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October 23, 2000

VIA HAND DELIVERY

FILED³

OCT 23 2000

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: Stone County Emergency Services v. GTE Midwest Incorporated (n/k/a Verizon) and
Southwestern Bell Telephone Company
Case No.: TC-2000-767

Dear Mr. Roberts:

Enclosed for filing in the above referenced matter, please find Stone County Emergency Services' Response to Staff Report.

Please contact me with any questions. Thank you.

Very truly yours,

GIBBS LAW OFFICE, P.C.



Scott R. Pool
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SRP:ch

Enclosure

cc: James Fischer
Michael F. Dandino
Dana K. Joyce
Malcom Vedane

FILED³
OCT 23 2000

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

Stone County Emergency Services,)
)
Complainant,)
)
vs.)
)
GTE Midwest Incorporated,)
)
Respondents.)

Case No.: TC-2000-767

STONE COUNTY EMERGENCY SERVICES' RESPONSE TO STAFF REPORT

COMES NOW, Stone County Emergency Services, by and through its attorneys, Gibbs Law Office, P.C., and respectfully offers to this Commission its Response to the Staff Report filed on or about September 29, 2000. For its cause, Stone County Emergency Services states to this Commission as follows:

1. Stone County Emergency Services has previously stated several complaints against GTE. As it relates to GTE, these complaints include:

- A. GTE's failure to provide basic 911 to Stone County customers, in that, numerous residents of Stone County have dialed 911 and have received a recording informing them: "911 services are not offered in this service area."
- B. GTE routes Barry County residents to Stone County Emergency Services even though Barry County does not have 911 services and Stone County Emergency Services is not equipped to receive this foreign jurisdiction's 911 calls.
- C. On occasion, Stone County Emergency Services receives an ALI which is incorrect or receives a complaint consistent with paragraph 1.A. above. In

response to those errors, Stone County Emergency Services provides corrected information to GTE, but is first required to comply with numerous verification steps which are burdensome.

2. In response to these allegations, GTE requested the PSC Staff perform an investigation pursuant to 4 CSR 240-2.070(10). The conclusion of the Staff investigation may be summarized as follows:

As it relates to the above paragraphs A., B., and C., these problems were all verified but found to be the result of either errors in the MSAG data base or errors in the ALI data base. As the County is the entity responsible for assigning addresses to every building existing in that County for purposes of E-911 addressing, the Staff concluded these complaints to be the responsibility of Stone County Emergency Services.

3. The Staff further concluded that Stone County Emergency Services has not employed sufficient resources to "properly carry out its responsibility" in that it has failed to provide GTE "with the quality of database records that an E-911 system requires."

4. Finally, the Staff gratuitously stated "the County seems to be complaining about the work required to properly make the correction to the ALI database and GTE's efforts to make sure additional errors are not introduced."

5. In response to the foregoing findings, Stone County Emergency Services states as follows: First, the Staff found it is Stone County Emergency Services' responsibility to provide an addressing database. But as it relates to complaints from Stone County Emergency Services about its lack of authority over, and inability to have timely inaccurate changes made to that database, the Staff ignored all such information and stated, "developing correct MSAG and ALI databases is highly challenging." Stone County Emergency Services agrees, and such databases are particularly

challenging to develop when the responsible entity lacks the inherent ability to control and/or correct that database.

6. Second, the Staff finds Stone County Emergency Services has failed to provide GTE with a quality database. This generalized conclusion is void of any supporting data. Obvious data would be comparisons with other PSAPs, particularly those with GTE as the E-911 service provider. This over-broad conclusion is void of the independent statistical evidence one would expect from an investigative entity conducting an impartial investigation. The depth of the Staff's investigation seems unfortunately limited to the Staff's receipt of Complaints from Stone County Emergency Services; Staff's interview of GTE requesting its response to the alleged complaints; GTE's reply that said complaints are the result of errors in the database; and the Staff's conclusion that the database is the responsibility of Stone County Emergency Services. SCES was not even allowed to specifically reply to GTE's statements prior to the Staff entering its written conclusions.

7. The Staff report did not touch upon Stone County's complaints about GTE's interference with respect to changes being made to the database. For instance, the Staff eludes to GTE's efforts to make sure additional errors are not introduced into the database. But the staff does not go through the steps of verification imposed upon Stone County Emergency Services in order to make a simple address change to its own database, for which the Staff says it is solely responsible. The Staff fails to mention the significant verification step of GTE in checking the corrected address submitted by Stone County Emergency Services against its billing database. Obviously, Stone County Emergency Services has no involvement over GTE's billing database. Even more troubling, is GTE acknowledges its billing database to be the source of its tax collection errors. Why such a verification step is considered reasonable and necessary is unfortunately ignored by the Staff report.

8. Obviously, Stone County Emergency Services does not advocate that GTE be without procedures to help ensure quality control. However, Stone County Emergency Services expected the Staff to have specifically reviewed the verification steps imposed upon it by GTE in an effort to make some determination as to its reasonableness and/or its necessity. Additionally, Stone County Emergency Services would have expected the Staff to have contacted other PSAPs who utilize GTE as an E-911 service provider to measure and/or compare Stone County Emergency Services complaints with possible complaints of those particular PSAPs. The fundamental purpose behind such a comparative analysis would be to help determine and insure whether other PSAPs have similar problems and if such problems result in corrective information not being provided to GTE because of the numerous verification steps, or if Stone County is isolated in its complaints against GTE in this regard.

9. The conclusion of the Staff appears to allow GTE to have it both ways, in that, GTE may impose verification steps which must be complied with prior to any changes being made to the database, but as it relates to the reasonableness and the necessity of those verification steps and the timeliness in which the information is reviewed by GTE, GTE is without responsibility for any adverse result since the database is the responsibility of the addressing authority, the County.

10. Similarly the Staff concludes Stone County Emergency Services does not employ sufficient resources to perform its purpose. This is another allegation unsupported by any objective information. Again, the Staff makes this conclusion without objectively reviewing the verification steps of GTE and without having made any comparison of Stone County Emergency Services with other PSAPs. Without an objective comparison, Stone County Emergency Services does not understand how the Staff can make such a conclusory statement. Furthermore, the Staff does not

indicate what sufficient resources are not being provided and what steps Stone County Emergency Services needs to do in order to provide sufficient resources.

11. Stone County Emergency Services respectfully submits that the staff report was one-sided. The report bemoans that GTE has gone out of its way, but does not explain how. It labels Stone County Emergency Services as inadequate, yet does not measure it against other PSAPs to determine whether GTE's conduct is a source of harm or benefit. Additionally, the report goes out of its way to create the impression the accuracy percentage of the database when Stone County Emergency Services went on-line was solely the responsibility of the County. In doing so, the Staff ignored GTE's failure to promptly and timely load the Stone County Emergency Services database in July of 1999 when it was received, instead of February 2000, right before the County went on-line. Obviously, this prevented the County from being able to make changes between July and February. As far as the issue of resources is concerned here, this directly resulted in an underutilization of resources.

12. Stone County Emergency Services respectfully submits that the fundamental failure of the Staff report is its failure to review the conduct of Stone County Emergency Services and GTE with other PSAPs. The PSAPs are legitimate sources of information, especially since many, if not most, utilize GTE as an E-911 service provider. The failure to utilize this basic and easily accessible objective information results in the Staff's simple conclusion, i.e., the complaints of Stone County Emergency Services are verified, but all relate to errors in the database, and the County is the only responsible entity over the database. Under this scenario, the Staff creates an unrealistic view of who actually controls the database. If Stone County Emergency Services controls the database, it is in name only, since GTE controls all changes made to it.

WHEREFORE, Stone County Emergency Services respectfully submits its Response to the Staff Report and respectfully requests the Commission take any and all steps it deems necessary and proper under the circumstances.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing document by mailing and/or faxing a true copy thereof on October 23, 2000, to the following:

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