petition of the NENA/APCO Joint Task Force Requesting the Commission to
Promulgate Rules and Set Standards Governing Next Generation 9-1-1 in a
Competitive 9-1-1 Market Application for Waiver, Case No. 08-287-TP-UNC

Enclosed are an original and fifteen (15) copies of Cincinnati Bell Telephone Company LLC's ("CBT") Comments in the above-captioned proceeding. A duplicate original copy of these comments is enclosed; please date-stamp this copy as acknowledgement of its receipt and return it in the enclosed self-addressed envelope. Questions regarding this filing may be directed to me at the above address, by telephone at (513) 397-7260, or by email at jouett.brenzel@cinbell.com.

Sincerely,

A handwritten signature in cursive script that reads "Jouett K. Brenzel".

Jouett Brenzel
Corporate Counsel

Enclosure

cc: Ohio Chapters of NENA and APCO

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BEFORE**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Petition of the NENA/APCO)
Joint Task Force Requesting the Commission to)
Promulgate Rules and Set Standards Governing) Case No. 08-287-TP-UNC
Next Generation 9-1-1 in a Competitive 9-1-1)
Market)

COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY LLC

Cincinnati Bell Telephone Company LLC ("CBT") hereby submits Comments in response to the Petition for Rulemaking filed by the Ohio Chapters of the National Emergency Number Association ("NENA") and the Association of Public Safety Communications Officials ("APCO International") (collectively, "Petitioners"). Generally, the Petitioners ask the Commission to open a rulemaking proceeding to promulgate rules and set standards for next generation 9-1-1 ("NextGen 9-1-1") services in Ohio. More specifically, the Petition asks the Commission to address a number of issues including 1) the need for 911 systems capable of provisioning, processing, routing, transporting, and delivering 911 calls regardless of the type of device used or technology used to deliver it; 2) issues associated with NextGen 9-1-1 systems, including call processing for video, photo and text messages, advanced data retrieval, quality of service, and the use of "nomadic voice over Internet Protocol automatic location information solution"; 3) the need to maintain high standards in a NextGen 9-1-1 environment; and 4) interconnection, interoperability, and pricing issues associated with an evolving 9-1-1 marketplace.

CBT submits these Comments in response to the Petitioners' requests.

A. CBT Supports a NextGen 9-1-1 Forum in Ohio.

CBT welcomes the opportunity to participate in the important discussions that must take place over the next few years to ensure that Ohio is prepared to realize the benefits of the next generation of 9-1-1 networks and services. As Petitioners point out and as any casual observer would agree, there have been dramatic advancements in telecommunications technology over the past fifteen years and there are more changes on the horizon. New wireless and Internet Protocol ("IP")-based services and devices are becoming available on a seemingly daily basis, providing individuals with the ability to send text, video and picture messages as well as to create and share data on an increasingly mobile basis. Thus, it has come to no one's surprise that the legacy 9-1-1 infrastructure developed over the last thirty plus years is ill-equipped to accommodate these advanced communications services, devices, and functionalities. For this reason, CBT fully supports the Petitioners request for the Commission to initiate a forum at which various 9-1-1 interest holders – citizens, local governments, public safety agencies, and telecommunications providers, to name a few – can come together to determine what Ohio's future 9-1-1 needs may be, to examine the state's overall preparedness to meet those needs, and to develop possible solutions for overcoming any barriers to delivering Ohio's citizens the most advanced 9-1-1 system available.

While wholeheartedly supporting the Petitioners suggestion that the Commission arrange workshops for interested parties to discuss Ohio's future 9-1-1 system and services, CBT believes that it is premature for the Ohio Commission to open a formal rulemaking proceeding or to issue proposed rules and standards for NextGen 9-1-1 in Ohio. Instead, CBT urges the Commission, or perhaps Ohio's 911 Council, to become actively engaged in NENA's national effort known as the NG9-1-1 Project by becoming a NG9-1-1 Partner. Since 2003, NENA, together with various public safety organizations, federal government agencies,

telecommunications providers and standards development organizations, has been working to develop technical and operational standards and best practices for NextGen 911 on a national basis. Similarly, the NG9-1-1 Partner Program has begun work on issues involving funding, regulation, legislation, and cost estimates for migrating to NextGen 9-1-1 networks. At this time, CBT recommends that Ohio align itself with these ongoing efforts rather than seek to develop Ohio-specific NextGen rules and regulations. In that way, Ohio will have the benefit of adopting rules and standards that have been thoroughly vetted by experts throughout the industry and that are compatible with those standards adopted in other jurisdictions. Working with the NG9-1-1 Project will also ensure that the critical issue of interoperability among state and federal public safety agencies will be fully addressed. For these reasons, CBT asserts that Ohio will be better served by taking an active role in promoting the adoption of NextGen 9-1-1 standards and services on a national level.

B. CBT Has and Will Continue to Support the Development of NextGen 9-1-1 in Ohio.

Notwithstanding CBT's belief in the importance of deploying a NextGen 9-1-1 system in Ohio and its support for the creation of a NextGen 9-1-1 forum to engage interested stakeholders for meeting that important goal in Ohio, CBT takes great issue with many of the comments made by Petitioners in support of their Petition. Among the numerous complaints about incumbent 9-1-1 service providers, Petitioners state that incumbents "have chosen to leverage their incumbent, monopolist status contrary to the best interest of the public in order to delay or obstruct alternative offerings." (Petition at 4.) They also state that public safety entities are "forced to deal with an incumbent that has failed and refused to address the inevitable need for change—including migration to a next generation 911 system," that "incumbents have abandoned their leadership role" in 9-1-1, and that "incumbents have been content to not only abandon public safety...[and] to interfere with any other provider trying to fill the vacuum they've left behind."

(Petition at Attachment A, 3.) Finally, Petitioners claim that incumbent 9-1-1 service providers "have failed to fulfill the public trust." (Id. at 4.) CBT submits that nothing could be further from the truth and asks the Commission to reject the Petitioners' unfounded attempt to undermine the public's confidence in the 9-1-1 services CBT has provided for nearly twenty years.

Contrary to Petitioners' claims, CBT has consistently been a leader in bringing state-of-the-art 9-1-1 services to its public safety answer point ("PSAP") customers and to the public. By way of example, CBT provides the following list of milestones related to its provision of and enhancements to 9-1-1 service:

- **1988.** Rolled out Enhanced 9-1-1 to automatically provide the name, address, and phone number of the 9-1-1 caller to the PSAP.
- **1990.** Offered Phase 0 wireless service enabling PSAPs to know the cell tower and direction from which a wireless 911 was made. This was accomplished by assigning a unique phone number to each of the three 120 degree sectors or faces of a tower site.
- **1995.** Implemented the first ISDN 9-1-1 network platform in the nation. The platform included new software features for the 911 selective router and a completely new 911 database system which allowed 9-1-1 call processing time through the network to be reduced from 5 to 6 seconds to 1.5 seconds. Once in place, 19 area PSAPs installed the ISDN equipment in their emergency centers to utilize the new digital services this 911 platform offered. Following the upgrades, dispatchers had work stations that operated both telephone and radio traffic on the same desktop.
- **1997.** Implemented upgrades to its 9-1-1 database and selective routers to enable Wireless Phase I 911 service. Phase I provides a PSAP with the caller's cell tower information and call back number.
- **2002.** Implemented upgrades to its 9-1-1 database and selective router to implement Wireless Phase II service. In addition to Phase I information, Phase II service provides a PSAP with the latitude and longitude of a wireless caller within acceptable accuracy levels. While Kentucky PSAPs began receiving Phase II information in 2003, Ohio PSAPs did not begin to use the service until mid-2006. CBT carried the costs of the upgrade until each PSAP was able to pay its apportioned share.
- **2004.** Upgraded existing 911 Database ALI systems and activated a second 9-1-1 Selective Router in Covington, Kentucky, to ensure the security and redundancy of the 9-1-1 system across CBT's operating area and to address new technology requirements.

- **2005.** Completed implementation of a fully redundant 9-1-1 platform with all area PSAPs having an equal number of 9-1-1 trunks to/from each selective router and one data link to/from each ALI database. The redundant system provides network flexibility in the event of service outages and scheduled maintenance.

Thus, rather than being "complacent" or "disinterested" in its provision of 9-1-1 service, CBT takes great pride in the level and quality of 9-1-1 services it has provided over the years.

More importantly, CBT recognizes that new technologies will require it to adapt and upgrade its network and service offerings to ensure that it continues to provide state-of-the art 9-1-1 services to both its PSAP customers and its end-users. For this reason, CBT is actively exploring the purchase and deployment of an IP-based soft switch that will enable it to provide the NextGen 9-1-1 services of the future. However, CBT also understands that an IP-based switch, by itself, does not amount to "next generation 9-1-1" and that, alone, such a switch will not serve the 9-1-1 needs of the future. Much work remains to be done to capitalize on the enhanced functionalities that an IP switch will make possible (e.g., the ability to receive text, video and other data types from 9-1-1 callers and to share that information with other public safety agencies, among other enhancements), work that is currently being driven at the national level by organizations such as NENA and other public safety organizations, the United States Department of Transportation, the National Reliability and Interoperability Council, as well as interested carriers and platform providers. Therefore, contrary to Petitioners' disparaging remarks, incumbents are not "delaying life saving technologies from being deployed." (Petition at 5.) The enhanced functionalities that will be made possible by the NextGen 9-1-1 network are simply not available on a commercial basis at this time.¹ Nevertheless, CBT is quite cognizant

¹ This point was made clear in a 2007 interview with Roger Hixson, technical issues director of the National Emergency Number Association, who has been closely involved in NENA's NG9-1-1 Project. When asked, "When do you believe the "whole package" of NG911 will be complete?" Mr. Hixson responded: "My assumption is that the earliest it can happen is in early 2009, but it probably will be late 2009. In order to accomplish that, development

of the need to upgrade its network in the near term so that it will be ready to support NextGen 9-1-1 services when those services and functionalities do become available.

Conclusion

In sum, CBT supports the creation of a NextGen 9-1-1 forum or working group in Ohio. Such a forum will ensure that all interested stakeholders can openly discuss the steps that Ohio's communications carriers, government agencies, and public safety officials can take today and in the future to support the delivery of NextGen 9-1-1 services to the public when they are available. However, CBT asserts that the initiation of a formal rulemaking proceeding as proposed by Petitioners is premature at this time.

Respectfully submitted,

By: Jouett K. Brenzel
Jouett K. Brenzel (0073508)
221 E. Fourth Street, 103-1280
Cincinnati, OH 45202
(513) 397-7260

Attorney for Cincinnati Bell Telephone
Company LLC

has to take place this year and during the first half of 2008, or maybe a little later in 2008. It's all got to be tested and trialed before we put it in place." See "A Crash Course on Next-Gen 911," by Donny Jackson, *Mobile Radio Technology Magazine* (July 1, 2007). Similarly, panelists at the FCC's 911 Call Center Operations and Next Generation 911 Technologies Summit held February 6, 2008, including Mr. Hixson, agreed that there were several factors affecting the deployment of NextGen 9-1-1. See, "Next-Gen 911 Progress Lagging, FCC Panel Says," by Brad Reed, *Network World* (February 7, 2008). Interestingly, unlike Petitioners, none of the panelists suggested that incumbent 9-1-1 service providers were the sole factor or even a primary factor preventing the adoption and deployment of NextGen 9-1-1.