

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BELLSOUTH	)	
TELECOMMUNICATIONS, LLC FOR	)	CASE NO.
DECLARATORY ORDER REGARDING	)	2015-00227
INTERCONNECTION WITH CENTRAL	)	
KENTUCKY NETWORK FOR 911/E911	)	
SERVICES TO PUBLIC SAFETY	)	
ANSWERING POINTS	)	

**KENTUCKY CMRS BOARD’S RESPONSE TO VERIFIED PETITION FOR DECLARATORY ORDER**

COMES the Commercial Mobile Radio Service Emergency Telecommunications Board of Kentucky (“CMRS Board” or “Board”).

1. The CMRS Board was created by act of the Kentucky General Assembly in 1998 as an “independent entity within state government.” KRS 65.623(3)
2. The Board, working with the CMRS Administrator, direct a “statewide effort to expand and improve emergency telecommunication capabilities,” including but not limited to the implementation of wireless E911 service requirements of the FCC order . . .”(Docket No. 94-102). The Board has jurisdiction over wireless E911 services. KRS 65.7625
3. Further, the administrator (and Board) shall “coordinate and assist in the implementation of advancements and new technology in the operation of emergency telecommunications in the state . . . “ There is some jurisdiction over Next Generation 9-1-1. KRS 65.7625(3)(b)
4. The Board’s activities are funded by a 9-1-1 surcharge of 70¢ per month on each CMRS connection (cell phone) in the state.

5. Surcharges remitted to the Board are deposited into the statutorily created CMRS fund and sub-funds, one of which is a grant fund.
6. The Board utilizes those funds in a grant program that typically operates on an annual cycle awarding grants to local government applicants for 9-1-1 projects.
7. The Board assisted in the initiation, support and expansion of LFUCG's Central Kentucky Network through the awarding of grant funds (Exhibit A).
8. Grant requests often are made to replace 9-1-1 equipment that is analog, past life expectancy and in some instances in danger of failing. Approval of grant requests in the 2013 and 2014 cycles of this type were conditioned upon joining an AT&T Network, Cincinnati Bell Network or the Central Kentucky Network.
9. Three or more grants were made to local governments/PSAPs which expressed the desire to join CKN, though AT&T was currently delivering 9-1-1 landline calls for some (or all) of their citizens in their jurisdiction.
10. AT&T referenced Laurel County in their petition; other included Whitley County/City of Corbin and Bluegrass 9-1-1 (Garrard and Lincoln Counties).
11. AT&T has refused or not cooperated with the expressed desire or specific request of the local governments (PSAPs) to have the 9-1-1 calls in their jurisdiction delivered to CKN for routing. The delay, confusion and uncertainty associated with the position taken by AT&T preclude a timely completion of the projects, creating a danger to public safety and 9-1-1 services, should equipment failure occur.
12. The CMRS Board expressed concern to AT&T on the circumstance in Laurel County (Exhibit B).

13. The modernization of 9-1-1 services, described as Next Generation 9-1-1, will replace the underlying technology for delivering 9-1-1 calls (currently analog and voice only) with an IP based statewide network which will use digital technology which can accommodate voice, video, text and data communications to PSAPs.
14. Such modernization will change this existing routing technology and delivery of 9-1-1 calls and by extension, may make such things as the traditional method for delivering calls and inter-connection agreements obsolete.
15. The Board will have a role to play in the aftermath of the PSC decision in this matter, regardless of the decision made.

Therefore the Board respectfully requests that the PSC resolve the matter so as to provide guidance to all parties involved, not only for the CMRS Board grant program, but more importantly, to resolve the matter with an understanding on its affect on implementation of Next Generation 9-1-1 in the state and whether there may be national implications to the decision, as well. To that end the Board would request that the PSC seek input and guidance from the Federal Communications Commission.

Respectfully Submitted,

By: \_\_\_\_\_

William Fogle

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By: \_\_\_\_\_

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**FILING NOTICE AND CERTIFICATE**

I certify that this Response is a true and accurate copy of the document(s) to be filed in paper medium with the Public Service Commission (which include a cover letter serving as the required Read 1<sup>st</sup> document) within two (2) business days; that the electronic submission of these documents to the Commission was performed on August 26<sup>th</sup>, 2015; and that there are currently no parties that have been excised from participation by electronic service.

\_\_\_\_\_  
ATTORNEY FOR KENTUCKY CMRS BOARD

## Exhibit A

### **CMRS Board's Grant Funding Timeline of Central Kentucky Network (Total: \$2,196,762)**

**Grant Recipient:** LFUCG

**Award Date:** December 1<sup>st</sup>, 2007

**Award Amount:** \$147,457

**Explanation:** Selective Router, trunking, database servers and administrative costs associated with set-up of the self-healing network and an on-site ALI database in Lexington for the network. This phase also established diverse network paths (including local converter hardware within each PSAP) to Jessamine County and Woodford County.

**Grant Award Recipient:** LFUCG

**Award Date:** October 1<sup>st</sup>, 2008

**Award Amount:** \$177,015

**Explanation:** Expansion of selective routers to accommodate more PSAPs onto the network, local converter hardware within each new PSAP and associated set-up costs for the KPEN network. This phase added Boyd, Lincoln/Garrard, Rockcastle and Taylor Counties on to the network.

**Grant Award Recipient:** LFUCG

**Award Date:** November 15<sup>th</sup>, 2010

**Award Amount:** \$175,000

**Explanation:** This award covered three proof of concepts: 1) Interconnection between CKYN and the Cincinnati Bell IP network, testing the seamless transfer of 9-1-1 audio and data between service providers; 2) Assisting Bluegrass Cellular in the delivery of wireless calls from its current analog method to an IP delivery method for those PSAPs utilizing CKYN for 9-1-1 call routing; and 3) Provisioning existing selective routers currently used to direct traffic within CKYN to also serve as 9-1-1 Host Controllers for PSAPs to remote, specifically hooking on Bath County as the first remote PSAP off the Host.

### **CMRS Board "Category 1" Board Approved Solutions**

*The following Grant Award Recipients received \$35,000 per position to become a remote off of the CKYN 9-1-1 Controller Host. Those not already connected to the CKYN selective routers were also accommodated for that purpose during this project. The year, grant recipient name and award amount are identified below:*

2013	Barren/Metcalf (network only, no CPE equipment)	\$32,165
2013	Carlisle County	\$70,000
2013	Rockcastle County	\$70,000
2013	Woodford, Jessamine, Taylor, Boyd, Greenup and Lincoln/Garrard	\$825,125
2013	Adair County	\$70,000
2013	Allen County	\$70,000
2013	Green County	\$70,000
2013	Lewis County	\$70,000
2013	Laurel County	\$105,000
2013	LaRue County	\$70,000
2014	Bracken County	\$70,000



**Steven L. Beshear**  
Governor

**OFFICE OF THE GOVERNOR  
KENTUCKY OFFICE OF HOMELAND SECURITY  
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March 4<sup>th</sup>, 2015

Mr. Tony Taylor  
AT&T Kentucky  
Executive Director of External Affairs  
601 West Chestnut Street  
Louisville, KY 40203

Dear Tony-

Since our 'group meeting' at the Kentucky Public Service Commission last year, I have been on the periphery of the discussions and information exchanges between AT&T, Windstream and LFUCG (Central Kentucky Network -CKYN) on the issue of delivering 9-1-1 calls. The issue of whether and how AT&T will deliver 9-1-1 for customers in those counties where the PSAP has joined or would like to join CKYN has apparently not been resolved and keeps popping up in some instances where CMRS Grant money is in play; originally Whitley County but most recently Laurel County.

I have been copied on some email traffic between AT&T reps, AK Associates (CKYN) and the local 911 Director which says that as of now, AT&T (landline) calls in Laurel County are being delivered over a 10-digit 'admin line' with no accompanying ANI, ALI or address information heretofore the norm in 9-1-1 calls there. This is a retreat to the very earliest days of 9-1-1 service and a circumstance that no one should want to see continue -the potential for a 'bad story' is great.

Debating the merits of AT&T's position that CKYN needs to register with the PSC as CLEC (phone company) or that Windstream should have to take calls using AT&T's preferred method of signaling technology can continue but I would urge AT&T to take immediate steps to restore to its customers in Laurel County the full benefits of 9-1-1 service in the meantime.

I recognize that the solution may not lie entirely with AT&T but surely you can take the lead in resolving the matter on behalf of your customers.

Sincerely,

  
Joe Barrows  
Executive Director

Cc: Robert Stack  
Michael Holt  
Jeff DeRouen  
William Taulbee  
Chris Chancellor