

DT 00-168

COMMUNITY SERVICES COUNCIL OF NEW HAMPSHIRE

Petition FOR 2-1-1 Approval

Prehearing Conference Order

O R D E R N O. 23,597

December 12, 2000

APPEARANCES: Eugene Sullivan, Esq. representing the Community Services Council; Kenneth Traum for the Office of Consumer Advocate; and Lynmarie Cusack, Esq. for the Staff of the New Hampshire Public Utilities Commission.

I. PROCEDURAL HISTORY AND BACKGROUND

This docket was opened on August 11, 2000, when the New Hampshire Public Utilities Commission (Commission) received a petition from Community Services Council of the State of New Hampshire, Inc. (Community Services Council/Petitioner) requesting assignment of the 2-1-1 dialing code to Community Services Council for the provision of community information and referral services throughout the State of New Hampshire. The petition followed a Federal Communications Commission (FCC) decision of July 21, 2000, that assigned 2-1-1 as a national abbreviated dialing code to be used for access to community information and referral services. See FCC 00-256, Docket No. CC 92-105, July 31, 2000.

The Petitioner averred that its New Hampshire Help Line Program is well suited to lead the statewide 2-1-1

network and requested all telecommunication service providers to take steps necessary to complete 2-1-1 calls from subscribers in New Hampshire. The Petitioner also requested the implementation of a surcharge on customer bills to supplement current funding.

Subsequent to the initial filing, the United Way of New Hampshire, on August 23, 2000, expressed its desire to be kept apprised of the Commission's actions with respect to the 2-1-1 application. The United Way formally requested intervention in the docket on October 23, 2000, as set forth by the requirements in this Commission's Order of Notice dated September 20, 2000.

The September 20, 2000 Order of Notice (OON) specified that the filing raised issues regarding whether the Petitioner provides the kinds of services contemplated by the FCC decision, whether the services are provided statewide, whether a surcharge is the appropriate funding mechanism, and whether it is in the public interest to assign 2-1-1 to the Community Services Council. The OON also gave interested persons until October 23, 2000 to request intervention in the docket and scheduled a technical session to occur immediately following the prehearing conference to be held on October 26, 2000.

No other request for intervention was received by the October 23, 2000 deadline; although, the United Way's request for intervention included names of representatives from the various New Hampshire United Way organizations, InfoLink, Information & Referral of Greater Nashua, Southern New Hampshire Services and the NH Department of Health and Human Services. A late request for intervention was filed by Nextel Communications, Inc. on November 10, 2000. In addition to the requests for intervention, certain members of the New Hampshire Legislature wrote letters to support the Petitioner's request for 2-1-1.

A prehearing conference was held at the Commission on October 26, 2000. After all interested persons provided preliminary statements, Staff requested that the technical session be postponed to a date convenient for all the parties. The Commission granted the motion, requiring that Staff propose a procedural schedule for the remainder of the case. On November 1, 2000, Staff informed the Commission that a technical session would be set for November 13, 2000, at which time a proposed schedule would be discussed. The Commission also directed Staff to attend a meeting of the intervenors tentatively scheduled for November 17, 2000, to discuss the 2-1-1 programs in Connecticut.

II. PRELIMINARY POSITIONS OF THE PARTIES

A. Community Services Council

The Petitioner asserted that it was the only provider of information and referral services in New Hampshire available to the public statewide on a 24-hour basis, 7 days per week. As such, it represented that it could take the calls from telecommunications providers and route them to the appropriate third-party agency or provide the caller with a number of the appropriate agency.

Upon questioning from the Commission, the Petitioner indicated that it was not its intent to bid out this type of service like bidding that was completed for telecommunications relay services because it would be premature to do so and because the public would be better served by the existing infrastructure. The Commission also questioned the cost of providing this type of service. Specifically, Commissioner Geiger asked what type of surcharge the Petitioner would require to provide the service it envisions. The Petitioner indicated that it anticipates a surcharge similar to the 911 surcharge of about .10 - .20 cents per phone bill. This would pay for developing a call center for forwarding and switching calls, consolidating its database and making the database available over the web.

Further questioning from the bench asked the Petitioner to discuss other models such as E911 as an example of how to provide the service. The Petitioner acknowledged there were other models that should be evaluated but could not specifically comment on whether the 911 model was appropriate.

B. OCA

The OCA indicated that it supported the 2-1-1 dialing code throughout the state but because it was not familiar with social service organizations, including information and referral services, it had no opinion at this time as to whether the Petitioner should be the sole provider for the service. The OCA did note that it would look to its own advisory board with regard to developing positions in the docket.

With regard to the surcharge issue, OCA first observed that it must be determined if one is even necessary. If a determination to use a surcharge was made, it would be the OCA's objective to keep it as low as possible.

C. United Way

The United Way expressed its desire to support the 2-1-1 dialing code. The United Way, however, expressed concerns over who would be the provider of the service and

communicated that any entity considered should be thoroughly evaluated. The United Way suggested that the process should include a statewide collaborative with all Information and Referral Services to develop a plan for bringing the dialing code to New Hampshire.

D. Staff

Staff indicated that it has not taken a position on the proper mechanism for implementing the 2-1-1 code, although it believes that the code should be reserved for further implementation. Staff recommended that a study group be formed to evaluate models for implementation of the service as well as the costs of the program.

Staff also recommended that a discovery period be implemented so that additional information could be obtained on the various operating models already implemented elsewhere.

III. INTERVENTIONS

The Commission granted the request for intervention by the United Way but also the remainder of representatives listed in the October 23, 2000 notice, with the exception of JoAnne Strickland, a Community Services Council member.

The Commission also directed that the E911 Commission be notified of the proceeding as well as all local exchange carriers. As a result of that notification, Nextel

filed its request for intervention. Additionally, Verizon and other independent local exchange carriers attended the technical session held on November 13, 2000, and asked to be involved in the docket.

IV. PROPOSED PROCEDURAL SCHEDULE

On November 15, 2000, Staff submitted a procedural schedule that was agreed to by the interested parties in the docket. The parties met in a technical session with Staff on November 13 and concurred that the docket should be pursued initially in a collaborative manner. Additionally, the Petitioner agreed to defer its request until March 30, 2001 to allow time for a collaborative discussion of the issues. If no consensus is reached by that date, the Petitioner could then ask to proceed with its filing or amend its original petition. Any other interested party may also file its own proposal.

The parties suggested the following procedural schedule:

Roundtable Presentation (Presentation of I and R service organizations in the state)	December 7, 2000 9:00 am - 12:00 pm
Roundtable Presentation (Presentation of varying 2-1-1 models)	January 4, 2001 10:00 am - 4:00 pm
Roundtable Presentation	January 25, 2001

(Presentation of technical feasibility and cost issues)	10:00 am - 4:00 pm
1 st Working Group Session	February 8, 2001 9:00 am - 4:00 pm
2 nd Working Group Session	February 22, 2001 9:00 am - 4:00 pm
3 rd Working Group Session	March 8, 2001 9:00 - 4:00 pm
4 th Working Group Session (if needed)	March 22, 2001 9:00 am - 4:00 pm
Joint Proposal submitted to Commission	March 30, 2001
Hearing Date	April 19, 2001

Staff's letter also indicated that if there is no acceptable collaborative solution to the docket, there would be no need for the April 19, 2001 hearing date. If no agreement is reached by March 30, 2001, it would be expected that the Petitioner could renew its original request. A further technical session would be needed to establish a new procedural schedule if no joint proposal on the merits were submitted by the Staff and Parties involved.

As a result of the proposed schedule, the meeting set for November 17, 2000, was cancelled. The parties agreed to work together jointly and with the Commission Staff to resolve the issues surrounding the 2-1-1 program.

V. COMMISSION ANALYSIS

In reference to the use of 2-1-1 to provide access to community information and referral services, the FCC has stated that community service organizations should "work cooperatively to ensure the greatest public use of this scarce resource." FCC Order No. FCC 00-256, para. 21. Thus, we believe that it is in the public interest for our Staff to work with the various Information and Referral Services in the state to consider an appropriate model for potential deployment of 2-1-1.

Moreover, we believe that the procedural schedule recommended jointly by the parties will enable a full opportunity to explore the models and costs involved in implementing this abbreviated code.

With regard to the intervenors, we will grant Nextel's petition and also order Verizon-NH and the other Independent Local Exchange Carriers to participate in this docket. We would encourage participation from those involved in the E911 service and any other telecommunications carrier interested in the docket.

We understand that the National Standards have been forwarded to Staff counsel, as such, they will be made a part of the record of this proceeding. Additionally, a letter from

the Petitioner agreeing to defer its original request insofar as it relates to assignment of 2-1-1 to the Community Services Council should be forwarded to our Executive Director no later than December 15, 2000.

Based upon the foregoing, it is hereby

ORDERED, that the procedural schedule as submitted is adopted and that all interventions as discussed herein are granted; and it is

FURTHER ORDERED, that Petitioner forward a letter to the Executive Director by December 15, 2000, indicating its willingness to defer its petition.

By order of the Public Utilities Commission of New Hampshire this twelfth day of December, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary