

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2

3 A. My name is Robert Stack and my business address is Lexington-Fayette
4 Urban County Government, Division of Enhanced 911, 200 E. Main St.,
5 Lexington, Kentucky 40507.

6

7 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

8

9 A. I am currently employed as the Director of the Division of Enhanced 911
10 for the Lexington-Fayette Urban County Government ("LFUCG" or "Lexington"), a
11 position I have held since February 24, 2014. From October 28, 1986 until that
12 time I was employed by Lexington as a sworn police officer, retiring at the rank
13 of Assistant Chief of Police on February 23, 2014.

14

15 **Q. HAVE YOU PREVIOUSLY FILED TESTIMONY BEFORE THIS**
16 **COMMISSION?**

17

18 A. No.

19

20 **Q. PLEASE STATE YOUR EDUCATIONAL AND PROFESSIONAL BACKGROUND.**

21

22 A. I graduated with a degree in Police Administration from Eastern Kentucky
23 University in 1986 and a Master of Science degree in Criminal Justice
24 Administration from Eastern Kentucky University in 2001. Prior to my
25 employment with Lexington's Division of Enhanced 911, I was employed in 1986
26 by the Lexington Police Department – and retired as Assistant Chief of Police in
27 February 2014. Prior to my employment with Lexington, I was employed by the
28 Eastern Kentucky University Division of Public Safety in a non-sworn position
29 performing duties that included campus patrol and dispatch.

30

31 In addition to being Lexington's Director of E911, I am also presently a contract
32 assessor for the Commission on Accreditation for Law Enforcement Agencies,
33 Inc. (CALEA) conducting on-site assessment and verification of compliance with
34 international standards among participating law enforcement and public safety
35 answering points. I have assessed over 30 state and local police agencies and
36 911 centers in the US and Canada over the past 15 years.

37

38 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS CASE?**

39

40 A. The purpose of my testimony is to provide information related to Lexington's
41 management and operation of the Central Kentucky 911 Network (also referred
42 to as the "CKN" or "CKY911net" or the "Network").

43

44 **Q. WHEN WAS THE CENTRAL KENTUCKY E911 CREATED AND WHY?**

45

46 A. In 2007, as a cost savings measure, LFUCG switched to "Wireless Direct",
47 wherein it directed all wireless service providers operating within Fayette County
48 to by-pass the Windstream Selective Routers and connect directly to Lexington's

1 ECS-1000 controllers (i.e., primary and back-up). This decision eliminated
2 charges assessed by Windstream for 911 Selective Routing and 911 CAMA
3 Trunks directly for Wireless Carriers.
4

5 The cost of the Wireless carriers connecting directly to the ECS-1000's was at the
6 burden of the wireless carrier and interconnection agreements were not
7 requested or required by any carrier, including AT&T Wireless
8

9 In 2008, Lexington, Jessamine County 911, and Woodford County 911 entered
10 into an interlocal agreement pursuant to KRS 65.760. This arrangement later
11 became what would be called the Central Kentucky 911 Network. It is my
12 understanding that this arrangement was encouraged by the Commercial Mobile
13 Radio Service Board of Kentucky ("CMRS").
14

15 This arrangement between local governments was envisioned as a "cost savings"
16 strategy to eliminate or reduce charges assessed by the local telephone service
17 providers. Since 2008, additional county governments have also joined the
18 network for cost saving purposes.
19

20 In 2011, the CKN was established under its now recognized name and the
21 Lexington 911 Board was authorized to enter into agreements with partnering
22 counties in accordance with LFUCG Resolution No. 279-2011, as amended by
23 Resolution 600-2014.
24

25 The Network, which operates in a non-profit manner, currently has twenty-five
26 (25) partner member entities, including LFUCG. The Network consists of the
27 following entities: Allen County, Barren County, Bath County, Boyd County,
28 Bracken County, Carlisle County, Edmonson County, Fayette County, Garrard
29 County, Grayson County, Green County, Greenup County, Hardin County,
30 Jessamine County, LaRue County, Laurel County, Lewis County, Lincoln County,
31 Marion County, Meade County, Metcalfe County, Rockcastle County, Rowan
32 County, Taylor County, and Woodford County. 911 Centers in these counties may
33 operate through their respective E911 entities, such as a 911 board. Seven (7)
34 of the members only use selective routing and database management services.
35 Eighteen (18) of the members receive calls that pass through CKN's selective
36 router and host controller, which then delivers the call to the partnering PSAP's
37 remote seats. There are also two (2) additional Kentucky counties that are
38 scheduled to join the Network in the coming months (Adair County and Knox
39 County).
40

41 **Q. ARE ALL THE MEMBERS OF THE NETWORK GOVERNMENTAL ENTITIES?**
42

43 A. Yes
44

45 **Q. DOES EACH MEMBER HAVE A WRITTEN AGREEMENT?**
46

47 A. Yes.
48

1 Q. ARE ALL OF THE WRITTEN AGREEMENTS EXECUTED BY EACH
2 MEMBER'S RESPECTIVE COUNTY/CITY GOVERNMENT?
3

4 A. Yes.
5

6 Q. HOW DOES AN ENTITY JOIN CKN?
7

8 A. The Network only accepts governmental entities as members and operates in a
9 non-profit manner. Any local government that wants to join the network must
10 enter into an agreement with Lexington and the other CKN members. The terms
11 of the Agreement are largely the same for each member with the biggest
12 difference being the cost of membership, which is based upon the number of
13 remote seats required by the respective E-911 center.
14

15 Q. DO YOU HAVE AN UNDERSTANDING OF WHY A LOCAL GOVERNMENT
16 WOULD CHOOSE TO BECOME A MEMBER OF THE NETWORK?
17

18 A. Yes. It is my experience that the decision is largely based upon the expected
19 cost savings of membership in the Network. For example, a 911 center may
20 have a host controller and/or customer premise equipment (a/k/a remote seats)
21 that are repair prone or at the end of their serviceable life and require
22 replacement. It used to be the case that CMRS would provide direct grant
23 funding for the replacement of host controllers intended for a single-county's 911
24 center. This equipment can be fairly costly to replace.
25

26 However, since CMRS no longer offers grants to cover the expense of controllers
27 for use by a single-county 911 center, counties now often choose to submit a
28 grant application to CMRS for the funding of that county's remote seat positions.
29

30 Counties can currently select from among several CMRS grant funded options for
31 new remote customer premise equipment ("CPE"), which must be connected to a
32 host controller managed, owned or maintained by one of several entities. It is
33 my understanding that these entities include AT&T, Cincinnati Bell Telephone,
34 the Kentucky State Police, and the CKN. Each of these entities offers a brand of
35 CPE.
36

37 In other instances, a county that owns a controller and CPE that does not need
38 to be replaced may join CKN for selective routing and database management
39 only. In those cases CKN does not support the controller or CPE at those centers.
40 Counties taking this approach may apply for CMRS grant funds for the cost a
41 session border controller, which is the hardware required to be installed between
42 the county's controller and CKN.
43

44 Q. HOW DOES CKN OPERATE?
45

46 A. Each entity joining the Network signs an agreement with Lexington, on behalf of
47 CKN, that outlines the terms for all partner counties. Basically the members
48 have joined together on a "Managed" MPLS network to which all 911 traffic

1 flows. In 2008 this concept was put into operation between Fayette, Jessamine
2 and Woodford counties. As technology continued to advance, Lexington added
3 the Host/Remote Concept in 2011. This concept, first implemented in Bath
4 County, allows 911 centers to reduce their costs by eliminating the need for
5 expensive robust "on-site" controllers, which are replaced with network
6 connected individual workstations which receive 911 calls via "SIP Trunks" from
7 the Host Controller in Lexington. The MPLS transport method uses Windstream
8 circuits that each member of the Network pays for directly to Windstream.
9

10 **Q. HOW IS THE CKN NETWORK FUNDED?**

11
12 A. The Network's Selective Router and Controller were acquired by Lexington
13 through grants from the CMRS Board. The CMRS Board encouraged and
14 supported Lexington's effort to acquire a selective router and host controller with
15 the understanding that other counties could connect Remote Seats to the grant
16 funded equipment and potentially save money. The CMRS Board's grants, which
17 supported the creation, enhancement and expansion of CKN, were provided after
18 a grant review process which included technical evaluation by 911 experts
19 (including hired outside consultants) as to the viability of the grant's purposes
20 and the resiliency of the Network. The CMRS Board no longer offers grants to
21 fund "stand-alone" Host Controllers for 911 centers in Kentucky, though counties
22 may choose to purchase their own.
23

24 All members of the Network pay a monthly fee to Lexington that covers the
25 expenses for selective routing, controllers, database management, rental of
26 space at Windstream's Central Office, and overhead expenses related to
27 administration of the Network. Each respective member is responsible for
28 ordering and paying for any circuits and trunks maintained by telephone
29 companies. Those circuits and trunks are not managed or maintained by CKN.
30

31 When an E911 center needs a new controller, it can either purchase it from its
32 own budget or submit a grant application to the CMRS for remote seats that will
33 connect to one of the Category 1 options. The Category 1 options include:
34 AT&T, Cincinnati Bell Telephone, the Kentucky State Police, and the CKN.
35

36 **Q. IS CKN A FOR PROFIT BUSINESS?**

37
38 A. No, the Network is comprised of local government entities.
39

40 **Q. IN ORDER FOR CKN TO OPERATE DOES IT REQUIRE A SELECTIVE**
41 **ROUTER AND HOST CONTROLLER?**

42
43 A. Yes.
44

45 **Q. WHICH OF THE NETWORK MEMBERS ACQUIRED THE NECESSARY**
46 **SELECTIVE ROUTER AND HOST CONTROLLER?**

47
48 A. LFUCG, with financial assistance from the CMRS.

- 1 Q. **HOW HAS THE CMRS CONTINUED TO SUPPORT THE HOST/REMOTE**
2 **SOLUTION OFFERED BY CKN?**
3
- 4 A. CMRS has provided Lexington with grants to enhance the selective router and
5 controller and to increase the number of remote seats on the network so that
6 more counties can be accepted on the network.
7
- 8 Q. **HOW MANY 911 CENTERS IN KENTUCKY HAVE USED THE CMRS**
9 **FUNDING TO JOIN THE NETWORK?**
10
- 11 A. I believe that in addition to LFUCG at least seventeen (17) of the current
12 members used CMRS funding and the two (2) additional pending members are
13 also using CMRS funds.
14
- 15 Q. **DO YOU HAVE FORMAL AGREEMENTS IN PLACE WITH ANY TELEPHONE**
16 **COMPANIES REGARDING OPERATING THE CENTRAL KENTUCKY**
17 **NETWORK?**
18
- 19 A. The only formal agreement LFUCG has in place is an agreement with
20 Windstream concerning the lease of circuits and space in its co-location facility.
21 LFUCG does not have an interconnection agreement with Windstream and
22 Windstream has not requested one.
23
- 24 Q. **HOW MANY ILEC'S, CLEC'S, OR WIRELESS CARRIERS DOES**
25 **LEXINGTON HAVE AGREEMENTS WITH FOR CONNECTING TO CKN?**
26
- 27 A. None.
28
- 29 Q. **ARE THERE ILEC'S AND CLEC'S CURRENTLY PASSING OR HAVE AGREED**
30 **TO PASS 911 TRAFFIC TO CKN'S SELECTIVE ROUTER?**
31
- 32 A. Yes. We currently have "Digital" T-1 connections from Windstream, NuVox,
33 PACTEL, Verizon Business (MCI), TW Telecom, ComCast, Armstrong
34 Communications, Lumos Networks, and Level3. CKN has "SIP Trunk"
35 connections with South Central Rural Telephone and North Central Telephone.
36 There is a pending "SIP Trunk" connection to DUO County Telephone. Duo
37 County Rural Telephone has agreed to pass 911 traffic to CKN without a written
38 agreement when Adair County 911 joins the network in June 2016. CKN has
39 previously passed traffic for test purposes with Cincinnati Bell Telephone (CBT)
40 without an agreement. To further elaborate, in 2012 through 2013 both
41 CKy911net and Cincinnati Bell participated in a CMRS Board sponsored "Proof of
42 Concept" (POC) test, funded by Lexington, wherein CKN and CBT passed
43 wireless calls back and forth between selective routers and connected 911
44 centers, testing the concept of transferring a wireless call across LATA
45 Boundaries and delivery to any designated 911 center.
46
47

1 Q. DOES CKN WISH TO COMPETE AS A CLEC AND PROVIDE A
2 COMPETITIVE EXCHANGE?
3

4 A. No.
5

6 Q. DO YOU ANTICIPATE THAT THERE WILL BE COSTS INVOLVED IN THE
7 EVENT THAT CKN IS REQUIRED TO BECOME A CLEC?
8

9 A. Yes.
10

11 Q. WHAT DOES LEXINGTON INTEND TO DO ABOUT THE ADDITIONAL
12 COST THAT WOULD BE REQUIRED TO BECOME A CLEC?
13

14 A. Pass on new costs to the members of the Network.
15

16 Q. IS CKN DISTINGUISHABLE FROM INDIGITAL?
17

18 A. Yes, I believe so. First let me state, CKN does not agree with AT&T's position
19 that the CKN arrangement is "like the INdigital scenario." The "INdigital
20 scenario" involved AT&T's refusal to enter into an interconnection agreement
21 with INdigital, a CLEC, and INdigital's petition to the PSC sought to compel AT&T
22 to enter into an agreement. The PSC concurred with INdigital. We do not
23 believe that this is comparable to CKN, because CKN is a government entity,
24 operating an IP solution for the benefit of its government partners for cost
25 savings purposes. CKN has not asked AT&T to connect to its Selective Router.
26 Instead, several counties that joined the network have sent written requests to
27 AT&T requesting new trunking to the CKN Selective Router.
28

29 Q. WHAT DO CAMA TRUNKS HAVE TO DO WITH THIS CASE?
30

31 A. It is my basic understanding that the crux of AT&T's argument is that calls will
32 have to be placed through the Network's Selective Router. CAMA Trunk
33 connection will allow those PSAP's to send incoming AT&T selectively routed 911
34 calls to the CKN Controller for the ANI/ALI spill and back to that agency's remote
35 positions, which essentially by-passes the CKN Selective Router.
36

37 It is my understanding that the Kentucky State Police currently has an
38 arrangement with AT&T that avoids connection to a selective router and which
39 did not raise a CLEC issue with AT&T.
40

41 It is also my understanding that several PSAP's, including Hardin County 911,
42 Blue Grass 911 (a/k/a Garrard/Lincoln County), and Laurel County 911 have
43 previously or are now requesting new AT&T CAMA Trunks or movement of
44 existing AT&T CAMA Trunks for the purpose of connecting those CAMA Trunks to
45 the respective PSAP's media gateway hardware. This arrangement bypasses the
46 CKN Selective Routers.
47

1 **Q. WHAT MEASURES HAVE BEEN TAKEN TO ENSURE THE SECURITY AND**
2 **RELIABILITY OF THE CKN?**

3
4 A. CKN houses its primary Solacom Selective Router and Solacom Controller in a
5 secure Windstream Co-location facility in Lexington, Kentucky. The facility has
6 redundant generators, uninterrupted power supplies, cooling systems, and Halon
7 fire suppression. CKN leases the space for its hardware from Windstream. Lines
8 delivering telephone traffic into and out of the facility are owned or leased from
9 Windstream. The transport method between this facility, the back-up facility and
10 the PSAPs around the state is Windstream's Managed MPLS "Kentucky Post-
11 Secondary Education Network" (KPEN) circuits, which is an IP based transport
12 method. Each of the partnering PSAPs pays its own KPEN circuit leases directly
13 to Windstream. This is a point-to-point IP based solution owned, managed, and
14 operated by local governments. For redundancy and network resiliency, CKN has
15 a back-up Selective Router and Controller located in a server room at Lexington
16 Fire Department Headquarters. The room is in a secure facility with Halon fire
17 suppression, extensive grounding protection, generator, UPS, and on-site human
18 fire response capability (i.e., zero Fire Department response time). This is the
19 same location that Lexington houses its Fire Dispatch PSAP.

20
21 Lexington, on behalf of the CKN, maintains a managed services agreement with
22 AK Associates, Inc. for technical assistance with maintenance, software updates,
23 hardware refresh, installation, database management, troubleshooting and 24-
24 hour response. AK Associates personnel have access to all CKN equipment
25 24/7/365 and have remote access via computer for off-site support too.

26
27 **Q. DOES CKN OWN TRANSMISSION LINES OR CO-LOCATION FACILITIES?**

28
29 A. No.

30
31 **Q. IS THERE A MEANS FOR 911 CENTERS THAT PARTNER WITH CKN ON**
32 **THE NETWORK TO RECEIVE 911 CALLS FROM AT&T CUSTOMERS**
33 **WITHOUT AT&T CONNECTING TO CKN'S SELECTIVE ROUTER?**

34
35 A. Yes. As previously explained above, an alternative method of delivering AT&T
36 landline calls to one of our partner PSAP's across the state is via CAMA Trunks
37 ordered by 911 centers in AT&T territory. This method does not involve AT&T
38 connecting to or passing traffic through the CKN Selective Router, which seems
39 to be the crux of AT&T's argument in this case.

40
41 Using this transport method, AT&T would continue selectively route the call to
42 the proper Public Safety Answering Point (PSAP), where the PSAP has a Solacom
43 media gateway that is connected to the CKN Controller. The Controller that will
44 deliver the call and associated database information that will display at the
45 PSAP's remote seat. CKN would connect AT&T's cama trunks to the PSAP's
46 media gateway, which is hardware owned by the 911 center. CKN would then
47 pass the call through the CKN Remote Controller and deliver the call back to the

1 remote dispatch center's seats. The attached graphic ("Exhibit 1") depicts how
2 this approach bypasses the CKN selective router.
3

4 It is my understanding that Laurel County 911 and Bluegrass 911
5 (Garrard/Lincoln Counties) have each requested orders for CAMA Trunks from
6 AT&T in order to receive 911 calls from AT&T in this manner, but AT&T has yet
7 to install the requested CAMA Trunk at Laurel County 911 or to relocate an
8 existing CAMA trunk from Blue Grass 911's old 911 Center to the Center occupied
9 in April 2016.
10

11 **Q. DOES CKN SELL DIAL TONE, LONG DISTANCE, OR ANY SIMILAR**
12 **FUNCTIONALITY?**
13

14 A. No. The Network does not provide or sell services traditionally associated with
15 telephone companies, such as long distance, dial tone, call waiting, line repair,
16 etc.
17

18 **Q. DOES THE NETWORK SEEK TO BE PROFITABLE IN THIS ENDEAVOR?**
19

20 A. No. Lexington seeks to break even on the endeavor and required the significant
21 benefit of the CMRS funding of hardware and software to even break even.
22

23 **Q. HAS LEXINGTON (CKN) BEEN PROFITABLE AND IS IT LEXINGTON'S**
24 **GOAL FOR CKN TO BE A FOR-PROFIT ENTITY?**
25

26 A. The answer to both questions is no.
27

28 **Q. DOES CKN WISH TO COMPETE AS A CLEC AND PROVIDE COMPETITIVE**
29 **EXCHANGE SERVICES?**
30

31 A. No.
32

33 **Q. ARE YOU AWARE OF ANY OTHER 911 CENTER IN THE NATION THAT**
34 **OWNS AND OPERATES SELECTIVE ROUTERS?**
35

36 A. Yes, I have spoken to a representative with the Office of Unified Communications
37 in Washington D.C., ("DC 911") which is the 911 authority for the District of
38 Columbia. It is my understanding that approximately 12 years ago; DC 911
39 acquired selective routers, began managing the devices, and also took over
40 management of the ALI database from Verizon Telephone. Verizon contested
41 this arrangement and claimed a loss of revenue. During the course of litigation,
42 Verizon dropped its claims against DC 911 concerning the Selective Router and
43 focused on other claims. DC 911 continues to operate its own selective routers
44 today and was never required to become "certificated" or enter into an
45 interconnection agreement with Verizon or any other ILEC or CLEC. I am
46 awaiting more detailed information from DC 911 on this matter.
47
48

1 Q. DOES THIS CONCLUDE YOUR TESTIMONY?
2
3 A. Yes.