

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

**In the Matter of the Nebraska Public) C-5564/PI 250
Service Commission, on its own motion,)
to review and consider modifications to)
the Commissions service outage reporting)
requirements.)**

INITIAL COMMENTS OF WINDSTREAM

Windstream Nebraska, Inc. (“Windstream”) hereby respectfully file these comments as permitted by the Order Opening Investigation, Seeking Comment, and Scheduling Workshop issued by the Nebraska Public Service Commission (“Commission”) on April 3, 2024. In that Order the Commission seeks comments on its proposed service outage reporting requirements. Windstream appreciates the Commission’s collaboration with the industry as it works to improve and modify service outage reporting requirements and offers the following feedback.

To comply with existing outage reporting requirements, which expects reports to be filed 24 hours a day, many carriers like Windstream have instituted automation into their processes and procedures especially for initial reports. Automation ensures that reports are timely filed and contain information that is readily available, thereby, allowing providers’ employees to focus on tasks related to addressing the root cause. However, automation also means that the available information is specifically tailored to network impacts and may not be able to capture unique information requests. Because of this, Windstream strongly recommends streamlining the outage requirements to make them more uniform per outage, this ensures the Commission receives timely and accurate reports.

1. Whether the requirements of the policy should be clarified.

Windstream makes the following recommendations to the proposed language:

- a. Section 2:
 - i. Update the proposed policy to address extended outages in hours versus days. Instead of an interruption extending 3 days have it apply after 36 hours. This will allow for uniform treatment and will remove uncertainty over how a “day” is defined.
 - ii. Interim reports should only be required to include the information if it is applicable. Thus, Windstream recommends inserting “If applicable” to the beginning of the sentence.
- b. Section 3(h)
 - i. It is unclear what is meant by “impacted”, Windstream would recommend either defining impacted or providing additional guidance. In what instances would the Commission believe 911 access has been “impacted”?
- c. Section 5(a)
 - i. It is not clear what the Commission would consider as “significant degradation”.
- d. Section 5
 - i. The Commission has proposed new language related to planned outages. It is not clear why the Commission believes this additional obligation is necessary and the proposed verbiage is unclear. Additionally, this proposed language appears to be adding a new requirement on providers related to customer notifications and may be outside the scope of the rules in question. Lastly, requiring such reporting will likely create a material increase in outage reports to the Commission. If the Commission, believes this require

is necessary, Windstream would suggest placing parameters around the requirement, such as service type, wherein only impacts to DS1 or greater services would require reporting. Windstream would appreciate additional discussions on this language.

2. Whether carriers are able to comply with the requirements of the policy;

Windstream recommends the following changes to this section:

- a. Section 1(e):
 - i. Due to the current report automation, additional requirements like identifying media notifications will create potential issues and will result in delays in the submissions of these initial reports. If the Commission would like to have information on reports made to third parties, providers should instead be required to copy a designated Commission contact or email address on any media related outage notifications or require providers to provide a copy of the announcement after it is submitted. Requiring this as part of the initial report is likely premature and as noted will cause reporting issues.
- b. Section 3 – Reducing the timeframe from 14 days down to 5 business days, will create an increase in incomplete final reports as 5 business days will not be enough time to fully investigate and submit a final report with the required detail. This will result in multiple follow-up reports or questions from Commission Staff.
- c. Section 5(d) – The information requested in this subsection is not information that providers have readily available for outage reporting purposes.

3. Whether additional information should be collected when outages impact schools, malls, or other public areas where public safety might be impacted; and, if so, what the reporting thresholds and guidelines for this type of incident should be; and

- a. As noted above, requiring this level of detail is not information readily available. Implementation of this type of notification would require additional resources for notification of an outage and could impact the time to restore service to impacted customers.

Windstream is willing to provide an edited or “redline” document to Commission Staff that reflects changes it has proposed herein. Windstream appreciates the opportunity to provide comments in this matter and looks forward to continuing its work with Commission on this sensitive topic.

Respectfully submitted this 14th day of June 2024.

WINDSTREAM NEBRASKA, INC.,

s/ Nicole Winters

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