

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION ) CASE NO. GNR-T-16-04**  
**OF THE COMMISSION STAFF FOR AN )**  
**ORDER APPROVING THE DISPOSITION ) NOTICE OF APPLICATION**  
**OF TIER 2 FUNDS FROM THE QWEST )**  
**PERFORMANCE ASSURANCE PLAN ) NOTICE OF**  
**(QPAP) ) MODIFIED PROCEDURE**  
**)**  
**) ORDER NO. 33520**

---

On April 27, 2016, Commission Staff filed an Application requesting that the Commission authorize the disbursement of the remaining balance of Tier 2 funds accumulated under Qwest Performance Assurance Plan (QPAP). Staff recommended that the balance of QPAP funds (in the amount of \$89,710), be equally distributed to two telecommunications projects. First, the Idaho Department of Health & Welfare, Division of Behavioral Health, submitted a proposal to expand the telecommunications services of its Idaho Suicide Prevention Hotline. Second, the Idaho Emergency Communications Commission (IECC) proposed that funds be made available for the development of training and certification standards for emergency 911 dispatchers through the Idaho Peace Officer Standards & Training (POST) Academy. Staff recommended that the Application be processed under Modified Procedure.

**BACKGROUND**

Section 271 of the federal Telecommunications Act of 1996 established procedures for CenturyLink’s predecessor Qwest Corporation (commonly referred to as a Bell Operating Company (BOC)) to obtain authorization from the Federal Communications Commission (FCC) to provide in-region interLATA and interstate telecommunications services. 47 U.S.C. § 271. In particular, Section 271(c)(2)(B) contained a “competitive checklist” that generally provided that Qwest and other BOCs must provide access and interconnection to competitors. Before allowing Qwest to offer telecommunications services in its region, the FCC was also required to find that allowing Qwest to compete in its region against competitors “is consistent with the public interest, convenience and necessity.” 47 U.S.C. § 271(d)(3)(C). To ensure continued compliance with the competitive checklist, the FCC determined that applicable carriers should develop and implement a “Performance Assurance Plan” (PAP). As this Commission noted in February 2003, “Qwest’s PAP provides specific standards for [Qwest’s] delivery of services to

competitor telecommunications providers and automatic penalties if the standards are not met.” Notice of Modified Procedure (Case No. USW-T-00-03).

Qwest’s PAP (QPAP) was intended to provide economic incentives (penalties) for Qwest to provide non-discriminatory service to competitive local exchange carriers (CLECs). Order No. 32106 at 1. In the event Qwest failed to meet the performance standards set out in its QPAP, the Plan required that Qwest make remedial payments to either the affected CLEC or to a Fund established by the state regulatory commission. These payments were divided into two self-executing types. First, Tier 1 payments were made to a particular CLEC if Qwest did not meet the service standards when providing service or access to that CLEC. QPAP § 2.1. Second, if Qwest failed to meet certain other service standards that did not directly impact a particular CLEC, Qwest was required to make Tier 2 payments to accounts established by the state commission. QPAP § 2.1.1; Order No. 30461 at 3.

Tier 2 payments were made to one of two accounts. The Tier 2 “special fund” was used to defray audit and oversight expenses incurred by this Commission in reviewing Qwest’s Section 271 compliance. The Tier 2 “discretionary fund” was comprised of remedial payments and intended to be used for “competitively neutral Idaho telecommunications initiatives.” QPAP § 11.3.4. Payments to the Tier 2 accounts were discontinued in November 2010. Order No. 32106 at 2-3.

The current balance of the consolidated Tier 2 accounts is \$89,710.56 as of April 1, 2016. Given the discontinuance of Tier 2 payments, there is no longer a need to retain these funds. Consequently, Staff believes it is now appropriate to disburse the funds to the two telecommunications programs identified in greater detail below.

### **NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that Staff recommends that the Commission distribute the balance of the Tier 2 QPAP funds to the two programs set out in greater detail below. The first program would expand the operations of the Idaho Suicide Prevention Hotline administered by the Department of Health & Welfare, Division of Behavioral Health. The second program would provide initial funding for the development of certification standards and training at the Idaho Police Officer Standards & Training (POST) Academy for emergency dispatchers assigned to 911 calling centers.

### *A. Idaho Suicide Prevention Hotline*

YOU ARE FURTHER NOTIFIED that the Idaho Department of Health & Welfare, Division of Behavioral Health, administers the Idaho Suicide Prevention Hotline. According to statistics from the Suicide Prevention Action Network of Idaho, suicide is the second leading cause of death for Idahoans age 15-34.<sup>1</sup> In a report issued in April 2016 by the Centers for Disease Control and Prevention (CDC), the National Center for Health Statistics reported that deaths from suicide increased from 1996 to 2014 by 24%, from 10.5 to 13.0 per 100,000 population.<sup>2</sup> The average annual percentage increase in suicide mortality shows that the average increase was greater for the period 2006-2014 than for the period 1999-2006. Increases in suicide rates occurred for both males and females in all age groups except 75 years and older. The increase for females was greatest for those ages 10-14, and for males between 45-64 years old. *Id.*

YOU ARE FURTHER NOTIFIED that the Department of Health & Welfare has identified four special at-risk groups in Idaho. The first of these at-risk groups for suicide is male teenagers between the ages of 15 and 17 years old.<sup>3</sup> According to a recent survey, one in seven Idaho high school students said they had seriously considered suicide.<sup>4</sup> According to the Idaho Suicide Prevention Hotline, “Idaho’s overall suicide rate is 52% higher than the national average and the youth[s] age 10-19 is double the national average.” Application, Exh. 1 at 2.

YOU ARE FURTHER NOTIFIED that to address this priority at-risk group, the Suicide Prevention Hotline proposes to launch a new service called “Texts for Life” to reach people who are more comfortable texting or using an on-line chat service. While this new service will be available to all Idaho residents, “the focus is on increasing support for youth and other groups who favor these technologies, such as veterans.” *Id.* Funds from the QPAP program

---

<sup>1</sup> <http://healthandwelfare.idaho.gov/Portals/0/Medical/Suicide%20Prevention/August2015SuicideFactSheet.pdf> (last viewed April 21, 2016).

<sup>2</sup> *Increase in Suicide in the United States, 1999-2014*, NCHS Data Brief No. 241, <http://www.cdc.gov/nchs/products/databriefs/db241.htm> (last viewed April 22, 2016).

<sup>3</sup> The other three special at-risk groups are Native American males, 15-24 years old; working age males, between the ages of 18-64; and elderly men, age 75 and older. <http://healthandwelfare.idaho.gov/Families/SuicidePrevention/SpecialAtRiskPopulationsinIdaho/tabid/1923/Default.aspx> (last viewed April 21, 2016).

<sup>4</sup> <http://www.spanidaho.org/Idaho-suicide-facts> (last viewed April 22, 2016).

will improve the technological/telecommunications capacity to handle several thousand text messages as well as chats and calls from those in crisis.

YOU ARE FURTHER NOTIFIED that the Division of Behavioral Health has proposed utilizing approximately \$44,900 of QPAP funds to improve their telecommunications capacity. *Id.* In particular, the Division proposes to use the money to procure the following equipment and facilities:

1. \$18,000 to build and equip six additional workstations with telephones, computers, power-jack wiring.
2. \$6,000 to improve acoustic dampening between and among the existing responder workstations and the new workstations.
3. \$4,000 for two LED wall displays showing the waiting queue for calls and texts.
4. \$4,000 for ICAROL IT software to provide crisis texts & chat functionality and voice-call management for one year.
5. \$5,000 for access and security systems.
6. \$7,900 for office supplies, other equipment, and administrative management.

The Division asserts that this added functionality will improve efforts to prevent suicides by effective intervention.

***B. Idaho Emergency Communications Training Standards***

YOU ARE FURTHER NOTIFIED that the Idaho Emergency Communications Commission (IECC)<sup>5</sup> proposes to utilize \$44,910 of QPAP funding to develop employment and training standards, including certification and recertification requirements, for emergency dispatchers located at public safety call centers (911 centers). Application, Exh. 2.

YOU ARE FURTHER NOTIFIED that the Police Officer Standards & Training (POST) Academy has a voluntary dispatcher training program but desires to develop the necessary training standards for employment, training, and certification of emergency dispatchers. *Id.* The IECC estimates the funds necessary to fully develop a mandatory

---

<sup>5</sup> Effective July 1, 2016, the functions of the IECC and the Statewide Interoperability Executive Council (SIEC) are to be consolidated into the Idaho Public Safety Communications Commission. See *Idaho Code* § 31-4815.

certification program is about \$10,000 per year. Utilizing available QPAP funds would provide the necessary funding for approximately four years while other funding solutions are identified. *Id.* at 2. Funds would be transferred to the IECC and eventually to the POST Academy.

YOU ARE FURTHER NOTIFIED that Staff believes that the available QPAP funds can be put to good use by funding these two telecommunications programs. Staff's request to fund these programs is competitively and technologically neutral, and in the public interest. Accordingly, Staff recommends that the Commission disburse the Tier 2 funds to the Idaho Department of Health & Welfare, Division of Behavioral Services and to the IECC, Post Academy, which will administer these funds. Use of the Tier 2 QPAP funds to support these innovative projects will serve Idaho citizens.

### NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Order. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and Commission Staff at the addresses reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street  
Boise, ID 83702-5918

Donald L. Howell, II  
Deputy Attorney General  
Carolee Hall  
Telecommunications Analyst  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074  
E-mail: [don.howell@puc.idaho.gov](mailto:don.howell@puc.idaho.gov)  
[carolee.hall@puc.idaho.gov](mailto:carolee.hall@puc.idaho.gov)

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Case Comment or Question Form" under the "Consumers" tab, and complete the comment form using the case number as it appears on the front of this document.

YOU ARE FURTHER NOTIFIED that the Commission Staff may file a reply if necessary, **within 28 days of the date of this Order.**

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and exhibits are also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click on the "File Room" tab at the top of the page, scroll down to "Open Telephone Cases," and then click on the case number as shown on the front of this document.


YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 and Title 62 of the Idaho Code and specifically *Idaho Code* § 62-615, and 47 U.S.C. § 271. The Commission may enter any final Order consistent with its authority under Title 61 and Title 62.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **ORDER**

IT IS HEREBY ORDERED that this case be processed by Modified Procedure, IDAPA 31.01.01.201-.204. Interested Persons shall have 21 days from the date of this Order to file written comments, and the Commission Staff may have 28 days from the date of this Order to file a reply, if necessary.

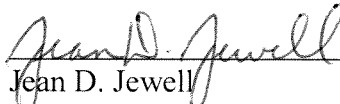
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 5<sup>th</sup>  
day of May 2016.

  
\_\_\_\_\_  
PAUL KJELLANDER, PRESIDENT

  
\_\_\_\_\_  
KRISTINE RAPER, COMMISSIONER

  
\_\_\_\_\_  
ERIC ANDERSON, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

O:GNR-T-16-04\_don