

State of Illinois



**ILLINOIS COMMERCE COMMISSION**

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November 20, 2012

John H. Kelly  
Atty. for Counties of Southern Illinois  
& for INENA  
Ottosen Britz Kelly Cooper Gilbert & DiNolfo, Ltd.  
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Re: Docket No. 12-0094 – CSI’s Petition for Authority to Operate a Regional Next Generation 9-1-1 Pilot Project System.

Dear Mr. Kelly:

As you are aware, in the interests of administrative economy, Illinois Commerce Commission Staff (“Staff”) assigned to the above-referenced Docket does not at this time consider it productive to submit testimony regarding CSI’s Pilot Plan until certain additional information is available. This will advise CSI, as well as the other parties to this Docket, of Staff’s opinion regarding CSI’s draft “Motion to Supplement Amended Petition” and further regarding the manner in which this affects Staff’s ability to conduct a review of the plan based upon the this motion, data requests, and pleadings filed to date.

Background

From the outset of this proceeding, Staff has maintained that the information provided by CSI in support of its Petition is inadequate to permit thorough and proper evaluate CSI’s proposal. Staff filed a Motion for a Bill of Particulars on April 5, 2012, which was answered on May 3, 2012. CSI filed motions for extensions of time to respond to data requests issued by Staff. Within one week of filing of CSI’s plan, on February 9, 2012, the Administrative Law Judges (ALJs) ordered that, to the extent that CSI is seeking a forbearance from certain requirements of the Public Utilities Act, the petition explicitly state so. A “Motion for Petition for Forbearance” was filed on June 18, 2012. Upon finally filing this motion/petition, the ALJs ordered CSI to file testimony in support of the forbearance request. After obtaining an extension of time to file that testimony, CSI subsequently withdrew the forbearance motion/petition and announced that they would contract with a certified 9-1-1 service provider.

Following this disclosure, Staff, along with some interveners, requested that CSI amend the plan to reflect the changes that necessarily follow as a result of contracting with a 9-1-1 system service provider. On October 10, 2012, the ALJs ordered that CSI provide a supplement to their plan that outlines the changes that will result from contracting with a certified 9-1-1 system provider, rather than CSI conducting these services on its own. Furthermore, the ALJs ordered that the parties communicate better on a going-forward basis in order to facilitate moving forward in this Docket. At that point, CSI offered to circulate a draft of their supplemental filing to all parties by October 19, 2012, so that CSI may ensure that the plan supplement includes all information necessary for Staff and Interveners to begin a review of the plan and prepare testimony.

In the interest of facilitating an open dialogue and assisting CSI with their supplement, Staff provided the parties with a non-exhaustive list of information that they would like to see included in CSI's supplemental filing on October 17, 2012, related specifically to CSI's new decision to contract with a certified 9-1-1 service provider. In the same correspondence, Staff recommended that the parties hold a workshop involving technical staff, including engineers from non-party LECs, to discuss the physical and technical aspects of the plan. CSI responded through counsel that its October 19 draft would be delayed until October 26. Staff held a videoconference workshop on October 31; following that workshop, CSI noted its supplemental draft filing would be provided to the parties by November 5.

CSI circulated a draft of its Motion to Supplement Amended Petition the parties at approximately 3:00 p.m. on November 7, 2012. On November 8, 2012, at a 9:30 a.m. status hearing, Staff and Interveners requested time to review the draft and provide comments.

#### Comments on CSI's draft "Motion"

At the status hearing held on October 10, 2012, the ALJs ordered CSI to supplement its amended petition. The ALJs noted that this supplement should include a cover sheet containing a list of all materials that have been revised, whether they include data responses, testimony, and/or pleadings, and those revisions themselves. The draft "motion" circulated by CSI does not include any of the requested materials. Rather, CSI relies primarily upon recitation of the statutes that pertain to certified 9-1-1 system providers. The motion further states that having an outside 9-1-1 service provider would not technically affect the pilot program in any way, and that revised testimony will be filed at some future time. By failing to provide any of these materials in its draft to supplement what is a substantial change to its plan, it appears that Staff and CSI do not share the same understanding of the function of a 9-1-1 service provider and matters related to connection and database management as they relate to a 9-1-1 system.

Following an extensive review of the draft Motion to Supplement Amended Petition, as well as the amended plan itself, Staff continues to be of the opinion that a supplemental filing, if it is as described in the draft Motion, will not provide the sufficient

information necessary for Staff to conduct a thorough and meaningful review of CSI's plan. Staff has identified the following points that, at a minimum, should be addressed to permit Staff to provide a meaningful review of the pilot program. This is not intended to be an exhaustive list, and by no means does Staff suggest that resolution of these unknown issues would certainly result in Staff providing the Commission a favorable recommendation about CSI's plan. Staff's merely seeks to inform CSI and all other parties of the information that it views as the minimum necessary in order to conduct its review and offer an opinion and recommendation regarding CSI's Petition.

Below is a list of items CSI should address in its supplemental filing to permit Staff to begin a meaningful review of the plan.

Staff has identified several examples of revisions that should be made in the CSI Pilot Plan, in light of the fact that CSI appears ready to conclude an agreement with a certified 9-1-1 system service provider involved in the implementation. The examples identified are again, not an exhaustive list, but merely examples of where the plan may no longer be internally consistent, given that a 9-1-1 service provider will be utilized.

- CSI indicates in the draft motion that it will provide a copy of the contract it enters into with a certified 9-1-1 system provider once it is negotiated. That contract should be a part of the supplemental filing to CSI's petition as it provides critical information necessary for the Commission to approve any next generation 9-1-1 pilot plan.

The Commission recently certified NG-911, Inc., as a system provider in Docket No. 12-0093, and CSI indicates that it has voted to use NG-911, Inc. as its 9-1-1 system provider. The Commission's Order specifically reserved to the Commission the right to further review the NG9-1-1 financial information as part of any 9-1-1 "plan" filed with the Commission where NG9-1-1 will be the system provider. Staff recommends that CSI provide its contract with a 9-1-1 system provider to permit that review.

Furthermore, CSI indicates that it "does not anticipate that the Design Plan as filed will materially change from the version filed as Exhibit 23 to the Amended Petition. NG-911, Inc. which has much oversight and coordination responsibility for the CSI Pilot Project as initially filed will have that responsibility formalized in the areas of call routing and database maintenance in its servile as the system service provider." However, the foregoing appears to be inconsistent with CSI's statement that it "has contracted with 911Datamaster (See Section 1.5.2.2.2 of Exhibit 2, Plan Narrative) to provide database (both ALI and GIS) management software and services. This will not change with the selection of a 9-1-1 system service provider or any proposed contract with NG-911, Inc." The inconsistency should be resolved. In addition, Section 1.5.2.2.2 of the 911 Datamaster Plan

Narrative (Exhibit 2), should be revised, inasmuch as it indicates that the contract with Datamaster (CSI response J H 3.05 Data Request) is with NG-911, Inc. as a subcontractor for database services and not CSI.

- CSI claims that nothing in the Design Plan changes if it contracts with a 9-1-1 system provider as opposed to CSI serving as its own 9-1-1 system provider and routing from its own data centers currently leased by CSI and to be located at the Sheriff's Departments at Murphysboro and Harrisburg, Illinois. Additionally, CSI has proposed locations for the legacy network gateways, border control functions, and gateways. However, it appears that CSI's plan as written indicates that CSI is responsible for the datacenters themselves, directs carriers where to connect, and updates and maintains the databases, with CSI essentially assuming the roles and responsibilities of a 9-1-1 system provider. If the datacenters are leased/controlled by CSI, it is not clear to Staff how NG-911, Inc., or any 9-1-1 system provider, can be ultimately responsible for the described network/equipment and routing to the PSAPs. CSI's plan should provide the Commission with a document that reflects an accurate description and details of the NG9-1-1 Regional Pilot, as Staff requested of CSI in a list of items provided in an e-mail prior to the technical workshop (See Attachment A). The Commission is required to ensure that responsibility and duties of the 9-1-1 system provider for routing and database are actually being fulfilled by CSI's 9-1-1 system provider.
- In Staff's view, the law makes the 9-1-1 system provider responsible for the following: (1) aggregating 9-1-1 traffic from all carriers, (2) provisioning network from a specific termination or meet point with each carrier to each individual PSAP, (3) routing the 9-1-1 call to the appropriate PSAP, and (4) maintaining the database for all 16 ETSBs. However, it is not clear to Staff from CSI's plan whether the 9-1-1 system provider will actually provide any of these functions as currently identified in the Plan Narrative (Exhibit 2), Design Plan (Exhibit 23) or Access Plan (Exhibit 24). CSI should provide more information to explain which of the above activities will be conducted by the 9-1-1 system provider.

Additionally, Staff has identified the following outstanding issues associated with the amended plan, and recommends that CSI address these issues in its supplemental filing to facilitate Staff's review:

#### **Exhibit 1: Blank Resolution**

- The Resolutions states, "Whereas, the Board of Directors of Counties of Southern Illinois have determined to petition the Illinois Commerce Commission for status as a 9-1-1 System Service Provider." The foregoing is apparently no

longer consistent with the remainder of the plan since CSI has indicated that it no longer plans to be the 9-1-1 system provider. Additionally, that blank and unsigned resolution is no evidence that all counties have agreed to allow CSI to petition the Commission on their behalf. Copies of revised and signed resolutions should be included from all 16 ETSBs in CSI's supplemental filing.

### **Exhibit 2: Plan Narrative**

- Section 1.5.2.2 “NG-911, Inc.” states “NG-911, Inc. was selected as the systems integrator and prime contractor for their experience in IP and PSTN9-1-1 technology over three (3) RFP finalists. “ This section should be revised to reflect NG-911, Inc.’s correct role in CSI’s plan. As NG-911, Inc. is now expected to be the 9-1-1 system provider rather than an integrator, a reasonable revision to this section would reflect such.
- Section 2.2.5 “Connections to the Next Generation 9-1-1 System” states the “Next Generation 9-1-1 system that CSI is deploying can accept any type of recognized 9-1-1 trunking technology. The following sections describe the 9-1-1 trunking options CSI intends to deploy.” Traditionally, trunking options are deployed by the 9-1-1 system provider. As CSI has indicated that is no longer expects to be the 9-1-1 system provider, this section must be revised to indicate the trunking options that will be deployed by the contracted 9-1-1 system service provider.
- Section 2.2.5.1 “SS7” states “[d]ue to the continued accelerated growth in VoIP, technologies carriers and ISPs are now offering clients Session Initiated Protocol (SIP) trunks at a lower cost, alternative to the traditional PSTN interconnect. For this reason, CSI is looking to use SIP trunking.” Similarly to the above, this section should be revised related to the 9-1-1 system service provider.
- Section 2.5 Database: References are made throughout this section regarding CSI obtaining ALI database images and updates directly from each Access Carrier. Traditionally, this is a responsibility of a 9-1-1 system provider. If NG-911, Inc., is undertaking traditional 9-1-1 system provider responsibilities for CSI, this section must be revised accordingly.
- Section 2.5.2 Updates: This entire section refers to CSI functioning as the 9-1-1 system provider, completing tasks such as maintaining databases. However, NG-911, Inc., will have responsibility for loading database records from ILEC’s, CLEC’s, Wireless carriers and MPC/VPC’s, as well as maintaining those databases, and CSI’s plan supplement should reflect that information.

- Section 9.1.2 NG-911, Inc. as SSP: This section should be revised to clearly indicate that NG-911, Inc. will be the SSP for CSI.
- Section 9.1.3 Other entity as SSP: Given that CSI has voted to have NG-911, Inc., as its 9-1-1 service provider, this section is now superfluous and may be deleted.
- Section 11.0 Post Pilot Plan: This section requires revision, as CSI is no longer requesting to serve as its own 9-1-1 system provider. Paragraph 1 must to be updated. Paragraphs 2 and 3 may be deleted or Paragraph 3 must be revised and a copy of the NG-911 contract provided.

### **Exhibit 23: Design Plan**

- 3.3 CSI Design Strategy  
This section states, “This section describes the function of each of these major parts of the ESInet and their interworking. The CSI ETSBs will implement and manage the i3 NG9-1-1 ESInet and their functional elements in 2 CSI Data Centers over 50 miles apart - Harrisburg and Murphysboro.”

The ESInet consists of 9-1-1 service from ACCESS providers to the CSI Data Centers, which is described in the Access Plan, Assure911.net-DG-CSI/NG911-002, as well as from the CSI Data Centers to the PSAPs.

This portion of the ESInet should be managed by the 9-1-1 system provider rather than CSI.

- 3.3.2 ESInet – Data Centers  
This section states, “This section also describes CSI Data Centers as well as the CLLI, codes SS7 Point Codes and External IP addresses that identify the two Data Centers.”

The data centers are the locations at which carriers are expected to terminate all 9-1-1 calls originating on their networks. From this point, they are routed to the appropriate PSAP. This equipment and responsibility should be with the certified 9-1-1 system provider and not with CSI.

- 3.3.2.1 CLLI Assignments, 3.3.2.3 SS7 Connectivity, 3.5.3 NENA Design Criteria and CSI Design implications (pg. 35), 3.7.1 Preparation of Access Carriers

These sections should be revised since CSI is no longer acting as the 9-1-1 system provider. References to CSI requiring or doing certain work that are tasks of CSI's contracted 9-1-1 system provider should be revised.

**Exhibit 24: Access Plan**

- 5.5.1 CLLI Assignments, 5.5.3 SS7 Connectivity, 5.6.1 Routing Design Options, 6.0 Access Operations, 7.1 Preparation of Access Carriers, 7.2 Preparation of PSAPs, 7.4 Cross Boundary Traffic, 7.14.1 NENA Network Management and Monitoring Design Requirements, 8.1 ICC and Outage Reporting.

These sections should be revised since CSI is no longer acting as the 9-1-1 system provider. References to CSI requiring or doing certain tasks properly undertaken by the 9-1-1 system provider should be revised.

**CSI's Response to Staff's Bill of Particulars:**

- Exhibit B: Intergovernmental Agreement- CSI should state whether this intergovernmental give CSI authorization to contract with a 9-1-1 system for each of the 16 ETSBs

**Financial**

- Additional trunks from the local exchange carriers will be required to implement the pilot program. Please include details regarding the amount budgeted for these trunks, including installation costs, monthly costs and the number of months for which these funds are budgeted.

Finally, Staff has identified the following remaining technical issues associated with the plan, and recommends that CSI address these issues in its supplemental filing to facilitate Staff's review of the pilot plan:

- Access plans should be modified to include specific information regarding termination of calls from telecommunication carriers to data centers;
- Facilities available at data centers for interconnection and termination of incoming calls should be listed;
- Information regarding availability of facilities between serving telecommunication central offices and the data centers should be provided;
- Documentation should be provided regarding contacts and requests for trunks and/or routing of calls;
- Copies of responses from ILECs, CLECs, wireless providers and VoIP providers should be provided, including costs and time estimates;

- CSI should state whether it and NG9-1-1, Inc., anticipate any aggregation or consolidation of incoming traffic from carriers, and at what locations;
- CSI should state whether it and/or NG9-1-1, Inc., have made provision for covering the costs of establishing required new trunking arrangements during the pilot, while carriers are required to maintain existing networks to selective routers;
- CSI should state whether consideration has been given to alternate trunking arrangements, i.e. interconnection in alternate locations, phasing in trunking, etc., during the pilot;
- Plan should be modified to incorporate language covering the transition from the existing network to the new network, as well as plans for transition back to the existing network in the event that the pilot is not approved for full implementation;
- Documentation should be provided demonstrating that Clearwave has completed provisioning its network to each PSAP location;
- A complete testing plan should be provided to cover from the end user (carrier's end office) to the PSAP, as the current plan only discusses testing of the CSI/NG9-1-1 network;
- A contract between the 9-1-1 system provider, now presumed to eventually be NG9-1-1, and the provider to the PSAPs (Clearwave) should be provided and should include information regarding the dedicated facilities available to this project, i.e. number of strands dedicated to transport of 9-1-1 calls or bandwidth on fiber;
- A detailed description of Clearwave's network that will be utilized to transport calls from the data centers to the PSAPs should be provided, including the number of strands of fiber and the electronics used to light the fiber and the location of all electronics and the power arrangements for all electronics, including AC service providers, DC service providers, battery string sizes and estimated life of batteries without generator, location of back-up generators, fuel storage, etc.;
- Information regarding all additional connectivity from data centers to PSAPs that can be used as back-up in the event the Clearwave network is down, i.e. satellite, radio back-ups, copper connections, should be provided.

Thank you for your attention to this matter. If you have any questions, please contact Megan McNeill at (312) 793-8185, or Kelly Armstrong at (312) 814-1109.

Sincerely,

Matthew Harvey  
Megan McNeill  
Kelly Armstrong  
Staff Counsel  
Illinois Commerce Commission

cc: All Parties of Record, via email  
Encl.: Attachment A

**From:** McNeill, Megan  
**Sent:** Wednesday, October 17, 2012 4:04 PM  
**To:** @ 12-0094 DR List  
**Cc:** Beyer, Gene; Zolnierek, Jim  
**Subject:** 12-0094 CSI

All-

In an effort to assist CSI in providing satisfactory information in its supplemental filing as a result of CSI's plan to contract with a 911 system provider, Staff would like to highlight a few specific items that require clarification and consideration. This list by no means is meant to be exhaustive. Staff merely wishes to assist CSI and ensure that the revisions include, but are not limited to, the following:

- Identify in the supplemental filing revisions to the Pilot Plan and testimony filed on behalf of each witness for all of the components and functions of the 9-1-1 system. Indicate who will be responsible for what parts of the system from the end user to the PSAP, but not limited to the installation and maintenance of the different pieces of network facilities, equipment and maintenance of equipment, (ie. data centers, ALI controllers, database software management and maintenance) and routing of 9-1-1 calls to the actual PSAP.
- Identify how CSI's function will be different than as outlined in the current plan and what pieces of equipment and network will be maintained, owned and/or controlled by CSI.
- Identify where the network demarcation points are between the telephone companies' networks (ILEC/CLEC/Wireless/ VOIP/ 3<sup>rd</sup> party provider) and the 9-1-1 system provider's network. Specify whether the locations of these network demarcation points will vary depending on which 9-1-1 system provider CSI selects for the pilot.
- Identify all facilities and equipment that will be included in the 9-1-1 system provider's network. Specify whether these facilities and equipment will vary depending on which 9-1-1 system provider CSI selects for the pilot.
- Identify where the network demarcation points are between the 9-1-1 system provider's network and CSI's network. Specify whether the locations of these network demarcation points will vary depending on which 9-1-1 system provider CSI selects for the pilot.
- Identify all facilities and equipment that will be included in the CSI network. Specify whether these facilities and equipment will vary depending on which 9-1-1 system provider CSI selects for the pilot.
- Clarify whether CSI plans to carry live 9-1-1 traffic during the term of the pilot or whether it plans to test without using live 9-1-1 calls (this was not clear in the plan, but was discussed in DRs).
- Specifically identify a 9-1-1 system provider and contract. The identity and responsibilities of the service provider are essential to the plan, and Staff believes the proceeding will be much cleaner, and possibly go faster, if a specific 9-1-1 system provider is identified and a copy of the contract provided with the supplement information.

Additionally, Staff would like to propose a technical workshop to facilitate an open discussion among the carriers, the 9-1-1 system provider, and CSI regarding how the regulated networks will function technically, physically, and

financially. Staff would propose that this workshop possibly be held the afternoon of October 31, 2012, however, a formal notice will be circulated at a later time.

Thanks,

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