

Appendix D

Copies of State Responses

Alabama



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

**January 1, 2013 through September 30, 2013—**

Under § 11-98-5, Code of Alabama 1975, an emergency telephone service charge was established that upon a vote of the citizens could be imposed by the local Emergency Communications Districts (ECDs) on wired lines. Also, under § 11-98-7 and -8, Code of Alabama 1975, a state board and service charge were established for wireless connections. These mechanisms were repealed effective October 1, 2013 by Act 2012-293.

**October 1, 2013 through December 31, 2013—**

Under § 11-98-5, Code of Alabama 1975, a single, monthly statewide 911 charge was imposed on each active voice communications service connection in Alabama that is technically capable of accessing a 911 system.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

**January 1, 2013 through September 30, 2013—**

*For wired lines—*Local ECDs could impose a charge of up to 5% of the maximum tariff rate on



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wirelines within their district, except in counties with less than a population of 25,000, which could charge a flat rate of up to \$2.00. The charge varied from district to district.

*For wireless*—A state board levied a \$.70 charge per month per wireless customer on each wireless connection that had a place of primary use within the geographical boundaries of the State of Alabama.

**October 1, 2013 through December 31, 2013—**

The single, monthly statewide 911 charge was \$1.60 per connection for wired and wireless.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

**January 1, 2013 through September 30, 2013—**

*For wired lines*—Emergency Communication Districts are governed by local 911 boards and were not subject to any oversight from the state and, as previously stated, levied charges on wirelines at a variety of different rates across the districts; therefore, the current 911 office cannot directly account for the revenues on wirelines during this 9-month period.

*For wireless*—Based on the \$.70 charge per month per wireless customer on each wireless connection, total revenues for January 1<sup>st</sup> – September 30<sup>th</sup> totaled \$23,403,583.12.

**October 1, 2013 through December 31, 2013—**

Revenues collected pursuant to legislation that took effect on October 1<sup>st</sup> for the last three months of calendar year 2013 totaled \$18,571,140.81.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

**January 1, 2013 through September 30, 2013—**

*Collection and distribution for wired lines*—Under § 11-98-5 (e), Code of Alabama 1975, the service supplier collected the emergency telephone service charge imposed by the local Emergency Communications District (ECD) and remitted that collection to the ECD no later than 30 days after the close of a calendar month.

*Collection and distribution for wireless*—Under § 11-98-7 and -8, the uniform \$.70 fee per month per customer per connection was collected by the service supplier and remitted to the state board for a monthly distribution to the local districts.

A district may expend available funds to establish a common address and location identification program and to establish the emergency service number database to facilitate efficient operation of the system. The governing body and the E911 board of the county or city affected



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shall jointly be responsible for purchasing and installing the necessary signs to properly identify all roads and streets in the district.

Funds generated from emergency telephone service charges shall be used to establish, operate, maintain, and replace an emergency communication system that may, without limitation, consist of the following: (1) Telephone communications equipment to be used in answering, transferring, and dispatching public emergency telephone calls originated by persons within the service area who dial 911. (2) Emergency radio communications equipment and facilities necessary to transmit and receive "dispatch" calls. (3) The engineering, installation, and recurring costs necessary to implement, operate, and maintain an emergency communication system. (4) Facilities to house E911 services as defined in this chapter, with the approval of the creating authority, and for necessary emergency and uninterruptable power supplies for the systems.

Some methods for collection and distribution of funds were repealed effective October 1, 2013 by Act 2012-293.

**October 1, 2013 through December 31, 2013—**

Under § 11-98-5, Code of Alabama 1975, service providers remit the monthly statewide 911 charge collected from the service subscriber to the state board by the end of the calendar month following the month the provider received the charges from its subscribers. The state board then makes the distribution to the local districts.

Under § 11-98-6 (a), (b), (c), and (d), Code of Alabama 1975:

- Funds received by a district pursuant to § 11-98-5.2 shall be used to establish, operate, maintain, and replace an emergency communication system that, without limitation, may consist of the following: (1) Telephone communications equipment to be used in answering, transferring, and dispatching public emergency telephone calls originated by persons within the service area who dial 911. (2) Emergency radio communications equipment and facilities necessary to transmit and receive dispatch calls. (3) The engineering, installation, and recurring costs necessary to implement, operate, and maintain an emergency communication system. (4) Facilities to house E-911 operators and related services as defined in this chapter, with the approval of the creating authority, and for necessary emergency and uninterruptable power supplies for the systems. (5) Administrative and other costs related to subdivisions (1) to (4), inclusive.
- A district or county or municipal governing body may receive federal, state, county, or municipal real or personal property and funds, as well as real or personal property and funds from private sources, and may expend the funds or use the property for the purposes of this chapter.
- Subject to the remaining provisions of this chapter and the approval of the 911 Board and the creating authority, two or more districts, cities, or counties, or a city and a county in another district may agree to cooperate, to the extent practicable, to provide funding and service to their respective areas, and a single board of commissioners of not more than seven members may be appointed to conduct the affairs of the entities involved. In the event that two or more districts are consolidated for purposes of this chapter, the base distribution amount as defined in § 11-98-5.2 (b) (3) shall include the combined base distribution amounts that would have been calculated for the individual districts.



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- Subject to rules that may be adopted by the 911 Board, a district may expend available funds to establish a common address and location identification program and to establish the emergency service number data base to facilitate efficient operation of the system. The governing body and the E911 Board of each county or city affected shall be jointly responsible for purchasing and installing the necessary signs to properly identify all roads and streets in the district.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Under § 11-98-4, upon the creation of a local district, the creating authority serves as or appoints a board of commissioners that have the authority to approve expenditure of funds collected for 911 or E911 purposes. Likewise, under §11-98-4.1 (e) (2), the statewide 911 board has the power and duty to administer the 911 fund and the monthly statewide 911 charge authorized by § 11-98-5.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Under § 11-98-6 (e), beginning with fiscal year 2013, the Department of Examiners of Public Accounts shall audit each local district on a biennial basis to ensure compliance with the requirements of this chapter regarding both revenues and expenditures.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

As of the time of submission of this report, no complete audit report on any local districts allowed for under § 11-98-6 (e) has been provided to the state board office. Several are in progress, but none have been completed by the Department of Examiners of Public Accounts. Any third-party audit performed during the annual period ending December 31, 2013 on local districts at the request of their governing body are not held directly by the state board.



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8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
x	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

To the knowledge of the state board, no funds collected or disbursed were utilized for purposes other than support or implementation of 911 or E911.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Funds collected for 911 or E911 have been received by the 88 Emergency Communications Districts (ECDs) in the State of Alabama and have been used to support the activities of those 911 districts by providing funding to maintain, and in some cases enhance, the 911 service provided to their populous. (See table below for complete list.)



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List of ECDs		
Adamsville (Municipality)	Elmore County	Marengo County
Auburn (Municipality)	Enterprise (Municipality)	Marion County
Autauga County	Escambia County	Marshall County
Baldwin County	Etowah County	Midfield (Municipality)
Barbour County	Fairfield (Municipality)	Mobile County
Bessemer (Municipality)	Fayette County	Monroe County
Bibb County	Fort Payne (Municipality)	Montgomery City
Birmingham (Municipality)	Franklin County	Montgomery County
Blount County	Gardendale (Municipality)	Morgan County
Bullock County	Geneva County	Mountain Brook
Butler County	Graysville (Municipality)	Perry County
Calhoun County	Greene County	Pickens County
Chambers County	Hale County	Pike County
Cherokee County	Henry County	Pleasant Grove (Municipality)
Chilton County	Homewood (Municipality)	Randolph County
Choctaw County	Hoover (Municipality)	Russell County
Clarke County	Houston County	Shelby County
Clay County	Hueytown (Municipality)	St Clair County
Cleburne County	Irondale City (Jefferson)	Sumter County
Coffee County	Jackson County	Talladega County
Colbert County	Jefferson County	Tallapoosa County
Conecuh County	Lamar County	Tarrant (Municipality)
Coosa County	Lauderdale County	Tuscaloosa County
Covington County	Lawrence County	Vestavia (Municipality)
Crenshaw County	Lee County	Walker County
Cullman County	Leeds (Municipality)	Washington County
Dale County	Limestone County	Wilcox County
Daleville City	Lowndes County	Winston County
Dallas County	Macon County	
Dekalb County	Madison County	

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	



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12. Has your state expended such funds on Next Generation 911 programs?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

During the annual period ending December 31, 2013, our state has expended a total of \$711,299.97 on the Alabama Next Generation Emergency Network (ANGEN) project.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Please note that a change in legislation (Act 2012-293) took effect on October 1, 2013 and accounts for the submission of information regarding two distinct timeframes during the FCC's annual reporting period (i.e. January 1-September 30, 2013 and October 1-December 31, 2013.)

Alaska



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Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

In 2005, SLA 05, Chapter 55 amended Alaska Statutes 29.35.131 through AS 29.35.138 (enhanced 911 system) to allow a municipality, public municipal corporation, or a village to impose and increase a surcharge to provide E911 at public safety answering points from a local exchange telephone company or other qualified vendor. The Alaska Legislature's intent was to provide a sustained funding source for the technology necessary to respond to emergency calls and situations.  
AS 29.35.131 – AS 29.35.137 applies to home rule and general law municipalities. Alaska statutes do not allow the imposition of surcharges where no E911 service is provided.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The surcharge is capped at \$2 per month per line, with provisions that permit surcharges in the E911 service area to go above that level with voter approval. Allocations are determined by the governing body and it's communities via a written



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agreement. Each year, the governing body of the municipality must review enhanced 911 surcharges to confirm whether the surcharge is meeting enhanced 911 system needs.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Based on available data, the total amount collected for calendar year 2013 was \$12,448,651.46

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

AS 29.35.131 specifies that a local exchange telephone company or wireless telephone company providing service in a municipality that has imposed an enhanced 911 surcharge shall bill each month and collect the surcharge from customers in the enhanced 911 service area.

A local exchange telephone company or wireless telephone company that has collected the enhanced 911 surcharge shall remit the amounts collected to the municipality no later than 60 days after the end of the month in which the amount was collected. From each remittance made in a timely manner under this subsection, the telephone company is entitled to deduct and retain the greater of one percent of the collected amount or \$150 as the cost of administration for collecting the enhanced 911 surcharge. In addition, a wireless telephone company is entitled to full recovery of the recurring and nonrecurring costs associated with implementation and operation of Phase I E911 service as allowed under Federal Communications Commission proceedings entitled "Revision of the Commission's Rules to Ensure Compatibility with Enhanced 9-1-1 Emergency Calling Systems".

AS 29.35.131 (i) specifies that revenues collected may be used for costs directly attributable to the establishment, maintenance, and operation of an E911 system:

- (1) the acquisition, implementation, and maintenance of public safety answering point equipment and 911 service features;
- (2) the acquisition, installation, and maintenance of other equipment, including call answering equipment, call transfer equipment, automatic number identification controllers and displays, automatic location identification controllers and displays,



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station instruments, 911 telecommunications systems, teleprinters, logging recorders, instant playback recorders, telephone devices for the deaf, public safety answering point backup power systems, consoles, automatic call distributors, and hardware and software interfaces for computer-aided dispatch systems;  
(3) the salaries and associated expenses for 911 call takers for that portion of time spent taking and transferring 911 calls;  
(4) training costs for public safety answering point call takers in the proper methods and techniques used in taking and transferring 911 calls;  
(5) expenses required to develop and maintain all information necessary to properly inform call takers as to location address, type of emergency, and other information directly relevant to the 911 call-taking and transferring function, including automatic location identification and automatic number identification databases.”

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Alaska Statute AS 29.35.131 require that:

Municipalities determine funds are made available and used for purposes allowed under AS 29.35.131 (i); The governing body of the municipality review E911 surcharges on an annual basis to confirm whether the surcharge is meeting enhanced 911 system needs;

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Oversight procedures via AS 29.35.131 require that:

Municipalities determine funds are made available and used for purposes allowed under AS 29.35.131 (i);

The governing body of the municipality review E911 surcharges on an annual basis to confirm whether the surcharge is meeting enhanced 911 system needs;

When imposing or changing an E911 surcharge, municipalities provide written notification to affected telephone customers explaining how the surcharge will be used; and

Before a borough may use revenue from an E911 surcharge, the borough and city must enter into an agreement to address the duties and responsibilities of each party. The Alaska Department of Public Safety (DPS) must be party to the agreement if DPS



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provides services to support their E911 system.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The Alaska Statewide 911 coordinator serves as an information conduit and coordinator for all matters related to provision of 9-1-1 services to the entire state, provides technical consulting assistance to state agencies, local governments, and non-commercial entities related to 9-1-1 issues and coordinates and facilitates efforts by telecommunication companies and others to correctly and optimally route 9-1-1 and other emergency calls to Public Safety Answering Points (PSAP's). The coordinator's job includes oversight and/or auditing of 911 surcharge spending by municipal governments. No corrective actions were needed for the annual period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The state has no indication that the funds collected in 2012 for 911 or E911 purposes have been made available or used for any other purpose other than the ones designated by AS 29.35.131

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended



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funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Money collected through the 911 surcharge is remitted to local governing bodies and used to provide an enhanced 911 system at public safety answering points and may be used to purchase or lease the enhanced 911 equipment or service required to establish or maintain an enhanced 911 system at public safety answering points from a local exchange telephone company or other qualified vendor.

Alaska requires that services available through a 911 system shall include police, fire fighting, and emergency ambulance services. Each public safety answering point shall notify their public safety agencies of calls for assistance in the governing body's area, and as appropriate, dispatches public safety services directly, or transfers 911 calls to appropriate public safety agencies.

In 2013 there were 145 city governments, 16 organized boroughs and 187 unorganized areas. Out of these 348 political subdivisions, approximately 10% collect a 911 surcharge. However, the vast majority of the state's population lives in areas where a surcharge is collected.

An enhanced 911 service area may be all of a city, all of a unified municipality, or all or part of the area within a borough and may include the extraterritorial jurisdiction of a municipality in accordance with AS 29.35.020. The governing body of a municipality shall review an enhanced 911 surcharge annually to determine whether the current level of the surcharge is adequate, excessive, or insufficient to meet anticipated enhanced 911 system needs. When a municipality imposes an enhanced 911 surcharge or the amount of the surcharge is changed, the municipality shall notify in writing the telephone customers subject to the surcharge and provide an explanation of what the surcharge will be used for.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

**Please insert an "X" below the appropriate answer.**



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YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

N/A

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Thank you for the opportunity to provide information about 911 and E911 funding in Alaska. If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,  
John Rockwell  
Alaska Statewide 911 Coordinator

Arizona



Janice K. Brewer  
Governor

Brian C. McNeil  
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

OFFICE OF THE DIRECTOR

100 NORTH FIFTEENTH AVENUE • SUITE 401  
PHOENIX, ARIZONA 85007  
(602) 542-1500

July 14, 2014

David G. Simpson, Rear Admiral, USN (Ret.)  
Chief, Public Safety and Homeland Security Bureau  
Federal Communications Commission (FCC)  
Washington, DC 20554

Via email by request to: [911feereport@fcc.gov](mailto:911feereport@fcc.gov)

Re: Information Collection as Mandated in the New and Emerging Technologies  
Improvement Act of 2008

Dear Chief Simpson:

On behalf of the State of Arizona, I am submitting the attached document. The form of the document was prescribed by the FCC. It is our understanding the completed document reflects all required information and should satisfy compliance requirements with Section 6(f) (2) of the NET 911 Act as it relates to Arizona's 911 program.

We appreciate the opportunity to assist the FCC with its efforts to comply with Section 6(f) (2) of the NET 911 Act. At this time, we have no additional comments regarding the applicable funding mechanism for 911 and E911.

Should you have any questions, comments or concerns with the information contained within this correspondence, please do not hesitate to contact me at 602-542-1500 or Barbara Jaeger, the State 911 Administrator, at 602-542-0911.

Sincerely,

  
Brian C. McNeil  
Director

cc: The Honorable Janice K. Brewer, Governor, State of Arizona  
John Arnold, Director, Governor's Office of Strategic Planning and Budgeting  
Richard Stavneak, Director, Joint Legislative Budget Committee

Attachment



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Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

State of Arizona – Department of Administration

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

A.R.S. § 42-5252 et seq. Telecommunication Services Excise Tax; A.R.S. § 41-704, Emergency Telecommunication Services Revolving Fund; and Arizona Administrative Code, R2-1-401.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

For the period ending December 31, 2013, a tax of twenty cents per month, was levied on every telecommunication provider for each activated wire-line (including VoIP) and wireless service account for the purpose of financing emergency telecommunication services.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amount of taxes collected and remitted to the State of Arizona for the period ending December 31, 2013, was \$16,628,695. The interest generated for the period ending December 31, 2013 was \$35,931.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Pursuant to A.R.S. § 41-704 the Director of the Arizona Department of Administration (ADOA) is required to:

- Adopt rules and procedure for administering and disbursing monies deposited in the Emergency Telecommunication Services Revolving Fund;
- Review and approve, at least quarterly, requests by political subdivisions for payment for operating emergency telecommunications service systems;
- Biannually recommend to the Arizona Legislature the amount of the Telecommunication Services Excise Tax that will be required to support the implementation of the State's 911 program; and
- Administer the Emergency Telecommunication Services Revolving Fund.

The administration of the State's 911 program, including how the collected funds are made available to the localities, written criteria regarding the allowable uses of the collected funds and procedures for the disbursement of funds, is governed by the rules adopted by ADOA pursuant to the Arizona Administrative Code. These rules, which became effective on June 22, 1985, consist of Section R2-1-401 through R2-1-411 of the Arizona Administrative Code are as follows:

- R2-1-401. Definitions;
- R2-1-402 Establishment of 911 Planning Committee;
- R2-1-403 Submission of Service Plan;
- R2-1-404 Certificate of Service Plan Approval;
- R2-1-405 Resubmitting of a Service Plan;
- R2-1-406 Modification of an Approved Service Plan



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- R2-1-407 911 System Design Standards;
- R2-1-408 911 Operational Requirements;
- R2-1-409 Funding Eligibility;
- R2-1-410 Method of Reimbursement; and
- R2-1-411 Allocation of Funds.

The Director of ADOA has the authority to approve the expenditure of funds collected for 911 or E911 purposes. The State 911 Office annually reviews a budget for each political subdivision eligible for program funding. A detailed review of equipment, network and other approved costs is completed and funding approval is provided to the political subdivision.

The State 911 Office is responsible for reviewing the accuracy of all invoices for eligible emergency telecommunication services and the payments rendered directly from the Emergency Telecommunication Services Revolving Fund for the implementation and support of 911 or E911 services.

Pursuant to A.R.S. § 41-704, ninety-five percent of the revolving fund is identified for the explicit purpose of emergency telecommunication services including necessary and appropriate equipment or service for implementing and operating emergency telecommunication services through political subdivisions of the State. This includes monthly recurring costs of emergency telecommunication services like expenditures for capital, maintenance and operating purposes. In addition, the wireless carrier's costs associated with the provision, development, design, construction and maintenance of wireless emergency telecommunication services is also included.

ADOA is authorized to use up to two-thirds of the five percent deposited annually in the Emergency Telecommunication Services Fund for the administrative costs. The remainder of the five percent may be allocated for local network management of contracts with Public Safety Answering Points for emergency telecommunication services.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Arizona Revised Statutes and the Arizona Administrative Code outline authority and oversight for the Emergency Telecommunication Services Revolving Fund. The Director of ADOA has the authority to approve the expenditure of funds collected.



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6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The State 911 office review and approves proposals, reviews and processes for payment all community-approved invoices, forwards approved invoices for payment and determines that funds collected have been made available or used for the purposes designated by the funding mechanism. ADOA has also created a 911 Oversight Committee consisting of the ADOA Director, General Counsel, Budget Director, Legislative Liaison, Assistant Director, Deputy Assistant Director, Executive Manager and 911 Administrator which meets quarterly to review revenue and expenditure reports, on-going projects, new projects under consideration and future spending decisions.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No corrective actions were required for the annual period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

All funds collected for 911 or E911 purposes have been made available or used for the purposes designed by the funding mechanism as stipulated in the Arizona Revised Statutes, or otherwise used for implementation or support of 911, E911 and Wireless Phase I and Phase II. No tax revenue collected through the Telecommunication Services Excise Tax during the annual period ending December 31, 2013 was used for any purposes other than for 911 and E911 implementation or support.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

There are 89 Public Safety Answering Points in Arizona that are eligible for E911 funding from the Emergency Telecommunication Services Excise Tax. During the annual period ending December 31, 2013, funds were expended for E911 equipment upgrades, E911 equipment maintenance and E911 network services, as well as for the wireless carriers' costs associated with the deployment and maintenance of Wireless E911 Phase II.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



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12. Has your state expended such funds on Next Generation 911 programs?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Funds have been expended in previous reporting periods for Next Generation 911 programs, but none were expended in the annual period ending December 31, 2013.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

There are no additional comments to provide regarding the applicable funding mechanism for 911 or Enhanced 911.

California



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

*The State of California, Revenue and Taxation Code, Section 41001 et seq., known as the Emergency Telephone Users Surcharge Act, provides the statutory authority and defines how funds are collected and distributed in support of 911.*

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

*The State of California, Revenue and Taxation Codes, Section 41030 requires annually, on or before October 1, a surcharge rate that it estimates will produce sufficient revenue to fund the current fiscal year's 911 costs. The surcharge rate shall be determined for the current fiscal year's approved plans for 911. In no event shall the surcharge rate in any year be greater than three-quarters of 1 percent nor less than one-half of 1 percent of revenues collected.*



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

*The total amount collected for the 2013 calendar year ending December 31, 2013 was approximately \$75,714,948*

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

*State of California, Government Code 53100-53120 (Warren 911 Emergency Assistance Act) and Revenue and Taxation Code Section 41135-41142 establishes the allowable uses of collected funds. The State of California 911 Operations Manual outlines the criteria and process by which qualifying local agency Public Safety Answering Points (PSAPs) can receive funding for their 911 telephone system and approved allowable uses.*

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

*In accordance with State of California, Government Code 53100-53120 and Revenue and Taxation Code Section 41001 et seq., the Governor's Office of Emergency Services, as the authority to approve expenditures and oversight of funds collected for 911 purposes.*

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

*The State 911 Advisory Board advises the Governor's Office of Emergency Services on 9-1-1 funding, policies and standards among other matters outlined in State of California Government Code 53100-53120 and Revenue and Taxation Code Section 41001 et seq.*



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

*The Governor's Office of Emergency Services, pursuant to Government Code 53100-53120 has authority to continuously monitor, evaluate and approve all expenditures for 911, E911 and NG911 services in California. In 2013 policy changes were implemented with specific purposes to ensure all 911 operations in the state are in line with California Statute as defined in questions 1 and 4.*

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
	X

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

*All funds collected have been used exclusively for the purposes designated by the funding mechanism in support of 911 with the exception of funds that have been appropriated by the California Department of Forestry and Fire Protection (CAL FIRE). While CAL FIRE's use of the SETNA was not specific to the intent for 911 related expenditures, the equipment purchased is for use at emergency dispatch centers in response to 911 call activity. In FY12/13 CAL FIRE's appropriation was \$6.878 million with various appropriations in previous fiscal years from the State Emergency Telephone Number. The appropriations were to purchase and install new hardware and computer aided dispatch (CAD) software at CAL FIRE's Emergency Command Centers. In addition redundant hardware and a CAD system were purchased and installed at their Fire Academy, which is used for training.*

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended



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funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

*Funds collected for 911 services are expended on (1) 911 system, services and network support (2) foreign language interpretation services for non-English speaking 911 callers, (3) PSAP Training and Education (4) 911 education materials and (5) funding for personnel services for the administration and collection of the surcharge that supports 911 for (Governor's Office of Emergency Services, Board of Equalization, and the State Controller). Activities/services described in (1), (2), and (3) provide a funding mechanism to directly support 911 services to local agencies designated as a Public Safety Answering Point (PSAP). Activity (4) provides a funding mechanism for PSAPs to purchase and distribute 911 educational materials within their local community.*

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

*For the annual period ending on December 31, 2013, California has expended a total of \$4,028,717 on Next Generation 911 pilot projects.*



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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

*The Governor's Office of Emergency Services is required under statute to yearly evaluate the surcharge rate as described in question 2, and makes recommendation on the amount to be assessed for the following calendar year to ensure adequate funding for 911 in California is available.*

Colorado



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

CRS § 29-11-102 and 102.5

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

9-1-1 fees are set locally, and range from 43¢ to \$1.75/month. Prepaid surcharges are 1.4% of retail sales of prepaid minutes, statewide.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

There is no statewide tabulation of the funds collected since they are remitted directly to 57 separate local 9-1-1 Authorities. An analysis of funds in 2012 yielded an estimate of \$42.9 million.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Funds from landline, wireless, and Voice-over-Internet-Providers are remitted by carriers directly to local 9-1-1 Authorities. Prepaid surcharge revenues are collected by the Colorado Department of Revenue, then distributed to the local 9-1-1 Authorities using a formula based on wireless call volume. How funds are used by the local 9-1-1 Authority is governed by CRS § 29-11-104.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Local 9-1-1 Authorities have the authority to approve their own expenditures.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

CRS § 29-11-104 requires local 9-1-1 Authorities to meet the same auditing requirements as other local government entities.



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The State is not aware of any use of 9-1-1 surcharge funds outside of that authorized by CRS § 29-11-104.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The State is unaware of any funds being made available or used for purposes other than those authorized by CRS § 29-11-104.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended



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funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

There are 57 separate local 9-1-1 Authorities in the state, and each makes its own determination on which activities or programs to expend 9-1-1 surcharge funds.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The state does not expend 9-1-1 surcharge funds. Some local 9-1-1 Authorities have spent 9-1-1 surcharge funds on NG9-1-1 projects, but the total spent on such projects is not known.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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Connecticut



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**Approved by OMB**  
**3060-1122**  
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**10-50 hours**

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The State of Connecticut has established a funding mechanism for the purposes of E9-1-1 support and implementation, pursuant to Chapter 518a, Section 28-24 of the General Statutes of Connecticut (CGS).

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Wireless/Commercial Radio Service, Pre-paid, Wireline and Voice over Internet Protocol (VoIP) subscriber rate \$0.70.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Calendar year revenue for 2013 collected via the 9-1-1 surcharge was \$ 35,755,787.70.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

E911 surcharge receipts are retained by the State in the "Enhanced 9-1-1 Telecommunications Fund" in accordance with CGS §28-30a(c). The fund, and the interest it accrues, must be used to solely to fund the expenses of the enhanced emergency 9-1-1 program. The E911 system is provided by the State to all PSAPs at no cost to the localities. The regulatory scheme adopted by the State in accordance with CGS §28-24-(7)(c) also provides capital and operations subsidies to consolidated regional PSAPs and to municipal PSAPs servicing populations of 40,000 or more, as well as training and certification of all PSAP telecommunicators.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The entity within the State of Connecticut which has the authority to approve the expenditure of funds collected for 911 or E911 purposes is the Department of Emergency Services and Public Protection (DESPP) through its Division of Statewide Emergency Telecommunications (DSET) In accordance with CGS §28-29a, the Governor appoints the member of the E9-1-1 Commission, which advises DSET and the DESPP Commissioner on issues relating to the E911 system. DSET is the recipient of the E911 surcharge funds, and the only agency authorized by law to expend those funds.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding



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mechanism or otherwise used to implement or support 911.

In Connecticut the Legislature sets the maximum surcharge rate per "line", while PURA holds the statutory authority to set the per-line surcharge rate for each fiscal year up to the legislated "cap". PURA convenes the rate making docket hearing annually, which includes review of the surcharge income received by DSET during the previous year, the subscriber count data received through PURA's reporting process, and the actual expenditures in each of the DSET line items. Public hearings are held to accept testimony from DSET, the carriers, and the public. PURA then sets the per-line rate to a level sufficient to realize the required income for the coming year, if the rate cap has room to allow for that. The State's internal audit procedures ensure that funds are being used for the purposes allowed. DSET's operation is reviewed by the State E911 Commission, which convenes quarterly public meetings. In addition the DSET budget is subject to an annual review and rate setting process by the Public Utility Authority (PURA).

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Enforcement or other corrective actions were neither undertaken nor required with regard to budgetary oversight for the year ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
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X	
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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds collected for 911 or E911 were made available or used for any purposes other than the ones designated by the funding mechanism.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Funds collected for E911 purposes are used for the following services, activities and programs:

- Equipment Maintenance and Enhancements including transition to NG911
- GIS maintenance and updates
- Subsidy funding for Regional Emergency Communication Centers
- Subsidy funding for Multi-town Emergency Communication Centers
- Subsidy funding for Coordinated Medical Emergency Direction (mutual aid and ambulance to hospital communications)
- Subsidy funding for municipal PSAPs serving population in excess of 40,000
- Transition grants to enable PSAP consolidation
- Capital expenditure grants for improvements to emergency communications
- Telecommunicator training and certification
- Network costs including a public safety data network (PSDN) and statewide emergency notification system (CTAlert).
- Public Education



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- Interpretation Services at PSAPs

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The Division of Statewide Emergency Telecommunications does classify the expenditures for Next Generation 911 programs as permissible expenses for the E911 surcharge fund, and we have expended such funds. Connecticut expended \$1.44 Million in the annual period ending December 31, 2013 on Next Generation 911 programs and implementation.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The State of Connecticut believes that the surcharge rate on every device that can access 9-1-1 is a fair and appropriate means of funding the 9-1-1 system. Continued



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observance and compliance with statutes, to ensure the segregation of the funds, and prevent "raiding" of the funds, is critical to providing an equitable means of financing emergency communications.

The District of Columbia



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Approved by OMB  
3060-1122  
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Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

The funding mechanisms are identified in Title 34-1803 "Emergency and Non- Emergency Number Telephone System Assessments Fund" (aka 9-1-1 Fund). The authority for the 911 Fund is defined in Title 34, Subchapter 5, Chapters 1801-1806 of the District of Columbia Official Code.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The District of Columbia budget and 9-1-1 tax and revenue reconciliation is based on the fiscal year, ending September 30, 2013. The charges imposed are \$.76 cents for wireline, wireless, and VOIP; \$.62 cents for Centrex lines; and PBX trunks were imposed at a 1 to 8 ratio of \$.62 cents per station or \$4.96 per trunk.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.



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In FY 2013, the total tax/revenue collection was \$13.7 million.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

All E911 Fund revenues are used by the Office of Unified Communications, the District of Columbia's Public Safety Answering Point (PSAP). There are no additional localities that use the funds since the OUC is the only PSAP in the District.

The District established the Emergency and Non-Emergency Telephone Calling Systems Fund Act of 2000 containing the written criteria regarding the allowable uses of the collected funds in Title 34, Subchapter 5, Chapter 1802 of the District of Columbia Official Code.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The District of Columbia's Executive Office of the Mayor and Council have the authority to approve the expenditure budget for funds collected for 911 or E911 purposes in accordance with the Emergency and Non-Emergency Telephone Calling Systems Fund Act of 2000 containing the written criteria regarding the allowable uses of the collected funds in Title 34, Subchapter 5, Chapter 1802 of the District of Columbia Official Code.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

All funds collected for 911 or E911 purposes have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the implementation or support of 911 or E911.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The E911 Fund receives an annual independent audit at the request of the District's Office of the Chief Financial Officer. The audit is presented to the Council's Committee on Public Safety and



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Justice, which has oversight of the Office of Unified Communications.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

None of the funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The District of Columbia Office of Unified Communications oversees and coordinates the following activities and programs for the benefit of the citizens and visitors to the District of Columbia:

- System maintenance: Radio system, CAD System, E911 Telephony system support
- Equipment purchase: radio purchase, computers, and servers
- System support: IT specialists supporting Radio, CAD, Telephony, and IT systems

The aforementioned activities and expenditures support and enhance the performance of the public safety radio network in the national capital region.



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11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The Office of Unified Communications has expended less than \$8000.00 developing Next Generation 911 during the calendar year ending December 31, 2013.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

N/A

Delaware



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**3060-1122**  
**Expires: May 31, 2015**  
**Estimated time per response:**  
**10-50 hours**

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Delaware Code Title 16 Chapter 100 established the Enhanced 911 Emergency Service Board and their authority. Specifically Chapter 101 titled "Enhanced 911 Emergency Reporting System Fund" clearly establishes the funding mechanism and distribution of those funds to support the provisioning of E911 emergency reporting services.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Under Delaware Code Title 16 Chapter 101 Subsection 10103 defines the monthly surcharge fee of 60 cents across the board for any telecommunications device.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.



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The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013 was \$7,786,658.22.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Delaware Code Title 16 Chapter 101 Subsection 10104 (b) describes how disbursements from the fund are distributed to the counties. Subsection (d) of this same section clearly defines allowable uses of those collected funds.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Enhanced 911 Emergency Service Board has the authority to approve the expenditure of funds under Delaware Code Title 16; Section 100; Subsection 10005. This subsection defines the Board's makeup and authority. The Board employs a full-time administrator to oversee day-to-day operations. The governing statute requires the Board to perform an annual audit of the Fund by an independent auditor.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The Board employs a full-time administrator to oversee day-to-day operations. The governing statute requires the Board to perform an annual audit of the Fund by an independent auditor.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

To date, no enforcement or corrective action has been required as funds were solely used for delivery of 911 services.



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8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

For the annual period ending December 31, 2013, there were no funds made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The revenue generated funds the entire 9-1-1 network and provisioning services statewide for both recurring and non-recurring costs to the Local Exchange Carrier (LEC). This encompasses all state, county and municipal based Public Safety Answering Points (PSAP). All (9) nine 911 Centers in The State of Delaware are now operational on the Positron Power Viper platform.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



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12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Through the course of 2013 the State of Delaware has invested over \$ 4 million on Next Generation 911 technology.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The State of Delaware has requested bids (RFP) for a NG911 statewide solution. This solution will encompass voice, text video and enhanced call routing.

Lewis D. Schiliro Chairman  
Enhanced 9-1-1 Emergency Services Board

Florida



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Washington, D.C. 20554

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Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

E911 fees are collected as required by subsection 365.172(8), Florida Statutes, and deposited into the Emergency Communications Number E911 System Fund as required by section 365.173, Florida Statutes. Florida Statutes provides for segregation into two separate categories based on wireless and non-wireless service. Local governments may not levy the fee or any additional fee on providers or subscribers for the provision of E911 service per paragraph 365.172(8)(k), Florida Statutes. The state E911 fee is not assessed on Indian tribal areas and to our knowledge they do not have a separate fee collected by the service providers.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The rate of the fee, currently 50 cents, is capped and may not exceed 50 cents per month per each service identifier. It applies uniformly statewide. The rate of the non-wireless fee, currently 50 cents, is capped and may not exceed 50 cents per month per each service identifier. The non-wireless fee applies uniformly and is imposed throughout the state, except for three counties that, before July 1, 2007, had adopted an ordinance or resolution establishing a fee less than 50 cents per month per access line.



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Washington, D.C. 20554

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The E911 Board fee revenue collections in Florida totaled \$107,884,715. The revenue received and deposited into the E911 trust fund by wireless service was \$65,467,239 and non-wireless service was \$42,377,476.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

E911 fee revenue is disbursed as required by section 365.173, Florida Statutes. The initial E911 allocation percentages were set by the Florida legislature. The Florida E911 Board adjusts the allocation percentages per paragraph 365.172(8)(i) Florida Statutes, if necessary to assure full cost recovery or prevent over recovery of costs incurred in the provision of E911 service. Service providers collect the E911 fee from subscribers, retain a 1 percent administrative fee, and submit the remainder of collected fees to the E911 Board, which distributes the monies back to the 67 counties through monthly disbursements and E911 Board grant programs and to wireless service providers in response to sworn invoices for E911 service. In 2013, wireless E911 fee revenue allocation percentages remained at: 71 percent distributed each month to counties for the purposes of providing E911 service (payments are based on the number of wireless subscribers in each county); 25 percent available for distribution to wireless service providers in response to sworn invoices for the actual costs incurred in providing E911 service; 3 percent used to provide assistance to rural counties for providing 911 or E911 service and 1 percent of the fund is retained by the E911 Board for administrative and operational purposes. Non-wireless E911 fee revenue allocation percentages stayed at: 97 percent distributed each month to counties for the purposes of providing E911 service (payments are based on the number of non-wireless subscribers in each county); 2 percent used to provide assistance to rural counties for providing 911 or E911 service; 1 percent of the fund is retained by the E911 Board for administrative and operational purposes. E911 statutory criteria established in section 365.173, Florida Statutes, specify the allowable uses of the collected E911 funds. In addition, detailed authorized expenditures are in subsection 365.172(9), Florida Statutes.



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5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The E911 Board, with oversight of the Department of Management Services, approves disbursements from the E911 trust fund to county governments, wireless service providers and the administrative costs for the E911 Board as required by section 365.173, Florida Statutes. In accordance with section 365.171, Florida Statutes, the State E911 Plan and Rule 60FF-6.004(1), Florida Administrative Code, the Board of County Commissioners in each county is established as the responsible fiscal agent. The funds collected and interest earned are appropriated for E911 purposes by the county commissioners for the county 911 system and operations. Ultimate responsibility and authority within a county for the E911 System rests with the Board of County Commissioners.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Oversight is provided at different levels throughout the process. The E911 Board provides annual reports to the governor and the legislature on amounts collected and expended based on an independent accounting firm report, the purposes for which expenditures have been made, and the status of E911 service in this state. The Auditor General's Office audits the fund to ensure that monies in the fund are being managed as required by statute. The Auditor General's Office provides a report of the audit to the E911 Board and the Department of Management Services. Counties are required to establish a fund to be used exclusively for the receipt and expenditure of the revenues. The money collected and interest earned in the county's E911 fund is appropriated for the statutory E911 purposes by the county commissioners and incorporated into the annual county budget. The county E911 funds are included within the financial audit performed as required by section 218.39, Florida Statutes. County E911 funds have been periodically audited by the Auditor General and the Department of Management Services Inspector General's Office. In addition, the Florida Single Audit Act establishes state audit and accountability requirements for state financial assistance provided to the counties. The Florida Single Audit Act is codified in section 215.97, Florida Statutes.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No known corrective measures or enforcement were required.



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8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

None. The legislative intent in paragraph 365.172(2)(e), Florida Statutes, is to ensure that the fee established is used exclusively for recovery by wireless providers and by counties for costs associated with developing and maintaining E911 systems and networks in a manner that is competitively and technologically neutral as to all voice communications services providers. At the state level, no E911 fee revenues and funds collected for 911 or E911 purposes have been used for any other purposes other than those designated in sections 365.172 and 365.173, Florida Statutes. Actual county spending can only be attested to at the county level. Paragraph 365.172(9)(c), Florida Statutes, prohibits county utilization of E911 funds for purposes other than E911 purposes. County expenditure information is reported based on the county fiscal basis (October 1, 2012 - September 30, 2013). On a statewide basis the E911 fee revenue disbursed to counties only accounts for 56 percent of the actual counties' costs of allowable E911 fee expenditures.



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Florida statute establishes and implements a comprehensive statewide emergency telecommunications number system that provides users of voice communications services within the state with rapid direct access to public safety agencies by accessing the telephone number 911. Florida statutes and the State E911 Plan and rules provide E911 fee revenue to counties to pay certain costs associated with their county and local jurisdiction public safety answering point E911 or 911 systems and to contract for E911 services including NG-911. E911 service includes the functions of database management, call taking, dispatching, location verification, and call transfer including specific authorized expenditures in paragraph 365.172(9)(b), Florida Statutes. This system, the State E911 Plan including individual county 911 plans and E911 functions assure that the 911 systems are operational, are being upgraded and are maintained in all counties throughout Florida. In addition to allowable county E911 and 911 expenditures, subsection 365.173(6), Florida Statutes, authorizes 1 percent of the moneys in the fund to be retained by the board to be applied to costs and expenses incurred for the purposes of managing, administering, and overseeing the receipts and disbursements from the fund and other activities as defined in subsection 365.172(6), Florida Statutes. Wireless service provider sworn invoices submitted to the board reimburse the actual costs incurred to provide 911 or E911 service, including the costs of complying with FCC orders and include costs and expenses incurred by wireless providers to design, purchase, lease, program, install, test, upgrade, operate, and maintain all necessary data, hardware, and software required to provide E911 service.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO



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X	
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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

In 2013, Next Generation 911 expenditures include county expenditures. Expenditure information is collected and reported on the county fiscal year basis (October 1, 2012 - September 30, 2013). These expenditures totaled \$15,231,611.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Information on Florida's funding mechanism, E911 Board information including the 2013 Annual Report, E911 statutory links and information on Florida E911 systems is available at:  
[http://www.dms.myflorida.com/suncom/public\\_safety\\_bureau/florida\\_e911](http://www.dms.myflorida.com/suncom/public_safety_bureau/florida_e911).

Georgia



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Georgia Code 46-5-133

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

A landline 9-1-1 fee cannot exceed \$1.50 per month per telephone service under Georgia Code 46-5-134 (a)(1)(A). A post-paid wireless 9-1-1 fee cannot exceed \$1.00 per month per wireless telephone service for Phase I under Georgia Code 45-5-134 (2)(A); and \$1.50 per month per wireless telephone service for Phase II under Georgia Code 45-5-134 (2)(B). A pre-paid wireless 9-1-1 fee in the amount of \$0.75 per transaction may be imposed under Georgia Code 46-5-134.2 (b)(1).



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Landline and post-paid wireless 9-1-1 fees are collected by local governments providing 9-1-1 service. There is no central tracking mechanism in place to compile a total amount of fees imposed or collected by local governments.

The total amount collected in pre-paid wireless 9-1-1 fees by the State of Georgia Department of Revenue for the annual period (July 1, 2012 – June 30, 2013: Georgia State Fiscal Year) was \$18,462,645.22.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Landline and post-paid wireless 9-1-1 fees are remitted directly to local governments by the service providers. Remittance of the landline fee to a local government is based on the location of the telephone service. Remittance of the post-paid wireless fee to a local government is based on the jurisdiction of the billing address.

Pre-paid wireless fees collected from retailers of pre-paid wireless service by the State of Georgia are distributed to local governments in accordance with Georgia Code 46-5-134.2(j).

Georgia Code 46-5-134(f) outlines allowable uses of all landline and wireless 9-1-1 fees.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Georgia Code 46-5-134(f) outlines allowable uses of all landline and wireless 9-1-1 fees. Individual local governing bodies approve the expenditure of funds within their control.



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6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Georgia Code 46-5-134(M)(1) requires local governments collecting or expending any 9-1-1 charges or wireless enhanced 9-1-1 charges document the amount of funds collected and expended from such charges. Any local government collecting or expending 9-1-1 funds shall certify in their audit, as required under Georgia Code 36-81-7, that 9-1-1 funds were expended in compliance with the expenditure requirements of Georgia Code 46-5-134.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The Georgia Emergency Management Agency has no knowledge of enforcement or corrective actions undertaken in connection with oversight procedures for the annual period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

Pre-paid wireless 9-1-1 fees collected by the State were distributed and continue to be distributed to local governments by the Georgia Department of Revenue in accordance with Georgia Code 46-5-134.2 for the purpose of local government use in accordance with Georgia Code Georgia Code 46-5-134(f).

The landline and post-paid wireless 9-1-1 fees are collected and expended by the local governments providing 9-1-1 service. Accounting for the use of these fees is done by the local government through their annual report to the Georgia Department of Audits. Any discrepancies in the use of these funds is addressed by the Department of Audits and corrected by the local governments. There are no known funds associated with any discovered uncorrected discrepancies with regards to those funds collected by and/or used by local governments.



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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

There are no known instances in calendar year 2013 where funds collected for 9-1-1 purposes were made available or used for any purposes other than those designated within Georgia Code 46-5-134 and Georgia Code 46-5-134.2.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Georgia Code 46-5-134(f) provides that 9-1-1 funds may be used for:

In addition to cost recovery as provided in subsection (e) of this Code section, money from the Emergency Telephone System Fund shall be used only to pay for:

- (1) The lease, purchase, or maintenance of emergency telephone equipment, including necessary computer hardware, software, and data base provisioning; addressing; and nonrecurring costs of establishing a 9-1-1 system;
- (2) The rates associated with the service supplier's 9-1-1 service and other service supplier's recurring charges;
- (3) The actual cost of salaries, including benefits, of employees hired by the local government solely for the operation and maintenance of the emergency 9-1-1 system and the actual cost of training such of those employees who work as dispatchers or who work as directors as that term is defined in Code Section 46-5-138.2;
- (4) Office supplies of the public safety answering points used directly in providing emergency 9-1-1 system services;
- (5) The cost of leasing or purchasing a building used as a public safety answering point. Moneys from the fund cannot be used for the construction or lease of an emergency 9-1-1 system building until the local government has completed its street addressing plan;



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- (6) The lease, purchase, or maintenance of computer hardware and software used at a public safety answering point, including computer-assisted dispatch systems;
- (7) Supplies directly related to providing emergency 9-1-1 system services, including the cost of printing emergency 9-1-1 system public education materials; and
- (8) The lease, purchase, or maintenance of logging recorders used at a public safety answering point to record telephone and radio traffic.
- (9) The actual cost, according to generally accepted accounting principles, of insurance purchased by the local government to insure against the risks and liability in the operation and maintenance of the emergency 9-1-1 system on behalf of the local government or on behalf of employees hired by the local government solely for the operation and maintenance of the emergency 9-1-1 system and employees who work as directors as that term is defined in Code Section 46-5-138.2, whether such insurance is purchased directly from a third-party insurance carrier, funded by the local government's self-funding risk program, or funded by the local government's participation in a group self-insurance fund. As used in this division, the term 'cost of insurance' shall include, but shall not be limited to, any insurance premiums, unit fees, and broker fees paid for insurance obtained by the local government;
- (10) The lease, purchase, or maintenance of a mobile communications vehicle and equipment, if the primary purpose and designation of such vehicle is to function as a backup 9-1-1 system center;
- (11) The allocation of indirect costs associated with supporting the 9-1-1 system center and operations as identified and outlined in an indirect cost allocation plan approved by the local governing authority that is consistent with the costs allocated within the local government to both governmental and business-type activities;
- (12) The lease, purchase, or maintenance of mobile public safety voice and data equipment, geo-targeted text messaging alert systems, or towers necessary to carry out the function of 9-1-1 system operations; and
- (13) The lease, purchase, or maintenance of public safety voice and data communications systems located in the 9-1-1 system facility that further the legislative intent of providing the highest level of emergency response service on a local, regional, and state-wide basis, including equipment and associated hardware and software that supports the use of public safety wireless voice and data communication systems.



Federal Communications Commission  
Washington, D.C. 20554

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X (but not specifically as "Next Generation" expenditures)	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

The State of Georgia has not made fund expenditures specific to Next Generation 9-1-1 programs. While the lease, purchase or maintenance of public safety voice and data communications systems could be applicable to Next Generation 9-1-1 systems, there is not a centralized reporting mechanism for the political subdivisions to report this activity.

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

N/A

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

No further comments.

Please do not hesitate to contact Mr. Woody Radcliffe with the Georgia Emergency Management Agency / Office of Homeland Security at 404-635-4208 or [woody.radcliffe@gema.ga.gov](mailto:woody.radcliffe@gema.ga.gov) should there be any questions concerning this submission

Hawaii

Attachment 1

**Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours**

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

By Act 223, Session Laws of Hawaii 1993, codified at HRS §269-16.95, Hawaii facilitated the provision of statewide enhanced 911 emergency telephone service by permitting a public utility to recover the capital cost and associated operating expenses for the provision of a statewide enhanced 911 emergency telephone service through ratemaking procedures of the Hawaii Public Utilities Commission. HRS §269-16.95, provides that a public utility, providing local exchange telecommunications services may recover the capital cost and associated operating expenses of providing a statewide enhanced 911 emergency telephone service in the public switched telephone network, through a telephone line surcharge or its rate case, and requires the identification of the surcharge as a separated line item on the customer's bill.

By Act 159, Session Laws of Hawaii 2004, Hawaii established a monthly wireless enhanced 911 surcharge, which is imposed upon each commercial mobile radio service connection and was amended in 2011 by Act 168 (11) to include VoIP. Act 159, codified at Chapter 138, Hawaii Revised Statutes ("HRS"), also provided for the establishment outside the state treasury of a special fund, to

be known as the Enhanced 911 Fund ("Fund") that is administered by an Enhanced 911 Board ("Board"). (i.e., formerly known as the Wireless Enhanced 911 Fund and Wireless Enhanced 911 Board, respectively)

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The wireline carrier, Hawaiian Telcom, Inc., assess a monthly statewide Enhanced 911 Emergency Service Surcharge of \$0.27 per telephone access line to recover the costs of providing local enhanced 911 emergency services, pursuant to HRS § 269-16.95. The surcharge is tariffed under Hawaiian Telcom, Inc., P.U.C. Tariff 20 Section 9.5.

The current rate of surcharge collected under HRS § 138-4 is \$0.66 per month for each commercial mobile radio service and VoIP connection, except: (a) connections billed to federal, state, and county government entities; (b) prepaid connections; and (c) connections provided by the public utility providing telecommunications services and land line enhanced 911 services through HRS § 269-16.95.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amounts collected pursuant to the assessed fees and charges, for the annual period ending December 31, 2013, are approximately \$945,207 from the surcharge of \$0.27 per connection from wireline carriers, and \$8,654,776 collected from the surcharge of \$0.66 per connection from wireless carriers and VoIP service providers, a combined total of \$9,599,983.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The amounts collected by the Board are used to reimburse public safety answering points ("PSAPs") solely for their "Reasonable costs to lease, purchase, or maintain all necessary equipment, including computer hardware, software, and database provisioning, required by the public safety answering point to provide technical functionality for the wireless enhanced 911 service pursuant to the Federal Communications Commission order [issued in Docket No. 94-102 governing wireless enhanced 911 service]". [Section 138-5(a) HRS]

The Board reimburses PSAPs for capital, maintenance, and PSAP personnel education/conference expenses to provide wireless enhanced 911 services upon: (a) written requests submitted to the Board, in the form prescribed by the Board; (b) review by the Board's technical and finance committees to ensure necessity and prudence of expenditure and adequacy of moneys in the Fund; and (c) approval of a majority of the Board at a publicly noticed Board meeting.

The amounts collected by Hawaiian Telcom, Inc. are used for 911 and E911 services as set forth by the Hawaii Public Utilities Commission in its decision and order approving the Emergency Service Surcharge amount (i.e., Decision and Order No. 13950, filed June 9, 1995, in Docket Numbers 7579, 7524, 7523, 7193, and 6404)

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The State of Hawaii has the authority to approve the expenditure of funds collected for E911 purposes. The State has delegated this responsibility to the Board, which consists of 13 members appointed by the Governor and confirmed by the legislature, representing each county, wireless provider, VoIP provider, and Hawaiian Telcom. The Board reviews and approves all expenditures for 911 and E911 purposes.

The Hawaii Public Utilities Commission provides oversight of the public utilities during rate cases and other docketed matters pursuant to HRS Chapter 269, including oversight of the surcharges and expenditures associated with the Enhanced 911 Emergency Service.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The Board provides oversight for the reimbursements that are paid to the PSAPs for

wireless enhanced 911 services, which includes:

Annual Wireless E911 Fiscal Strategic Budget Planning - all anticipated expenditures from the fund are reviewed for conformity with §138 and that the total fiscal year budget is within the ceiling imposed by the State Legislature before receiving final approval from the Board.

a. Technical Committee - was formed by the Board to provide additional oversight to ensure that all reimbursements to the public safety answering points (PSAP) and wireless service providers (WSP) conform to the requirements set forth in §138-5 prior to receiving Board approval.

b. Finance Committee - was formed by the Board to provide additional oversight of all cash receipts and disbursements and to assure that all requested expenditures are properly funded in accordance with the Annual Wireless E911 Strategic Plan Budget and Board policy and procedures prior to receiving Board approval.

c. Communications Committee — was formed by the Board to provide policy recommendations and changes to or additions to current legislation or new legislation concerning the Board.

d. Board Approved Internal Controls - This includes all procedures for the handling of cash receipts and disbursements.

e. Monthly Cash Receipts and Disbursement Reporting - each month a detailed report of cash receipts and disbursements is reviewed at a public meeting with the Board and Finance Committee.

f. Annual Financial Audit Report — a financial audit is performed by an independent CPA firm annually to determine whether the fund is being managed in accordance with §138-5. The Board may use the audit to determine whether the amount of the 9-1-1 surcharge assessed on each VoIP and commercial mobile radio service connection is required to be adjusted. The result of the audit is presented at the Board and Finance Committee meetings. The Board maintains the authority to perform a financial audit at any time it feels necessary.

g. Annual Financial Report to the Legislature - is submitted annually to the legislature and provides a detailed accounting of all receipts and disbursements for the fiscal year.

The Board must provide an annual written report to the Hawaii State Legislature detailing:

- a. The total aggregate surcharge collected by the State in the last fiscal year;
- b. The amount of disbursement from the Fund;
- c. The recipient of each disbursement and a description of the project for which the money was disbursed;
- d. The conditions, if any, placed by the Board on disbursements from the Fund;
- e. The planned expenditures from the Fund in the next fiscal year;
- f. The amount of any unexpected funds carried forward for the next fiscal year;
- g. A cost study to guide the legislature towards necessary adjustments to the Fund and the monthly surcharge; and
- h. A progress report of jurisdictional readiness for wireless E911 services, including public

safety answering points, wireless providers, and wireline providers.

Additionally, the Hawaii State Legislature establishes the annual expenditure ceiling for the Board when it reviews the budget proposed by the Department of Accounting and General Services, since the Board is administratively attached to the department.

The Hawaii Public Utilities Commission provides oversight of funds collected pursuant to HRS 269-16-95, with reviews of the rates, surcharges and expenditures conducted during rate cases before the Public Utilities Commission

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

There was no enforcement or corrective actions undertaken in connection with such oversight of either fund, for the annual period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds collected for 911 or E911 were made available or used for other purposes.

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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

<p>The Board approves disbursement of 9-1-1 funds to the county PSAP's for the operation, maintenance, and planning for emerging technologies to ensure the public has access to 9-1-1 in times of need.</p> <p>The most recent accomplishment for the State of Hawaii is implementation of the statewide NG 9-1-1 network completed January 28, 2014. Each county public safety answering point has advanced technology projects that have been funded through the Enhanced 9-1-1 Board for purposes of providing 9-1-1 service to the public.</p>
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11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

Attachment 1

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Hawaii as implemented a statewide NG 9-1-1 network as of January 28, 2014, with expenditures for NG 9-1-1 beginning in November 2013 and totaling \$162,450

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The Board will be advocating for collection of the 66 cent 9-1-1 surcharge on prepaid wireless in the upcoming legislative session.

## Idaho



June 24, 2014

Mr. David G. Simpson, Rear Admiral (Ret.)  
Chief, Public Safety and Homeland Security Bureau  
Washington, D.C. 20554

Re: Annual Information Collection Mandated by the New and Emerging  
Technologies Improvement Act of 2008

Dear Admiral Simpson:

In response to your letter addressed to Governor Otter, and the information requested in that letter, the Idaho Emergency Communications Commission (IECC) submits the following information.

Your correspondence requested:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

Idaho Response:

Yes

In 1988 the Idaho Legislature passed the Emergency Communication Act, Title 31, Chapter 48 to authorize funding to support implementation of consolidated emergency communications systems through the governance of Idaho counties or by the creation of 9-1-1 service areas. All 9-1-1 fee collections are done at the county level with the exception of the five (5) cities that were providing 9-1-1 services prior to the enactment of the statute. These cities are given allocations by the counties in which they are located or collect fees directly from the providers.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Idaho Response:

Pursuant to Idaho Code 31-4803, a county must get voter approval to institute an emergency communications fee in an amount no greater than one dollar (\$1.00) per month per "telephone line". The Act has been amended in recent years to include assessing the fee on both wireless and Voice over Internet Protocol (VoIP) service and now uses the term "access line" to indicate that all technology that is able to provide dial tone to access 9-1-1 is mandated to collect the fee.

In 2008, the Idaho Legislature promulgated the implementation of an Enhanced Emergency Communications Grant Fee that was signed into law by the Governor and became Idaho Code §31-4819. This additional fee can be imposed by the boards of commissioners of Idaho counties in the amount of \$0.25 per month per access line to be contributed to the Enhanced Emergency Communications

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VACANT  
Wireless

Andy Snook, Deputy Attorney General and  
Ex-Officio Member  
954 W. Jefferson Street, 2<sup>nd</sup> floor, Boise 83720  
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Grant Fund. The funds are distributed via a grant process governed by the IECC. Thirty-eight Idaho counties have begun assessing the enhanced fee.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Idaho Response:

The total amount of fees collected by Idaho counties for the year ending December 31, 2013 was \$20,768,995.00.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Idaho response:

The authority to approve the expenditure of 9-1-1 funds in the State of Idaho is controlled at the county level by the boards of county commissioners or a joint powers board pursuant to Idaho Code §31-4809. The statute provides as follows:

"The county treasurer of each county or the administrator for a 9-1-1 service area in which an emergency communications system has been established pursuant to this chapter shall establish a fund to be designated the emergency communications fund in which all fees collected pursuant to this chapter shall be deposited and such fund shall be used exclusively for the purposes of this chapter."

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Idaho response:

"The moneys collected and the interest earned in this fund shall be appropriated by the county commissioners, or governing board, for expenses incurred by the emergency communications system as set forth in an annual budget prepared by the joint powers board, or in their absence, the county commissioners and incorporated into the annual county budget."

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Idaho response:

The counties are mandated by statutes other than the Emergency Communications Act to perform annual audits on all county funds. The emergency communications funds or 9-1-1 funds are accounted for separately under an emergency communications fund but are included in the county audit process. A third party auditor conducts the annual audits for the counties at the

county level. The counties are governed by a wide array of state statutes and administrative rules in the process and content of the audits.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Idaho response:  
None at the State level

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

Idaho response:  
Yes

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Idaho response:  
All of the funds collected are mandated for use by counties in accordance with Idaho Code §31-4804(5). No audit-driven report has been received by the IECC indicative or conclusive of any misuse of funds and there is no knowledge of misuse.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E011 services or enhancements of such services.

Idaho response:  
All funds are received at the local level. The only money received at the State level is thru the 25 cent grant fund. That fund is given back out in grants for PSAP's requesting funding to upgrade 911 hardware and software to make systems Next Generation ready.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

Idaho response:  
Yes

12. Has your state expended such funds on Next Generation 911 programs?

Idaho response:  
No

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

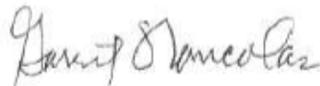
Idaho response:  
None

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Idaho response:  
The state and counties in Idaho enjoy a form of shared governance of authority and control over 9-1-1 related funding. A political climate of local control and independence is prevalent in our citizens and units of local government, and there are drastic differences in the state geography, resource availability, and population density. Since the IECC was created in 2004, the Commission has worked with local government and their state associations to find solutions to bring E9-1-1 services to the rural areas throughout Idaho. We believe that the Enhanced Emergency Communication Grant Fund we can be successful in making sure that all of our citizens are able to access the vital public safety services through 9-1-1 regardless of where they choose to live, work and recreate in our state. We also realize that without new funding through the NET 9-1-1 Act or other mechanisms even more stress will be added to a local and state economy and funding system that is already stretched to its limits. Movement to Next Generation 9-1-1 will be difficult if not impossible in the absence of additional appropriations.

Thank you for the opportunity to provide you information about 9-1-1 and E9-1-1 funding in Idaho. If the IECC or I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Garret Nancolas, Chairman  
Idaho Emergency Communications Commission

Cc: Governor C.L. "Butch" Otter, State of Idaho

Illinois



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The State of Illinois has enacted three separate statutes which establish different funding mechanisms for wireline and wireless 911/E911 service.

**Wireline:**

The Emergency Telephone System Act, 50 ILCS 750/1 et seq., (hereafter "ETSA") authorizes units of local government (counties or municipalities) to hold referenda to establish emergency telephone system boards (hereafter "ETSBs") and impose wireline surcharges to fund the creation and operation of 911 systems. 50 ILCS 750/15.3. In the event a county or municipal referendum is passed and a surcharge imposed, the ETSB sets up its own 911 system, either alone or pursuant to an intergovernmental agreement with one or more other ETSBs. 50 ILCS 750/15.4. Each ETSB jurisdiction imposes and manages a separate wireline 911 surcharge for its system, the amount of which is set by the referendum described above. Id. Wireline surcharges in Illinois range from \$.30 to \$3.90. The appropriate surcharge is collected by wireline telecommunication carriers serving in an ETSB's jurisdiction, and is then remitted directly to the ETSB by the carrier. 50 ILCS 750/15.3(g). Carriers are permitted to keep 3% of surcharge funds collected to defray administrative costs. Id.



Federal Communications Commission  
Washington, D.C. 20554

**Wireless:**

The Wireless Emergency Telephone Safety Act, 50 ILCS 751/1 et seq., (hereafter "WETSA") established a state funding mechanism and surcharge for wireless 911 / E911 service. State statute imposes a wireless surcharge of \$.73, which is collected from wireless subscribers by wireless carriers throughout the state, excluding the City of Chicago. 50 ILCS 751/17. Wireless carriers remit surcharges thus collected to the Illinois Commerce Commission (hereafter "ICC"), which disburses wireless surcharge funds to the appropriate ETSBs, based on zip codes of wireless subscribers' billing addresses. The Illinois General Assembly amended WETSA effective June 6, 2014. The wireless surcharge for those portions of Illinois not within the municipal confines of the City of Chicago remains \$.73, but the distribution of the surcharge will change effective July 1, 2014. The \$.73 surcharge will still be divided between two special funds in the State Treasury. 50 ILCS 751/17(b). The Wireless Carrier Reimbursement Fund currently receives \$.1475 per surcharge, but that amount will be reduced to \$.05. The Wireless Service Emergency Fund currently receives \$.5825 of each surcharge, but that amount will be increased to \$.66 per surcharge. Id. The statute as amended authorizes an even distribution of a further \$.02 per surcharge to county Emergency Telephone Safety Boards in counties with a population of less than 100,000 persons. Finally, \$.01 per surcharge may be used by the ICC to recover its administrative costs. Id.

The Wireless Carrier Reimbursement Fund was established to reimburse wireless carriers for any costs they have incurred (upon submission of sworn invoices) in complying with the applicable provisions of Federal Communication Commission's wireless 911/E911 service mandates. 50 ILCS 751/35. Additionally, under 50 ILCS 751/17, \$.01 per surcharge can be disbursed to the carriers to cover their administrative costs. Id.

The Wireless Service Emergency Fund was established to make monthly grants to the appropriate ETSBs based on zip codes of wireless subscribers' billing addresses. 50 ILCS 751/25

The sole governmental entity not subject to this surcharge regime is the City of Chicago. 50 ILCS 751/45. Under recent amendments to WETSA, the City is authorized to impose by municipal ordinance a surcharge upon wireless that does not exceed the highest monthly wireline surcharge imposed by any county or municipality, an amount which is currently \$3.90. 50 ILCS 751/45(b). This measure is effective between July 1, 2014 and June 30, 2015. Id. A municipal ordinance imposing a surcharge in that full amount is pending before the Chicago City Council.

**Prepaid Wireless:**

On August 19, 2011, the State enacted the Prepaid Wireless 9-1-1 Surcharge



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Act, 50 ILCS 753/1 et seq, which, beginning January 1, 2012, requires imposition of a 1.5% point of sale charge for prepaid wireless transactions in Illinois, except for home rule municipalities with populations exceeding 500,000 (meaning in practical terms the City of Chicago alone). 50 ILCS 753/15(a). Under recent amendments to WETSA, the City of Chicago is authorized to establish a surcharge of up to 9% per retail transaction. 50 ILCS 753/15(a-5). This measure is effective between July 1, 2014 and June 30, 2015. *Id.* A municipal ordinance imposing a surcharge in that full amount is pending before the Chicago City Council. The funds realized from the pre-paid surcharge are collected from subscribers at the point of sale and deposited by the Illinois Department of Revenue into the Wireless Services Emergency Fund to be allocated to 9-1-1 systems in a prorated manner based upon zip codes of "post paid" wireless customers, and are to be used for 9-1-1 services. 50 ILCS 753/15(c). After certain technical corrections have been made to the statute, the surcharge funds allocated to the City of Chicago will be disbursed on an ongoing basis to the City by the Illinois Department of Revenue.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

**Wireline:**

There are 201 authorized 911 systems in the State of Illinois today that are run by the local governmental authorities/ETSBs. As stated above, 911 systems are generally funded by surcharges established by local municipal or county referenda. However, the ETSB for each 911 jurisdiction is responsible for managing and making all critical decisions for its system design, maintenance and daily operations. 50 ILCS 750/15.4. Additionally, the sole responsibility of authorizing 911 expenditures lies with the ETSB in each jurisdiction. *Id.* Nothing in the ETSA grants the ICC authority to mandate, authorize or prohibit expenditures of surcharge funds by any ETSB. Furthermore, the ICC does not in the ordinary course receive information regarding wireline revenue or budgetary information from ETSBs and cannot provide specific information regarding the aggregate annual wireline surcharge collected by all ETSBs in the state.

**Wireless:**

As noted above, the State of Illinois requires postpaid wireless carriers to remit a surcharge of \$.73 per customer, per month, and prepaid wireless customers to pay a surcharge of 1.5% at the point of sale. Wireless carriers pass the postpaid cost on to their customers through an explicit surcharge on customers' bills. 50 ILCS 751/17. As further noted above, the City of Chicago is exempt from this requirement and maintains its own program; it is permitted to enact a municipal



Federal Communications Commission  
Washington, D.C. 20554

ordinance authorizing it to collect a surcharge of \$2.50 per connection currently, but is authorized to increase it to \$3.90 between July 1, 2014 and June 30, 2015, which as noted is assessed and collected independently of the state funds. Likewise, as noted above, the City is authorized to establish a surcharge of up to 7% currently, but can increase it to 9% for the period July 1, 2014 to July 1, 2015 on prepaid wireless purchases, 50 ILCS 753/15(a), (a-5), which it has done. Chicago Municipal Code § 7-51-30(A).

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

For calendar year 2013, the state collected approximately \$71.2million through this surcharge, exclusive of that assessed in the City of Chicago. Of this amount, \$58.1 million was deposited into the Wireless Services Emergency Fund and \$13.1 million was deposited to the Wireless Carrier Reimbursement Fund.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

**Wireline:**

The ETSA specifies that the wireline surcharge must be applied on each network connection and billed by the Local Exchange Carriers and VoIP providers who provide service in the local 9-1-1 jurisdiction's area. Once collected, the carriers are allowed to deduct 3% of the gross amount of the surcharge for administrative fees. The carriers are then obligated to remit the surcharge no later than 30 days after the surcharge is collected to the appropriate county or municipality which instituted the surcharge.

The ETSA also specifies what constitutes allowable expenditures of surcharge funds by 911 systems. These are described in Section 15.4(c) of ETSA, 50 ILCS 750/15.4(c), which, in general summary, limits uses of surcharge funds to: (1) the design of an emergency telephone system; (2) preparation of a Master Street Address Guide; (3) repayment of properly incurred advances; (4) charges for necessary equipment; nonrecurring charges to establish network connections; (5) payment for street signs necessary to system implementation; and (7) other



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Washington, D.C. 20554

necessary equipment and personnel specifically related to 911. The City of Chicago is authorized to use funds realized through surcharges for anti-terrorism purposes or emergency preparedness. 50 ILCS 750/15.4(c)(8).

**Wireless:**

As noted above, the wireless surcharge for the State of Illinois is \$.73 per wireless subscriber. Of the \$.73 postpaid wireless surcharge collected, \$.1475 currently goes to the Wireless Carrier Reimbursement Fund however effective June 6, 2014 only \$.05 will be deposit, from which wireless carriers are permitted to seek reimbursement for their 911 related expenses. Pursuant to statute, such funds can be used "to reimburse wireless carriers for all of their costs incurred in complying with the applicable provisions of Federal Communications Commission wireless enhanced 9-1-1 service mandates". 50 ILCS 751/35. As a general matter, in order to receive a reimbursement, the carriers are required under Section 729.510 of the Illinois Commerce Commission's Rules, 83 Ill. Adm. Code 729.510, to submit invoices detailing expenses and how they are related to providing 911 services.

The remaining \$.5825 of each postpaid surcharge, and the entire prepaid surcharge after administrative costs, are deposited into to the Wireless Services Emergency Fund. As of June 6, 2014 the distribution will be \$.66. These funds are distributed on a monthly basis to authorized 911 governmental entities, typically ETSBs that provide wireless 911 services. The funds are to be used for "the design, implementation, operation, maintenance, or upgrade of wireless 911 or E911 emergency services and public safety answering points... [.]". 50 ILCS 751/20. Further, \$.02 of each surcharge will be distributed equally to County Emergency Telephone System Boards in counties with a population under 100,000. The funds are disbursed to the proper entities by subscriber zip code; each entity owns a zip code, or a portion of a zip code, and receives the funds generated from that area, 50 ILCS 751/25. Additionally, up to \$.01 of the amount deposited into this fund can be used by the Illinois Commerce Commission to cover its administrative cost, see 50 ILCS 751/17 (b).

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The entities responsible for approving the expenditures of funds collected for 911 are the municipal or county ETSBs. There are 201 ETSBs/ local 911 authorities in the State of Illinois, which govern their individual 911 systems.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding



Federal Communications Commission  
Washington, D.C. 20554

mechanism or otherwise used to implement or support 911.

As noted above, the Commission currently has no statutory authority to oversee ETSBs, which are units of local government. However, pursuant to recent amendments to WETSA, each Emergency Telephone System Board will be required to submit detailed audited financial information to the ICC on or prior to October 1, 2014. 50 ILCS 751/27(b). Each year thereafter, beginning January 31, 2016, each Emergency Telephone System Board must submit audited financial statements to the ICC. 50 ILCS 751/27(c).

- 7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

As noted above, the Commission currently has no statutory authority to oversee ETSBs, which are units of local government. However, pursuant to recent amendments to WETSA, any Emergency Telephone System Board which fails to make required financial reports to the ICC pursuant to 50 ILCS 751/27(b) or 27(c), the ICC is authorized to withhold wireless surcharge funds. 50 ILCS 751/27(d).

- 8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
	X

- 9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

**Wireline:**  
As previously stated, the wireline surcharge funds are administered and expended by county or municipal ETSBs, but surcharge funds may only be used for



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Washington, D.C. 20554

purposes authorized by state law. Since the funds are controlled by county or municipal ETSBs, the ICC has no information regarding whether any local ETSB has diverted these funds for uses other than those for which they were intended by law.

**Wireless:**

During state fiscal year 2014 \$9 million was legislatively transferred out of the Wireless Services Emergency Fund to the Public Utility Fund for costs associated with the oversight of public utilities and the 911 program.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

As noted above, the Commission has no statutory authority to oversee ETSBs, which are units of local government. Accordingly, the Commission has no information regarding this. No instances of use of funds for purposes not contemplated by Section 15.4(c) of ETSA have come to the Commission's attention.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

NOTE: Illinois statute does not specifically prohibit, nor does it specifically authorize, expenditures on Next Generation 9-1-1. See 50 ILCS 750/15.4. The state has established a 9-1-1 Services Advisory Board to plan a statewide shared NG 9-1-1 network. 50 ILCS 751/75(b). Further, the ICC has authorized one ETSB to transition its network from a legacy network to an NG 9-1-1 network, and is in the process of reviewing several similar requests.

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*



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Washington, D.C. 20554

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

N/A

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

N/A

Indiana



**STATE OF INDIANA  
OFFICE OF THE TREASURER  
INDIANAPOLIS**

**Richard Mourdock  
TREASURER OF STATE**

**Office: Indiana Statewide 9-1-1 Board  
10 West Market Street, Suite 2950  
Indianapolis, Indiana 46204  
(317) 234-2507**

July 30, 2014

Mr. David G. Simpson  
Rear Admiral, USN (Ret.)  
Chief, Public Safety and Homeland Security Bureau  
Federal Communications Commission  
Washington, D.C. 20554

Re: Annual Information Collection As Mandated By the New and Emerging Technologies Improvement Act of 2008.

Sir,

Please find included in the electronic filing the information requested by your agency in a letter addressed to Governor Mike Pence. As the Indiana State Treasurer I also serve as Chairman of the Statewide 911 Board. Should you have any questions please feel free to contact Barry Ritter, ENP, Executive Director of the Indiana Statewide Board at (317) 234-2507 or [britter@IN911.net](mailto:britter@IN911.net).

Respectfully,

A handwritten signature in black ink, appearing to read "Richard Mourdock", written over a horizontal line.

Richard Mourdock  
Treasurer, State of Indiana

Cc:  
Governor Mike Pence



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

IC 36-8-16.7-32 State of Indiana  
 Monthly statewide 911 fee; initial fee; adjustments; additional fees prohibited; exemptions  
 Sec. 32. (a) Except as provided in subsections (c) and (e), and subject to subsection (b) and section 48(e) of this chapter, the board shall assess a monthly statewide 911 fee on each standard user that is a customer having a place of primary use in Indiana at a rate that:

- (1) ensures full recovery of the amount needed for the board to make distributions to county treasurers consistent with this chapter; and
- (2) provides for the proper development, operation, and maintenance of a statewide 911 system.

The amount of the initial fee assessed under this subsection is ninety cents (\$0.90).

(b) The board may adjust the statewide 911 fee to ensure adequate revenue for the board to fulfill the board's duties and obligations under this chapter, subject to the following:



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- (1) The fee may not be raised or lowered more than one (1) time in a calendar year.
- (2) The fee:
  - (A) may not be raised by an amount that is less than or equal to ten cents (\$0.10) without review by the budget committee; and
  - (B) may not be raised or lowered by an amount that is more than ten cents (\$0.10) without legislative approval.
- (c) The fee assessed under this section does not apply to a prepaid user in a retail transaction under IC 36-8-16.6.
- (d) An additional fee relating to the provision of 911 service may not be levied by a state agency or local unit of government. An enhanced prepaid wireless charge (as defined in IC 36-8-16.6-4) is not considered an additional fee relating to the provision of wireless 911 service for purposes of this section.
- (e) A user is exempt from the fee if the user is any of the following:
  - (1) The federal government or an agency of the federal government.
  - (2) The state or an agency or instrumentality of the state.
  - (3) A political subdivision (as defined in IC 36-1-2-13) or an agency of a political subdivision.
  - (4) A user that accesses communications service solely through a wireless data only service plan.

As added by P.L.132-2012, SEC.20.

IC 36-8-16.6-11

Enhanced prepaid wireless charge; initial charge; increase; federal government exempt

Sec. 11.(a) The board shall impose an enhanced prepaid wireless charge on each retail transaction that occurs after June 30, 2010. The amount of the initial charge imposed under this section may not exceed one-half (1/2) of the monthly wireless emergency enhanced 911 fee assessed under IC 36-8-16.5-25.5 (before its repeal on July 1, 2012). The board shall increase the amount of the charge imposed under this section so that the amount of the charge imposed after June 30, 2012, under this section equals fifty cents (\$.50).

(b) Subject to legislative approval, after the increase described in subsection (a) and after June 30, 2012, the board may increase the enhanced prepaid wireless charge to ensure adequate revenue for the board to fulfill its duties and obligations under this chapter and IC 36-8-16.7.

(c) A consumer that is the federal government or an agency of the federal government



Federal Communications Commission  
Washington, D.C. 20554

is exempt from the enhanced prepaid wireless charge imposed under this section.

As added by P.L.113-2010, SEC 151. Amended by P.L. 113-2012, SEC.15.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

\$0.90 cents per month for wire line, VOIP and contractual wireless devices.

\$0.50 cents per transaction for prepaid wireless.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$ 73,114,655.69

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Board's administration of fund; board's expenses; distribution to counties

Sec. 37. (a) Subject to subsection (b), the board shall administer the fund in the following manner:

- (1) In each state fiscal year, the board may retain the lesser of:

- (A) ten percent (10%) of the statewide 911 fees deposited in the fund in the



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previous state fiscal year; or

(B) the amount of fees deposited in the fund in the previous state fiscal year that would provide for the operating expenses of the statewide 911 system during the state fiscal year for which the fees are retained;

to pay the board's expenses in administering this chapter and to develop, operate, and maintain a statewide 911 system. The board may decrease the amount of fees retained by the board under this subdivision.

(2) After retaining the amount set forth in subdivision (1), the board shall distribute to the counties, in a manner determined by the board, the remainder of the statewide 911 fees in the fund. However, with respect to any state fiscal year beginning after June 30, 2012, the board shall first ensure a distribution to each county in an amount that is equal to the average annual amount distributed to all PSAPs in the county under IC 36-8-16 (before its repeal on July 1, 2012) and to the county under IC 36-8-16.5 (before its repeal on July 1, 2012) during the three (3) state fiscal years ending:

(A) June 30, 2009;

(B) June 30, 2010; and

(C) June 30, 2011;

increased by a percentage that does not exceed the percent of increase in the United States Department of Labor Consumer Price Index during the twelve (12) months preceding the state fiscal year for which the distribution is made.

(3) If any statewide 911 fees remain in the fund after the distributions ensured under subdivision (2), the board shall distribute the fees as follows:

(A) Ninety percent (90%) of the fees shall be distributed to the counties based upon each county's percentage of the state's population.

(B) Ten percent (10%) of the fees shall be distributed equally among the counties.

(b) The board may not distribute money in the fund in a manner that impairs the ability of the board to fulfill its management and administrative obligations under this chapter.

IC 36-8-16.7-38

Permitted uses of distribution by PSAPs; annual reports to board by PSAPs; state board of accounts annual audit of PSAP expenditures; review by board; reports to budget committee; county 911 funds

Sec. 38. (a) A PSAP may use a distribution from a county under this chapter only for the following:

(1) The lease, purchase, or maintenance of communications service equipment.



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- (2) Necessary system hardware and software and data base equipment.
  - (3) Personnel expenses, including wages, benefits, training, and continuing education, only to the extent reasonable and necessary for the provision and maintenance of:
    - (A) the statewide 911 system; or
    - (B) a wire line enhanced emergency telephone system funded under IC 36-8-16 (before its repeal on July 1, 2012).
  - (4) Operational costs, including costs associated with:
    - (A) utilities;
    - (B) maintenance;
    - (C) equipment designed to provide backup power or system redundancy, including generators; and
    - (D) call logging equipment.
  - (5) An emergency notification system that is approved by the board under section 40 of this chapter.
  - (6) Connectivity to the Indiana data and communications system (IDACS).
  - (7) Rates associated with communications service providers' enhanced emergency communications system network services.
  - (8) Mobile radio equipment used by first responders, other than radio equipment purchased under subdivision (9) as a result of the narrow banding requirements specified by the Federal Communications Commission.
  - (9) Up to fifty percent (50%) of the costs associated with the narrow banding or replacement of radios or other equipment as a result of the narrow banding requirements specified by the Federal Communications Commission.
- (b) A PSAP may not use a distribution from a county under this chapter for the following:
- (1) The construction, purchase, renovation, or furnishing of PSAP buildings.
  - (2) Vehicles.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Sec. 27. (a) The board may do the following to implement this chapter:



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- (1) Sue and be sued.
- (2) Adopt and alter an official seal.
- (3) Adopt and enforce bylaws and rules for:
  - (A) the conduct of board business; and
  - (B) the use of board services and facilities.
- (4) Subject to subsection (c), acquire, hold, use, and otherwise dispose of the board's income, revenues, funds, and money.
- (5) Subject to subsections (b) and (c), enter into contracts, including contracts:
  - (A) for professional services;
  - (B) for purchase of supplies or services; and
  - (C) to acquire office space.
- (6) Subject to subsection (c), hire staff.
- (7) Adopt rules under IC 4-22-2 to implement this chapter.
- (8) Develop, maintain, and update a statewide 911 plan.
- (9) Subject to subsection (c), administer the statewide 911 fund established by section 29 of this chapter.
- (10) Administer and distribute the statewide 911 fee in accordance with section 37 of this chapter.
- (11) Subject to subsection (c), administer statewide 911 grants in accordance with state and federal guidelines.
- (12) Obtain from each PSAP operating statistics and other performance measurements, including call statistics by category and emergency medical dispatching (EMD) certifications.
- (13) Take other necessary or convenient actions to implement this chapter that are not inconsistent with Indiana law.
  - (b) A contract for the purchase of communications service or equipment by the board must be awarded through an invitation for bids or a request for proposals as described in IC 5-22. The board shall enter into a cooperative agreement with the Indiana department of administration for the department to administer the board's purchases under this chapter using the department's purchasing agents.
  - (c) The board shall be considered a state agency for purposes of IC 5-14-3.5. Subject to IC 5-14-3.5-4, the following shall be posted to the Indiana transparency Internet web site in accordance with IC 5-14-3.5-2:
    - (1) Expenditures by the board, including expenditures for contracts, grants, and leases.



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(2) The balance of the statewide 911 fund established by section 29 of this chapter.

(3) A listing of the board's real and personal property that has a value of more than twenty thousand dollars (\$20,000).

The board shall cooperate with and provide information to the auditor of state as required by IC 5-14-3.5-8.

As added by P.L.132-2012, SEC.20.

Funds expended at the local level are appropriated by the county fiscal body within the eligible expenditures in IC 36-8-16.7-38.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

IC 36-8-16.7-30

Annual audit of fund by state board of accounts; annual review of 911 service by board; reports to budget committee

Sec. 30. (a) The state board of accounts shall audit the fund on an annual basis to determine whether the fund is being managed in accordance with this chapter. For each of the two (2) state fiscal years ending:

(A) June 30, 2013; and

(B) June 30, 2014;

the state board of accounts shall submit, not later than November 1 of each year during which the particular state fiscal year ends, a report of the audit required by this subsection to the budget committee for the budget committee's review. A report submitted under this subsection must be in an electronic format under IC 5-14-6.

(b) On an annual basis, and in conjunction with the board's review under section 38(d) of this chapter of the state board of accounts' annual audit of PSAPs, the board shall review 911 service in Indiana, including the collection, disbursement, and use of the statewide 911 fee assessed under section 32 of this chapter. The purpose of the review is to ensure that the statewide 911 fee:

(1) does not exceed the amount reasonably necessary to provide adequate and efficient 911 service; and

(2) is used only for the purposes set forth in this chapter.



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(c) For each of the two (2) calendar years ending:

(A) December 31, 2013; and

(B) December 31, 2014;

the board shall submit, not later than March 1 of the year immediately following the particular calendar year, a summary report of the board's findings under the review required by subsection (b) to the budget committee for the budget committee's review. A report submitted under this subsection must be in an electronic format under IC 5-14-6.

As added by P.L.132-2012, SEC.20.

IC 36-8-16.7-38

Permitted uses of distribution by PSAPs; annual reports to board by PSAPs; state board of accounts annual audit of PSAP expenditures; review by board; reports to budget committee; county 911 funds

(d) Beginning in 2013, the state board of accounts annually shall audit the expenditures of distributions under this chapter made during the immediately preceding calendar year by each PSAP that receives distributions under this chapter.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

IC 36-8-16.7-38(d)

Beginning in 2013, the state board of account annually shall audit the expenditures of distributions under this chapter made during the immediately preceding calendar year by each PSAP that receives distributions under this chapter. In conducting an audit under this subsection, the state board of accounts shall determine, in conjunction with the board, whether the expenditures made by each PSAP are in compliance with subsections (a) and (b). The board shall review and further audit any ineligible expenditure identified by the state board of accounts under this subsection or through any other report. If the board verifies that the expenditure did not comply with this section, the board shall ensure that the fund is reimbursed in the dollar amount of the noncomplying expenditure from any source of funding, other than a fund described in subsection (f), that is available to the PSAP or to a unit in which the PSAP is located.



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The audits completed by State Board of Accounts identified 31 counties and 2 towns with possible ineligible expenses as defined by IC 36-8-16.7-38 and the Guidance Document adopted by this board in 2012. The total of these expenditures was listed at \$ 301,722.67.

The staff of the Statewide 911 Board completed the finding of fact review of potential ineligible expenditures. Adjustments were made during follow up audits when county officials provided detailed invoices and/or documentation of expenditures. The identified expenditure was reclassified as eligible under IC 36-8-16.7-38

The Statewide 911 Board approved (April 25, 2014) the "adjusted" ineligible expense report as submitted by staff which reduced the total ineligible expenditures to \$126,709.68.

County government was required to repay the 911 fund the ineligible expense amount and provide proof to our office and Indiana State Board of Accounts.

State Board of Accounts will verify reimbursements during the FY14 audits.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.



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Expenditures identified in #7 above were NOT expended by local government for unrelated 911 or E911 costs. All expenditures were within the PSAP, however were outside the list of eligible expenditures in IC 36-8-16.7-38. Those funds were required to be reimbursed to the 911 fund.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The Statewide 911 Board is responsible for operating and maintaining the statewide public safety ESInet that all wireless 911 calls are received and routed on as well as NG911 technologies; text to 911 and telematics. The board contracts a network vendor for this purpose. The board is also required to administer the fund and operates a quasi-state agency for these purposes.

The funding sent to local government is appropriated by county councils in all 92 counties and expended in accordance with IC 36-8-16.7-38 as listed in #4 above.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

**Please insert an "X" below the appropriate answer.**

YES	NO



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X	
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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Undetermined
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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

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Iowa



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

The State of Iowa E911 Program has an established funding mechanism for the purpose of wireless E911 support or implementation under Code of Iowa, Chapter 34A.7A. The corresponding implementing rule is found in Iowa Administrative Code Section 605, Chapter 10.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Code of Iowa section 34A.7A(1)(a) states "The director shall adopt by rule a monthly surcharge of one dollar to be imposed on each communications service number provided in this state. The surcharge shall be imposed uniformly on a statewide basis and simultaneously on all communications service numbers as provided by rule of the director. The surcharge shall not be imposed on wire-line based communications or prepaid wireless telecommunications service."

For prepaid wireless phone service, Code of Iowa section 34A.7B(2) states "There is imposed a prepaid wireless E911 surcharge of thirty-one cents on each retail transaction or, on or after the determination of an adjusted rates as determined pursuant to subsection 7, the adjusted rate." The adjusted rate pursuant to subsection 7 increased on July 1 2013, therefore the prepaid rate was



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adjusted to fifty-one cents per transaction.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The State of Iowa collected \$20,657,733.45 in wireless and prepaid surcharge fees for the annual period ending December 31, 2013.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The funds collected are made available to localities based on Code of Iowa section 34A.7A(2)(f)(2). Forty-six percent of the total amount of surcharge generated per calendar quarter is allocated based on call counts and the square miles of the service area for each county.

For funds not expended in a quarter, section 34A.7A(2)(f) states that "If moneys remain in the fund after fully paying all obligations, the remainder may be accumulated in the fund as carryover operating surplus. This surplus shall be used to fund future network and public safety answering point improvements."

Lastly, all expenditure of surcharge funds is governed by section 34A.2(9)(2). "Funds deposited in an E911 service fund are appropriated and shall be used for the payment of costs that are limited to nonrecurring and recurring costs directly attributable to the receipt and disposition of the 911 call."

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Per Code of Iowa section 34A.2A The director of the department, through the program manager, is responsible for the administration of wireless E911 funds.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding



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mechanism or otherwise used to implement or support 911.

The program manager must submit a calendar quarter report of revenues and expenditures to the fiscal services division of the legislative services agency which is also made available to the Government Oversight Committee. The committee reviews the priorities of distribution of funds at least every two years. An annual report is submitted to the General Assembly providing them with an accounting of the revenues and expenditures of the program for the last year. Finally, the E911 program is audited on an annual basis by the State Auditor's office.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No enforcement or corrective actions were undertaken during the annual period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds collected for 911 or E911 purposes were used for any other purpose outside of the allowable expenditures under Code of Iowa, Chapter 34A.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.



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Funds collected for 911 or E911 purposes were obligated or expended for the monthly recurring costs for the statewide wireless NG911 ESInet, for the quarterly distribution to the local E911 Service Boards, and for the wireless carryover grant program to assist the PSAPs in equipment upgrades to Next Generation IP/SIP enabled. The NG911 ESInet, along with the upgraded equipment at the PSAPs, will allow the State of Iowa to move to the next platform enabling us to accept text to 911, picture messaging, and video messaging as it becomes available from the carriers.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The State of Iowa has expended at total of \$12,463,022.16 for network costs and PSAP distribution, along with \$850,237.43 from the carryover grant program to assist in equipment upgrades to the PSAPs.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

K.S.A. 12-5362 et seq

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

K.S.A. 12-5369 establishes the current 911 fee at \$.53 per month per subscriber account of any exchange telecommunications service, wireless telecommunications service, VoIP service, or other service capable of contacting a PSAP. In addition to this fee, K.S.A. 12-5371 establishes a fee on prepaid wireless transactions of 1.06% per retail transaction.

<sup>1</sup> On September 9, 2014, Kansas submitted a clarification via email to Bureau staff that its response to question 3 is for the period 2013 not 2012.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

A total of \$19,416,238 in 911 fees was remitted to the LCPA in 2012. A total of \$1,156,979 was collected on prepaid wireless service, for a total amount collected of \$20,573,217.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The collected funds are remitted by the service providers to the Local Collection Point Administrator (LCPA) which is a contract employee of the 9-1-1 Coordinating Council. The funds are then distributed by the LCPA to the individual PSAPs based on a funding formula established in K.S.A. 12-5374. This formula ensures that every PSAP within the state receives a minimum annual 911 fee disbursement of \$50,000. Written criteria of allowable use of 911 fee funds is established in K.S.A. 12-5375. This statute provides the following approved uses of 911 fee monies: (1) Implementation of 911 services; (2) purchase of 911 equipment and upgrades; (3) maintenance and license fees for 911 equipment; (4) training of personnel; (5) monthly recurring charges billed by service suppliers; (6) installation, service establishment and nonrecurring start-up charges billed by the service supplier; (7) charges for capital improvements and equipment or other physical enhancements to the 911 system; or (8) the original acquisition and installation of road signs designed to aid in the delivery of emergency service. Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities. Such costs shall also not include expenditures to purchase subscriber radio equipment.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

K.S.A. 12-5364 establishes the 911 Coordinating Council and tasks the Council with requiring annual reporting of 911 fee expenditures by the PSAPs and reviewing those expenditures to ensure that 911 fee funds are being spent in accordance with the legislation. The Coordinating Council provides guidance to the PSAPs on allowable and non-allowable expenditures.



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- 6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The 911 Coordinating Council has developed an annual report form that details 911 fee fund revenue received and expenditures made by the PSAPs. These reports are reviewed by the Operations Committee of the Coordinating Council and any questionable expenditures are followed up with the PSAP. If an expenditure is deemed to be non-allowable, the PSAP is required to reimburse the 911 Fee Fund account for the expenditure.

- 7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Of the 2,262 expenditures reported, a total of 247 expenditures were questioned. After follow up with the PSAP on these expenditures, 211 were found to be allowable expenditures and the remaining 36 were found to be either non-allowable or partially non-allowable. All non-allowable expenditures were required to be reimbursed to the respective PSAP's 911 Fee Fund. Documentation of these reimbursements was required to be provided.

- 8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

- 9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.



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Following the review procedure and the reimbursement of the 36 non-allowable expenditures, 100% of the 911 Fee funds expended were for allowable 911 or E911 purposes. No 911 Fee funds were expended outside of the allowable purposes.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

911 Fee funds were expended by the local PSAPs to telephone service providers, radio service providers, and equipment vendors for services and equipment to maintain E-911 service throughout the State of Kansas.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

911 fees generated on prepaid wireless fees are deposited into a state grant fund pursuant to K.S.A. 12-5374. \$66,010.81 of these funds were utilized during the 2013 annual period for consultation services for statewide Next Generation 911 planning



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purposes.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Kentucky



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Approved by OMB  
3060-1122  
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Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

KRS 65.760 (local authority); KRS 65.7629 (state authority for 911 fee)

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Kentucky statutory law provides that local governments (cities or counties) may by local ordinance provide for landline 911 and E911 services and provides options on how to raise revenues to pay for the service. Most local governments opt for a set 911 landline fee to be collected by the phone company which provides local service to that community as an addition to the customer's regular phone bill. No minimum or maximum amount is specified. Kentucky has 120 counties. All but ten have adopted a local landline fee, ranging from a low of 50¢ to a high of \$4.50. Most range from \$1.50



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to \$2.50 per month. One county uses a percentage of the phone bill; another has a property tax rate for 911 service. See—KRS 65.760.

There is an emerging interest at the local government level to explore new ways to raise revenue for 911 services. This interest is occurring because of the decrease in the number of landline phones and the corresponding decrease in local derived from 911 landline fees. Total decrease in landlines may be as much as 40% (from 2.4 million to 1.4 million) in the last decade.

The 'interest' has included eliminating the landline 911 fee and replacing it with a fee collected on utility bills (water or electric) or a per parcel fee collected with the property tax. The 'new' ways to impose 911 fees locally have been challenged in court.

In KRS 65.7621 et seq. the legislature established a state 911 fund administered by the Kentucky CMRS Board in response to the FCC Order No. 94-102, which requires wireless 911 service to be available. The fund is fueled by a 911 surcharge on each CMRS connection (cell phone) in the state. The statute currently provides for a fixed surcharge of 70¢ per "postpaid" connection per month and a choice of methods for calculating the surcharge for "prepaid" connections.

Recent data shows that the options for prepaid providers to calculate the fees result in a disparity in the level of support per device between postpaid (at 70¢ per device per month) and prepaid (average of 30¢ per device per month). This is an unintended consequence of the 2006 amendments to our statutes which created the "prepaid" options. It "short changes" 911 funding from wireless fees to the state by an estimated \$3.5 million annually.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Local landline fees are not currently required to be reported to a central authority in terms of the total amount raised in each county. A recent survey suggests that the total raised statewide through local landline fees is roughly \$28 million.

The state 911 fee per CMRS connection per month generated \$25,506,843.30 in calendar year 2013. The amount collected has leveled off in the last three fiscal years, after steadily increasing each of the first ten years, suggesting a cell phone market nearing saturation.



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Funds raised by local 911 fees are appropriated and accounted for through the local government's fiscal process. There is broad statutory language in KRS 65.760 (3) that directs that all revenues "shall be expended solely for the establishment, operation and maintenance of a 911 emergency communications system."

The state 911 wireless fee is collected by all phone companies providing wireless service either by adding the 70¢ fee to a customer's monthly bill (postpaid customers) or by using other statutory options available to calculate amounts due from "prepaid" connections.

The funds collected from wireless providers are remitted to KY's CMRS Board monthly. The Board on a quarterly basis sends out roughly 69% of the funds directly to "certified" PSAPs via a formula that is half "pro rata" (every PSAP gets the same) and half "volume" (PSAPs in jurisdictions with more cell phones get more money). An additional 10% of the CMRS fund is used to provide grants that are also directed back to the local PSAPs.

The balance of the funds are divided--- a.) Carriers retain 1.5% for "collecting" the fee b.) 2.5% of the balance goes to the Board's administrative account and c.) about 17% is placed in a statutory mandated "Cost Recovery" program which reimburses carriers for verified costs associated with developing and maintaining Phase II wireless system.

As to the CMRS funds, there are "written criteria regarding allowable uses of the collected funds" See KRS 65.7631(3) and for more specificity see the regulation in 202 KAR 6:090--- **Permitted Uses by PSAPs for CMRS Funds**.

In general the money must be spent only for 911 purposes inside the 911 facility.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The local government which established basic landline 911 and E911 has the authority to approve the expenditure of funds raised through the landline fee established locally through their budget process.



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Many local communities have established local 911 authorities or advisory boards to coordinate and manage the provision of 911 service. By memorandum of agreements they may have some authority to recommend or approve expenditures.

The CMRS Board has no statutory oversight authority as to local landline funds. Annual County audits of all funds are done under the auspices of the State Auditor of Public Accounts, but the CMRS Board has no knowledge as to whether the audit includes detailed review of the use of local 911 funds.

For CMRS funds the Board has direct authority of the expenditures of grant funds and, as mentioned above, has the authority to promulgate regulations which describe specific allowable expenditures for those funds that are sent by formula to "certified" PSAPs.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The CMRS Board has no statutory oversight authority as to local 911 funds. Annual County audits of all funds are done under the auspices of the State Auditor of Public Accounts, but the CMRS Board has no knowledge as to whether the audit includes detailed review of the use of local 911 funds.

The Board is required by statute to acquire the services of an independent auditor to, among other things, audit the PSAPs that receive CMRS funds to determine if funds were expended only for permissible purposes. The Board requires that corrective action be taken for any audit finding that CMRS funds were expended for an impermissible purpose. There are 118 certified PSAPs; not all are audited each year. The audit process randomly selects about one-third of the PSAPs a year for audit.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Audit reports received in 2013 contained no findings requiring enforcement or other corrective action by the Board.



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8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No CMRS funds were used for purposes other than purposes related to 911 or E911 implementation support as provided in KRS 65.7621 et seq.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The expenditure of funds collected for 911 or E911 purposes by the Kentucky CMRS Board is controlled by a statutory formula.

The "organizations" which receive the greatest share of funds are the local PSAPs which have been 'certified' by the Board as meeting the statutory and regulatory standards required to receive (and appropriately deliver) a wireless 911 call. Roughly 70% of the \$25 million collected annually is sent directly back to PSAPs which use it to pay for day to day operational costs—including payments to vendors of service of equipment, personnel costs and more as prescribed in regulation. These "organizations" are the guts of 911 service, answering the public's 911 calls and dispatching the appropriate responder. Certified PSAPs include all 16 state police posts



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throughout the state.

Roughly 17% of wireless funds expended by the Board go to Carriers for a mandated "cost recovery" program which allows companies to be reimbursed for approved invoices related to their costs for providing equipment used to deliver 911 calls.

A 2.5 % portion of funds collected from the states wireless 911 fees goes to pay the CMRS Board 'administrative budget'. (Board members are not compensated but reimbursed for their expenses). These amounts pay for staff (3) salaries and basic office expenses. They are also used for 'contracts' for 1)statewide mapping, 2)geo-audits of local PSAPs (quality assurance) 3)legal services. The Board has instituted lawsuits to collect 'unremitted fees' from providers of prepaid services and has judgments totaling over \$5.5 million (on appeal) and 4) consulting services for the development of and migration to a statewide ESI Network (Next Generation 911).

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

CMRS grant funds awarded in 2013 were used for NG911 like "interim" solutions including the acquisition of NG enabled CPE and the provisioning of host/remote 911 telephony (eliminating stand alone operations) in 38 PSAPs. Grant funds were awarded on the basis of being compliant with our NG911 State Plan. Awards totaled \$2.9 million. Additional grant funds are reserved for GIS mapping projects that will be using new



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NG911 mapping data standards.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Once the CMRS Board and wireless 911 were up and operating the system existed in a relatively low key and "status quo" mode for a few years (2004-2009). With both state and local budgets being extremely tight, with revenues from CMRS 911 fees leveling off due to cell phone saturation, with aging equipment at PSAPs and new demands emerging from the move to NG911 there exists now, just below the surface, an increasing pressure regarding 911 resources which will ultimately negatively impact the stability of 911 systems. There are often differences between landline and wireless fees; a large segment of wireless service (prepaid) may not pay a 911 fee at all or may do so at a level that is not equivalent to the "post paid" fee. Finally, new communications methods may not be supporting the system at all. Resources and efforts should be focused on ensuring that all devices capable of initiating a 911 call contribute to the support of the system and at an equivalent and adequate level of support.

Research had confirmed that of the three sources of funding 911 in Kentucky –local revenue from 911 landline fees; state revenue from 911 wireless fees and local 'general funds' spent for 911 services, the smallest contribution comes from "wireless" and equals less than 25% of the cost.

In Kentucky the largest contribution to payment for 911 service is coming from local government's general funds', with landline fees, though shrinking, contributing the next largest amount.

Since 75% of 911 calls now are initiated by cell phones, the case can be made that cell phones users and service providers are not paying their share of the cost to provide 911 services in the state.

Kentucky's original wireless 911 fee statute (1998-2006) requiring all service providers (whether prepaid or postpaid) to collect/remit to the Board at 70¢ per device per month was upheld in a 6<sup>th</sup> circuit federal court of appeals decision awarding the CMRS Board over \$5 million dollars in fees against a major provider of prepaid services who claimed that the statute did not apply to prepaid.

Currently all providers of prepaid service in Kentucky are remitting the wireless 911 fee. However the statutory formula used to calculate the remittance obligation results in



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prepaid phones generating revenues amounting to around 30¢ per phone per month, roughly 40% of what should be collected. This "faulty" formula costs the system between \$3-4 million annually.

Louisiana

Louisiana did not file a report.

Maine



THOMAS L. WELCH  
CHAIRMAN

DAVID P. LITTELL  
MARK VANNOY  
COMMISSIONERS

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

HARRY LANPHEAR  
ADMINISTRATIVE DIRECTOR

July 8, 2014

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12 Street, SW  
Washington, DC 20554

Ref: PS Docket No. 09 -14

Dear Ms. Dortch,

Please find attached the responses for the State of Maine in compliance with the NET 911 Act for the annual period ending December 31, 2013.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Harry Lanphear'.

Harry Lanphear  
Administrative Director

Attached: Maine Net 911 Act Questionnaire

Cc: Maria Jacques, ENP, Director, ESCB



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Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

**STATE OF MAINE RESPONSE**

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The State of Maine imposes a surcharge at the state level for E9-1-1 support and implementation. The law governing the collection of E9-1-1 Surcharge is MRSA Title 25 Chapter 352 Section 2927 E9-1-1 Funding.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The amount of the surcharge is .45 per line/per month.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The State of Maine collected \$8,034,327.32 for the period ending December 31, 2013.



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The Emergency Services Communication Bureau was established to implement and manage E9-1-1. The funds are not made available to localities as they are used to support a statewide system. See MRSA Title 25 Chapter 352 Section 2926.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Emergency Services Communication Bureau within the Public Utilities Commission has the authority to approve the expenditures of funds collected for E9-1-1 purposes. (MRSA Title 25 Chapter 352 Section 2927)

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The Emergency Services Communication Bureau reports to the Maine Legislature's Joint Committee on Energy, Utilities and Technology annually on planned expenditures for the coming year and expenditures for the previous year. (MRSA Title 25 Chapter 352 Section 2927)

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

There has been no enforcement or other corrective actions undertaken in connection with such oversight for the reporting period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?



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Please insert an "X" below the appropriate answer.

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The State of Maine has a statewide E9-1-1 system. The Emergency Services Communication Bureau administers the program, which includes a contract for E9-1-1 Services. This contract provides for a single end-to-end E9-1-1 system that serves every municipality and Indian Reservation in the state. It includes network, database services, customer premise equipment at each of the 26 municipal, state or county Public Safety Answering Points (PSAPs), and 24 x 7 support and maintenance. There is no funding that flows through to the PSAPs or to municipalities, counties or state agencies for other purposes.

For calendar year 2013, funds were expended for the following activities:

- Administrative expenses of the Emergency Services Communication Bureau
- Statewide Contract for E9-1-1 Services
- Statewide Contract for NG911 Services
- Quality Assurance Program



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- Community Addressing and Mapping Support
- Training for E9-1-1 Call Takers and Dispatchers
- Emergency Medical Dispatch training and administrative costs
- Reimbursement of telephone companies for ALI data base provisioning

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
x	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
x	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The State of Maine expended \$1,734,054.00 on Next Generation 911 programs during this time period. This expenditure was a General Fund Appropriation, not E911 Surcharge Funds.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

We have no comments at this time.

Maryland



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The Public Safety Article, Annotated Code of **Maryland** (Public Safety Article), Title 1 - Section 3 is the enabling legislation that established a 911 Trust Fund and the Emergency Number Systems Board (Board), with the Department of Public Safety and Correctional Services as the oversight agency. The referenced statute creates a funding mechanism and oversight Board to provide for the orderly installation, maintenance and operation of 911 systems in Maryland. The legislation also permits Maryland counties and Baltimore City (for legislative purposes Baltimore City is also identified as a county) to offset local 911 operational costs. The Code of Maryland Regulations (COMAR) Title 12, Subtitle 11, Chapter 03 further codifies the activities of the Board and describes in detail its essential functions and responsibilities.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The Maryland Public Safety Article (§1-310 & §1-311 & §1-313) establishes three funding streams to support 911 and E911 (collectively referred to as E911). The first is



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the State "911 Fee", which is \$0.25 per subscriber per month. The second is the County "Additional Fee" in an amount determined by each county, through local ordinance, up to a legislative maximum of \$0.75 per bill per month. All Maryland counties currently have local ordinances establishing the "Additional Fee" at \$0.75. Telephone companies, wireless carriers and other 911 accessible service providers collect and remit monthly both of these fees (collectively known as the 911 Surcharge) to the State Comptroller for deposit into the 911 Trust Fund.

The third fee was enacted effective July 1, 2013, when the Public Safety Article was amended to establish a prepaid wireless E 9-1-1 fee of \$0.60 per retail transaction, for the purchase of prepaid wireless telecommunications service, to be collected by the seller from the consumer for each such retail transaction in the State or where the billing address is in the State. Pre-paid wireless E 9-1-1 Fees are collected and remitted by retailers to the State Comptroller for deposit into the 911 Trust Fund

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amount of 911 fees remitted to Maryland in calendar year 2013 is  
**\$51,716,231.56.**

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Quarterly, the County "Additional Fee" portion and 75% of the "Prepaid Wireless E 9-1-1 Fee" is distributed to each county prorated in accordance with the level of fees collected in each jurisdiction (*Public Safety Article §1-309*). Annually, the Secretary of the Department of Public Safety and Correctional Services is required to submit a budget appropriation from the 911 Trust Fund in an amount sufficient to carry out the purposes of the enabling legislation, pay administrative costs, and reimburse counties for the cost of enhancing their E911 systems (*Public Safety Article §1-309*). Through this budget appropriation process, the State "911 Fee" and 25% of the "Prepaid Wireless E 9-1-1 Fee" is distributed from the 911 Trust Fund to the Maryland counties at the discretion of the Emergency Number Systems Board in response to county E911 enhancement requests.



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**Maryland has established written criteria identifying the allowable uses of funds collected.** Money collected from the State "911 Fee" and 25% of the collected Prepaid Wireless E 9-1-1 Fee may be used to reimburse counties for the cost of enhancing Maryland's E911 system through payment to third party contractors (*Public Safety Article §1-308*). COMAR (12.11.03.12) further defines equipment qualifying for funding or reimbursement. Money distributed quarterly to the counties from the collection of the County "Additional Fee" and the Prepaid Wireless E 9-1-1 Fee may be spent on the installation, enhancement, maintenance and operation of a county or multi-county E911 system. Maintenance and operation costs may include telephone company charges, equipment costs, equipment lease charges, repairs, utilities, personnel costs and appropriate carryover costs from previous years (*Public Safety Article §1-312*).

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

**The Emergency Number Systems Board is the entity that has the authority to approve expenditures from the 911 Trust Fund.**

Maryland established the seventeen (17) member Emergency Number Systems Board (*Public Safety Article §1-305 & §1-306*) to work cooperatively with the counties to provide an effective and efficient Maryland E911 system through the administration of the 911 Trust Fund revenues.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The Emergency Number Systems Board provides for an annual audit of each county's expenditures for the maintenance and operation of their E911 system (*Public Safety Article §1-312*). The amount of the county "Additional Fee" and "Prepaid Wireless E 9-1-1 Fee" received by a county may not exceed a level necessary to cover the total eligible maintenance and operational costs of the county (*Public Safety Article §1-311*). **The 2013 audits demonstrate that all counties are in compliance with this requirement.**

The Maryland Office of Legislative Audits conducts fiscal/compliance audits of the 911 Trust Fund and of the appropriations and disbursements made for purposes of complying with Maryland statutes (*Public Safety Article §1-309*). **All such audits have found the expenditures from the 911 Trust Fund to be compliant with established statutes.**



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

To ensure compliance with statutory requirements, the Board may direct the Comptroller to withhold money from a county for 911 system expenditures if the county violates Public Safety Article, Title 1 - Section 3 or a regulation of the Board (*Public Safety Article §1-309*). **No enforcement or other corrective actions were undertaken during calendar year 2013.**

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Maryland has expended or obligated all funds collected in 2013 from all portions of the Maryland 911 Surcharge and Prepaid Wireless E 9-1-1 Fee to be available or used for the purposes designated by the Public Safety Article to support or enhance Maryland's E911 system. **No funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism.**



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The purpose of Maryland's 9-1-1 Trust Fund is to reimburse counties for the cost of enhancing a 9-1-1 system (*Public Safety Article §1-308*). It is the responsibility of the Emergency Number Systems Board to thoroughly review funding requests received from Maryland's Counties to ensure that expenditures will enhance 9-1-1 services (*Public Safety Article §1-306*).

**During calendar year 2013, the Emergency Number Systems Board provided funding to each Maryland County for the purpose of enhancing 9-1-1 systems and funding E911 operations in the State.**

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The Emergency Number Systems Board continues to examine and monitor national standards surrounding the development of Next Generation 9-1-1 (NG911) system elements that would capture the benefits of expanding mobile and data communications technologies, as well as continuing to provide or enhance existing 9-1-1 functionality. The Board currently provides funding to replace/upgrade public safety answering point



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(PSAP) E911 phone systems to be IP ready or enabled to receive NG911 related data once national standards have been established.

Legislation was passed during the Maryland 2012 Legislative Session that codified a Next Generation 911 definition within the Public Safety Article §1-301 and added "establishing planning guidelines for deployment of NG911 service" to the Board's responsibilities (*Public Safety Article §1-306*).

**During 2013 the Board obligated or expended \$8,625,642.37 on NG911** enabled or ready phone systems and NG911 enhanced logging recorders for Maryland Primary and Secondary PSAPs.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

None

Massachusetts



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

Massachusetts General Laws ("M.G.L.") Chapter 6A, Section 18H(a) imposes a surcharge on each subscriber or end user whose communication services are capable of accessing and utilizing an enhanced 911 system. M.G.L. Chapter 6A, Section 18H(d) states as follows: "The surcharge revenues shall be expended for the administration and programs of the department including, but not limited to, salaries, enhanced 911 training programs, enhanced 911 public education programs, the creation of PSAP customer premises equipment for, and maintenance of, primary and regional PSAPs, the programs mandated by section 18B and sections 14A and 15E of chapter 166, and for the implementation and administration of enhanced 911 service in the commonwealth."

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The current amount of the surcharge imposed is 75 cents per month per line on each subscriber or end user whose communication services are capable of accessing and utilizing an enhanced 911 system.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amount remitted to the Department pursuant to the assessed surcharges, for the annual period ending December 31, 2013 was \$74,561,727.61.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Funds collected are made available to communities in Massachusetts for network, database and CPE; PSAP personnel; PSAP facilities; PSAP CAD and technology; dispatcher training; and PSAP supplies. These funds are made available to the communities by the Department directly purchasing, installing and maintaining enhanced 911 customer premises equipment used by communities at local and regional PSAPs and through the Department developing and administering grant programs to assist PSAPs and regional emergency communications centers in providing enhanced 911 service and fostering the development of regional PSAPs, regional secondary PSAPs and regional emergency communications centers.

M.G.L. Chapter 6A, Section 18B(f) states as follows: "The department shall disburse funds from the Enhanced 911 Fund for prudently-incurred expenses associated with: the lease, purchase, upgrade or modification of primary and regional PSAP customer premises equipment and the maintenance of such equipment; network development, operation and maintenance; database development, operation, and maintenance; training of 911 telecommunicators regarding the receipt and use of enhanced 911 service information; education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service; grants associated with enhanced 911 service as set forth in subsection (i) and any other grant approved by the department associated with providing enhanced 911 service in the commonwealth; the recurring and nonrecurring costs of communication services providers in providing enhanced 911 service in the commonwealth to the extent required by federal or Massachusetts law or regulation or federal or Massachusetts agency decision or order; and other expenses incurred by the state 911 department in administering and operating the enhanced 911 system in the commonwealth." The Department has established written guidelines for all grants administered under the authority of M.G.L. Chapter 6A, Section 18B (i) that allow communities to apply directly to the Department to receive grant funding for 911 related activities specified in that section. These guidelines may be found on the Department's website at [www.mass.gov/e911](http://www.mass.gov/e911).



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5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Massachusetts State 911 Department, the Massachusetts State 911 Commission ("Commission"), and the Department of Telecommunications and Cable are the entities that have the authority to approve the expenditure of funds collected for 911 or E911 purposes within Massachusetts.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

As referenced above, M.G.L. Chapter 6A, Section 18B(f) explicitly authorizes the Department to disburse funds from the Enhanced 911 Fund for specific E911 purposes (described above). M.G.L. Chapter 6A, Section 18B(b) reserves specific approval authority of grant distribution formulas and major contracts for the Commission which is made up of eight (8) state public safety and disability agency heads and eleven (11) members appointed by the Governor representing various 911 related constituencies. M.G.L. Chapter 6A, Section 18B(b) states as follows: "The commission shall review and approve by a majority vote of those members present all formulas, percentages, guidelines or other mechanisms used to distribute the grants described in section 18B, and all major contracts that the department proposes to enter into for enhanced 911 services." Additionally, M.G.L. Chapter 6A, Section 18B grants the Department of Telecommunications and Cable certain approval authority over expenditures of 911 related funds by the Department.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

None.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**



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YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

All funds collected for E911 purposes have been made available or used for the implementation or support of 911 or E911. The enabling language for the Enhanced 911 Fund explicitly requires E911 surcharge funds and any additional E911 related funds collected in Massachusetts to be used only for E911 support and implementation purposes. M.G.L. Chapter 10, Section 35 JJ(a) states as follows: "There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Enhanced 911 Fund. There shall be credited to such fund all revenues received by the commonwealth from: surcharges imposed under section 18H of chapter 6A; appropriations; gifts, grants, contributions and bequests of funds from any department, agency or subdivision of federal, state or municipal government, and any individual foundation, corporation, association or public authority; revenue derived from the investment of amounts credited to the fund; and any federal funds made available for emergency telecommunication services. The fund shall be used solely for the purposes described in sections 18A to 18J, inclusive, of said chapter 6A."

No funds collected for 911 or E911 purposes have been made available or used for any purposes other than ones designated by the statutory funding mechanism or used for any purposes otherwise unrelated to 911 or E911 implementation or support in the Commonwealth of Massachusetts.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Funds collected have been made available for the following activities, programs, and organizations: communities in Massachusetts for network, database and CPE; PSAP personnel; PSAP facilities; PSAP CAD and technology; dispatcher training; training materials and PSAP equipment. These funds have been made available to the communities by the Department directly purchasing, installing and maintaining enhanced 911 customer premises equipment used by communities at local and regional PSAPs and through the Department developing and



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administering grant programs to assist PSAPs and regional emergency communications centers in providing enhanced 911 service and fostering the development of regional PSAPs, regional secondary PSAPs and regional emergency communications centers. Funds collected have also been expended for the Department's training and public education programs, for the Department's disability access programs, and for administrative costs required to support all programs. These activities, programs, and organizations support 911 and E911 services by providing funding for PSAPs to meet the minimum training and certification requirements for E911 telecommunicators, including emergency medical dispatch requirements, and are used for the support of 911.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The Commonwealth of Massachusetts classifies expenditures on Next 911 Generation as within the scope of permissible expenditures of funds for 911 or E911 purposes. Funds have been expended for Next Generation 911 programs, and funds in the amount of \$90,581 have been expended in the annual period ending December 31, 2013 on Next Generation 911 programs. M.G.L. Chapter 6A, Section 18A defines "Next generation 911" as "an enhanced 911 system that incorporates the handling of all 911 calls and messages, including those using IP-enabled services or other advanced communications technologies in the infrastructure of the 911 system itself." M.G.L. Chapter 6A, Section 18B(h) states, in part, as follows: "The department shall review and assess new communications technologies that may include, but are not limited to, wireless, video, broadband, and IP-based applications that may serve as the next generation 911



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technology platforms, consistent with FCC decisions and federal law.” M.G.L. Chapter 6A, Section 18D(c) provides, in part, as follows: “The department shall develop and maintain a statewide plan for the implementation and maintenance of enhanced 911 service consistent with federal law and regulation, including next generation 911 and IP-enabled 911 services and, if the technological and operational capability and financial feasibility exists, the routing of 911 wireless calls to primary and regional PSAPs.” The expenditures for the annual period ending December 31, 2013 on Next Generation 911 programs relate to funding for the Department’s Next Generation 911 consultant to assist with the implementation of the Next Generation 911 project. The Department is also coordinating in the efforts to develop, design, and implement a high speed fiber optic network in Western and parts of Central Massachusetts to ensure that the needs of the State 911 Department and its PSAPs are addressed and incorporated in the overall development and design of the fiber optic network. This network will prepare the PSAPs for transition to Next Generation 911 and will allow for more effective and efficient management of system updates, recordings, and overall system maintenance and monitoring. The Department is also funding additional dedicated resources for MassGIS, a department within the Commonwealth’s Information Technology Division, to provide updated, synchronized mapping data and information needed to support the Department as it prepares for the implementation of Next Generation 911.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Michigan



STATE OF MICHIGAN  
DEPARTMENT OF STATE POLICE  
LANSING

RICK SNYDER  
GOVERNOR

COL. KRISTE KIBBEY ETUE  
DIRECTOR

July 23, 2014

Rear Admiral David Simpson (Ret.)  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12th Street SW  
Washington DC, 20554

RE: New and Emerging Technologies Improvement Act of 2008

Dear Rear Admiral Simpson (Ret.):

Please accept the filing from the Michigan State Police as response to the Federal Communications Commission's request in regard to the NET 911 Act.

The Michigan Emergency 911 Services Enabling Act provides for funding of 911 services in Michigan. Two funding mechanisms, a State of Michigan 911 charge and individual county 911 surcharges, are currently being collected by all communications providers serving Michigan customers on all devices. A fee for prepaid wireless carriers is also collected. In addition, carriers collect a technical surcharge to cover their costs for providing access to 911 dispatch centers.

If you need further information regarding the State of Michigan's 911 funding system, please do not hesitate to contact me at (517) 241-0080.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Harriet Miller-Brown", with a horizontal line extending to the right.

Harriet Miller-Brown  
State 911 Administrator



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The Michigan Emergency 911 Service Enabling Act (Act 32 of 1986, as amended<sup>1</sup>) provides funding in the following ways:

- Michigan's state 911 charge is currently \$0.19 per communications device per month. After 2010, any changes to the State 911 surcharge or the distribution percentages shall be made by the legislature. Sec. 401(a).
- Each of the 83 Michigan counties has the ability to assess a county-wide surcharge on all communications devices billed to an address in the county. Sixty-seven (67) counties requested surcharge approval by the Michigan Public Service Commission in January 2008; counties also have the ability to request additional funds from their citizens to support county 911 services. Sec. 401(b).
- Sellers of prepaid wireless communications devices are mandated to remit 1.92% per retail transaction, collected from their customer, to the Michigan Department of Treasury. Sec. 401(c).
- Communications providers are able to recover their costs through a 911 technical charge on customer bills. Sec. 401(d).

<sup>1</sup> [http://www.legislature.mi.gov/\(S\(mof314b20w3jx45qqabsqub\)\)/printDocument.aspx?objectName=mcl-Act-32-of-1986&version=txt](http://www.legislature.mi.gov/(S(mof314b20w3jx45qqabsqub))/printDocument.aspx?objectName=mcl-Act-32-of-1986&version=txt)



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2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

- The total amount collected through a county-based 911 surcharge by sixty-two (62) Michigan counties was \$57,635,395.69.<sup>2</sup>
- The total amount collected through county-based millages by twenty-one (21) Michigan counties was \$30,522,349.63.<sup>3</sup>
- The total amount collected through a general fund by twenty-five (25) Michigan counties was \$60,377,985.48.<sup>4</sup>
- The total amount collected by the Michigan Department of Treasury for 911 purposes during 2013 was \$28,500,000.<sup>5</sup>
- The total amount disbursed by the Michigan Department of Treasury as reimbursement to the landline providers for wireless 911 delivery pursuant to MCL 484.1408(4)(b) was \$1,189,094.76.<sup>5</sup>

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total (state and local) reported operational 911 fees collected, as reported by the State 911 Committee to the Legislature, for the year ending December 31, 2013, was \$86,135,395.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

- Michigan counties received 82.5% of the total Michigan state 911 charge and the prepaid device 911 charge, remitted based on Section 401(a) and 401(b). The full distribution of the State 911 Funds is listed at number ten below.
- Communications providers remit county 911 surcharge monies directly to Michigan counties. (Link: <http://www.dleg.state.mi.us/mpsc/comm/911index/911charges.pdf>)
- The Michigan State 911 Committee developed a list of Allowable Wireless and Wireline 911 Surcharge Expenditures. In accordance with P.A. 379 or 2008, any changes made to the document language must be transmitted to the Michigan Legislature. Sec. 401(b)(14). (Link: [http://www.michigan.gov/documents/ListingofAllowable\\_14259\\_7.pdf](http://www.michigan.gov/documents/ListingofAllowable_14259_7.pdf))

<sup>2</sup> Reported by Counties

<sup>3</sup> Reported by Counties

<sup>4</sup> Reported by Counties

<sup>5</sup> Reported by the Department of Treasury



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5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Currently, the Michigan State 911 Committee's list of Allowable Wireless and Wireline 911 Surcharge Expenditures is being used by counties to determine allowable expenses. In accordance with P.A. 379 of 2008, any changes made to the document language must be transmitted to the Michigan Legislature. Sec. 413(1)(c).  
(Link: [http://www.michigan.gov/documents/ListingofAllowable\\_14259\\_7.pdf](http://www.michigan.gov/documents/ListingofAllowable_14259_7.pdf))  
Its authority is derived from MCL 484.1408(a) and MCL 484.1401

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

- The Michigan Public Service Commission, in consultation with the Michigan State 911 Committee, may promulgate rules for uniform procedures, policies, and standards for the receipt and expenditure of 911 funds. Sec. 413(1)(c).
- The Michigan Department of Treasury is under the audit powers of the Michigan Auditor General.
- Every Michigan county is required to have an annual audit by an independent auditor, and must have the audit available for public inspection. Sec. 406(3).
- Each wireline carrier may collect a technical fee for costs related to providing 911 per Sec. 401(d), and is subject to annual accounting under Sec. 412(a).
- The State 911 Certification Subcommittee performs at least four compliance reviews per year to:<sup>6</sup>
  - Develop best practices regarding the implementation of 911 services and on-going operational processes.
  - Assure compliance with the emergency services order and Michigan Emergency 911 Service Enabling Act.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The Michigan State 911 Committee is currently drafting a Request for Information (RFI) for the procurement of independent auditing services in addition to those provided at the county level.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

During 2013, the Michigan Public Service Commission and the State 911 Committee did not authorize any instances where funds collected for 911 or E911 purposes were allowed to be used for purposes unrelated to 911 or E911.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

- Most of the projects to support and improve the 911 and E911 services throughout Michigan occur at a local level, and are verified through independent annual audits performed at a county level. In addition to the operating budgets for PSAPs throughout Michigan, there was a total of \$72,609,077 expended on allowable expenditures related to 911 and E911 services, as defined in the Michigan State 911 Committee's list of Allowable Wireless and Wireline 911 Surcharge Expenditures through December 31, 2013.
- Carryover by counties for future allowable projects was \$11,202,948.
- The Emergency 911 Standards of Training for 911 operators took immediate effect on December 13, 2012. The rules, the first of their kind for 911 operators in Michigan, establish basic and advanced training, as well as continuing education requirements for 911 operators statewide.
- Statutory distribution of the State 911 fee is distributed as follows:
  - o 82.5% goes to the counties to fund 911 operations.
  - o 7.75% goes to Treasury to pay for the delivery of wireless calls to the PSAPs.
  - o 6% is for PSAP training funds.
  - o 1.88% funds the Michigan State Police PSAPs.
  - o 1.87% funds the State 911 Office.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



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12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

In the annual period ending December 31, 2013, the State of Michigan spent approximately \$37,053.92 on NG911 programs. (This figure does not include the services, programs, and opportunities provided directly by the State 911 Committee and its administrative staff in the process of preparing Michigan's migration to NG911.)

Other activity to move Michigan towards NG911:

- In 2013, approximately \$37,053.92 was expended by the State 911 Office in consulting services to review a migration path for Michigan. This included the development, issuance, and preliminary evaluation of responses to an RFI for a state-managed NG911 network backbone.
- Legislation for NG911 governance is still in development and legislative introduction is still pending.
- Work by the State 911 Committee and its subcommittees included the initial development of a model Best Practices document for text-to-911 for Michigan PSAPs.
- The State 911 Committee and its staff's activity included educational sessions throughout the state on 911 technical and operational issues regarding NG911 and 911 funding compliance.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

We have no further comments.

Minnesota



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Minnesota has established a funding mechanism to support the implementation and operations of 911 and E911 services throughout the state under Minn. Stat. §403.11, Subdivision 1. A monthly 911 fee was imposed on all wire-line telecommunication carriers for each telephone line, or the trunked equivalent, capable of accessing the 911 network in 1987. In 1994, the fee was extended to wireless telecommunication carriers and in 2005, the statute was amended to clarify its application to packet-based telecommunication service providers. In 2013, the statute was revised to impose a prepaid wireless 911 fee on every retail transaction in the State of Minnesota.

The Minnesota Statewide 911 Program is operated by the Department of Public Safety. The program collects the monthly 911 fee from wireless and wire-line switched or packet-based providers; provides technical assistance to the cities, counties and tribal entities in the implementation, operation, and maintenance of local 911 systems; establishes 911 system standards; pays the recurring network costs and disburses funds collected under Minn. Stat. §403.11, Subd. 1 in



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accordance with Minn. Stat. Chapter 403.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Minn. Stat. § 403.11, Subdivision 1(c) provides for a 911 fee of not less than eight cents nor more than 85 cents through June 30, 2010 for each customer access line or other basic access service. The Commissioner of Public Safety is authorized to establish the 911 fee within the statutory limits with the approval of the Commissioner of Management and Budget. The current 911 fee of 80 cents per access line was first established in August of 2010. The total amount collected in calendar year 2013 is \$62,056,115.98. Minn. Stat. §403.11, Subd. 1(b) requires collected fees to be deposited and maintained in the 911 emergency telecommunication service account, which is a special revenue account from which all authorized expenditures are made and year end balances are carried forward from year to year. The 911 fee will decrease to seventy eight cents per access line on October 1, 2013. There will be no changes to the fee in 2014.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$62,056,115.98



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

911 emergency telecommunication service account funds are made available to localities as follows:

- Minn. Stat. §403.025, Subd. 7 requires the Statewide 911 Program to contract for and provide the 911 telecommunication network elements (911 from wire-line switching offices, 911 routing and selective routing services, automatic location identification database) for counties and other governmental agencies operating Public Safety Answering Points (PSAP) within Minnesota and Minn. Stat. §403.11, Subd. 3 provides for the payment of those costs.
- Minn. Stat. §403.025, Subd. 7 also requires the Statewide 911 Program to contract for 911 routing and network elements with wireless carriers and for the payment of those costs under Minn. Stat. §403.11, Subd.3.
- Minn. Stat. §403.113, Subd. 2 requires a portion of the available funds to be distributed directly to state, local and tribal PSAP's. Minn. Stat. §403.113, Subd. 3 defines the purposes funds distributed to state, local and tribal PSAP's may be used.
- Minn. Stat. §403.11, 403.113 and 403.30 provide for the use of funds by the Statewide 911 Program from the 911 emergency telecommunication service account to provide resources for localities, as follows:
  - Costs of ongoing maintenance and related improvements for trunking and central office switching equipment for 911 emergency telecommunication services;
  - Costs to operate the Division of Emergency Communication Networks;
  - Grants to provide assistance to counties for the improvement of local emergency telecommunication services;
  - To implement, operate, maintain, enhance and expand enhanced 911 services; and
  - To pay debt services upon revenue bonds authorized under Minn. Stat. §403.32 and §403.275 to provide the backbone for the statewide public safety radio communication system. Upon this debt recently being



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recompensed, effective October 1, 2013, the 911 fee decreased from eighty cents to 78 cents per access line. The fee will not change in 2014.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

All 911 fee revenues are deposited and maintained in the 911 emergency telecommunications service account. This account is a special revenue account where funds are carried over from year to year as provided in Minn. Stat. §403.11, Subd. 1(b). The Statewide 911 Program is administered by the Commissioner of Public Safety, who has authority to expend funds from the 911 emergency telecommunications service account as provided in Minn. Stat. §403.11, Subd. 1(b).

§ 403.06, Subd. 1(a) requires the Commissioner of Public Safety to prepare a biennial budget for maintaining the 911 system, report details of expenditures for maintaining the 911 system, 911 fees collected and balance of any funds remaining in the 911 emergency telecommunications service account.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

With respect to funds allocated directly to local units of government, under Minn. Stat. §403.113, Subd. 2, funds must be expended in accordance with Minn. Stat. §403.113, Subd.3 and the local units of government are required to audit the use of those funds annually and to submit a copy of the audit to the Statewide 911 Program.



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Washington, D.C. 20554

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Expenditures from the 911 emergency telecommunication service account are subject to periodic audit by the Minnesota Legislative Auditor's Office. The most recent audit was completed in June 2013. The corrective action items identified by the Legislative Auditors have either been implemented or are in the process of being implemented.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

None of the 911 funds collected for 911 or E911 purposes have been used for any purposes other than the purposes designated by Minn. Stat. §403.



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Funds may be used by PSAPs to maintain and enhance public safety for public safety responders and citizens of Minnesota as follows:

- Lease, purchase, lease-purchase, or maintain enhanced 911 telephone equipment
- Lease, purchase, lease-purchase, or maintain enhanced 911 recording equipment
- Lease, purchase, lease-purchase, or maintain enhanced 911 computer hardware
- Computer hardware/software for database provisioning, addressing, mapping and any other software necessary for automatic phone and location identification
- Trunk lines
- Master Street Address Guide
- Dispatcher operational skills and equipment proficiency
- Equipment in the PSAP for community alert systems
- Equipment necessary in the PSAP used to notify and communicate with emergency services requested by the 911 caller

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



Federal Communications Commission  
Washington, D.C. 20554

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
x	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

\$5,231,299.75

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The state of Minnesota is in the process of modernizing Minnesota's 911 infrastructure by replacing the aging analog 911 infrastructure with a digital platform that will improve interoperability and allow for PSAPs to transfer 911 calls, maps, photos, caller location information and other pertinent data statewide. The Next Generation 911 (NG911) project began in FY 2010-2011. To date, we provided call transfer capability with ANI and ALI, between all MN PSAPS using two different data base providers. In addition, we have migrated all 104 Public Safety Answering Points (PSAPs) to a statewide Emergency Services IP Network (ESInet). We will be presenting a new RFP for IP network and IP Selective Routing as well as for soliciting a statewide text to 911 solution early 3Q 2014. In addition, we are in the process of hiring a GIS Project Manger to serve as a liaison between local GIS authorities and the State of Minnesota as we embark on one of our next initiatives to create a statewide GIS centerline which will ultimately perform 911 call routing and location validation.

Mississippi



STATE OF MISSISSIPPI  
PHIL BRYANT, GOVERNOR

MISSISSIPPI EMERGENCY MANAGEMENT AGENCY

ROBERT R. LATHAM, JR.  
EXECUTIVE DIRECTOR

Received & Inspected  
SEP 29 2014  
FCC Mail Room

September 23, 2014

David G. Simpson  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Report to the Federal Communications Commission

Dear Rear Admiral Simpson:

Pursuant to the New and Emerging Technologies 911 Improvement Act of 2008 dated June 18, 2014 OMB Control Number 3060-1122, the following report, which has been compiled by the Mississippi Emergency Management Agency, is submitted on behalf of the State of Mississippi.

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?  
**The State of Mississippi has established a funding mechanism designated for or imposed for the purpose of 911 or E911 support or implementation as established in MS Code of 1972 Chapter 5 Sections 19-5-313, 19-5-333, and 19-5-357.**
2. The amount of the fees or charges imposed for the implementation and support of 911 or E911 services. **According to MS Code of 1972 Chapter 5 Section 19-5-313, the board of supervisors may levy an emergency telephone charge in an amount not to exceed one (1) dollar per residential telephone subscriber line, one (1) dollar per VoIP subscriber account, or two (2) dollars per commercial telephone subscriber line per month. According to the MS Code of 1972 Chapter 5 Section 19-5-333, the rate of service charge is one (1) dollar per CMRS (Commercial Mobile Radio Service) connection per month. According to MS Code of 1972 Chapter 5 Section 19-5-357, five cents (.05) shall be placed on each subscriber line within the State of MS (both private and commercial) to fund 911 training.**

POST OFFICE BOX 5644 • PEARL, MISSISSIPPI 39288-5644 • PHONE: 601-933-MEMA  
EMERGENCY 1-800-222-6362 (24 HOUR)  
TDD 1-800-445-6362

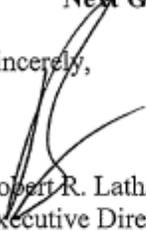
3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2012. **The total amount collected for the annual period ending December 31, 2013 for the State of MS is \$58,175,490.31**
4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses. **According to MS Code of 1972 Chapter 5 Section 19-5-313, the amounts collected by the service supplier attributable to any emergency telephone service charge shall be due to the county treasury monthly. According to MS Code of 1972 Chapter 5 Section 19-5-333, thirty (30) percent of the funds are to be used to defray administrative expenses and the remaining seventy (70) percent shall be distributed based on the number of CMRS connections in a given zip code. According to MS Code of 1972 Chapter 5 Section 19-5-357, the amounts collected by the service supplier attributable to the minimum standards telephone service charge shall be deposited monthly into a special fund hereby created in the State Treasury and are made available to the local entities for funding of public safety Telecommunicator training. The allowable uses of collected funds are also outlined in the established written criteria of MS Code of 1972 Chapter 5 Section 5 Sections 19-5-313, 19-5-333, and 19-5-357.**
5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes. **According to MS Code of 1972 Chapter 5 Section 19-5-313, the local board of supervisors has the authority to approve expenditures for 911 funding received.**
6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911. **According to MS Code of 1972 Chapter 5 Section 19-5-333, the Commercial Mobile Radio Service (CMRS) Board distributes funds based on a distribution formula. According to MS Code of 1972 Chapter 5 Section 19-5-357, the MS Board of Emergency Telecommunicators Standards and Training (BETST) is authorized to reimburse any expenses relates to training to the designated agency or department.**
7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2012. **Corrective actions pertaining to the enforcement of or corrective actions taken in funding oversight will be found in the by-laws or the individual board of supervisors, the Commercial Mobile Radio Service (CMRS) Board, and the MS Board of Emergency Telecommunicators Standards and Training (BETST).**

8. In the annual period ending December 31, 2012, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1? **All funds collected for 911 or E911 purposes have been made available or used for the purpose designated by the funding mechanism or the implementation or support of 911 or E911 to the local entities.**
9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g. funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used. **There are no other allowable uses by the State of MS for funds collected for 911 or E911 purposes than outlined by MS Code of 1972.**
10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services. **According to MS Code of 1972 Chapter 5 Section 19-5-313, the local board of supervisors are obligated to expend funding received to enhance local 911 services through the purchase of equipment. According to MS Code of 1972 Chapter 5 Section 19-5-333, the Commercial Mobile Radio Service (CMRS) Board distribute funds back to the local entities for the enhancement of local 911 services. According to MS Code of 1972 Chapter 5 Section 19-5-357, the MS Board of Emergency Telecommunicators Standards and Training (BETST) reimburse both local and State entities for telecommunicator training to enhance 911 services.**
11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes? **According the MS Code of 1972 Chapter 5 Section 19-5-313, the local board of supervisors determine permissible expenditures regarding 911 funding received. According to MS Code of 1972 Chapter 5 Section 19-5-333, the Commercial Mobile Radio Service (CMRS) Board distribute funds back to the local entities for local board of supervisors' determination of permissible expenditures. According to MS Code of 1972 Chapter 5 Section 19-5-357, the MS Board of Emergency Telecommunicators Standards and Training (BETST) permissible expenses are limited to telecommunicator training.**
12. Has your state expended such funds on Next Generation 911 programs? **Not at this time.**
13. If so, how much has your state expended in the annual period ending December 31, 2012 on Next Generation 911 programs? **Not applicable.**

David G. Simpson  
September 23, 2014  
Page 4

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911. **Additional funding mechanisms need to be explored and researched in an effort to move the state toward obtaining the capability for Next Generation 911 standards.**

Sincerely,



Robert R. Latham, Jr.  
Executive Director

Missouri

**JEREMIAH W. (JAY) NIXON**  
Governor

**JERRY LEE**  
Director



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STATE OF MISSOURI  
**DEPARTMENT OF PUBLIC SAFETY**  
**OFFICE OF THE DIRECTOR**

July 14, 2014

David G. Simpson  
Rear Admiral, USNC (Ret.)  
Chief, Public Safety and  
Homeland Security Bureau  
Federal Communications Commission

Dear Chief Simpson:

In response to your correspondence to Governor Nixon concerning the collection of information required by the New and Emerging Technologies 911 Improvement Act of 2008, the state of Missouri offers the following responses:

1. A statement as to whether or not your state, or any political subdivision, Indian tribe, village or regional corporation therein defined by Section 6(f)(1) of the NET 911 Act, has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (including a citation to the legal authority for such mechanism).

**Response:** The state of Missouri has established a state funding mechanism for 911 or E911. However, the measure authorized by statute has not been implemented because it has failed to obtain sufficient votes at election. The state of Missouri has been authorized to establish a wireless funding mechanism under § 190.420-440 RSMo.

Missouri statutes permit local jurisdictions to establish funding through one of two methods. Of the 114 counties in the state, Twenty counties have no local funding mechanism. Forty-seven counties have established funding authorized by § 190.305, RSMo, which states in part:

*The governing body is hereby authorized to levy the tax in an amount not to exceed fifteen percent of the tariff local service rate, as defined in section 190.300, or seventy-five cents per access line per month, whichever is greater, except as provided in sections 190.325 to 190.329, in those portions of the governing body's jurisdiction for which emergency telephone service has been contracted.*

The remaining Forty-seven counties have established a funding mechanism authorized by § 190.335, RSMo, which states in part:

*In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax .... The sales tax*

*may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax.....*

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.
3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.
4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding allowable uses of the collected funds, including the legal citation to such criteria.

**Response for #2, #3 & #4:** The state of Missouri does not collect funds for the implementation and support of 911 or E911 services. All funds are imposed and collected by the local political subdivision. The state has established criteria regarding the allowable uses of the funds by local authorities. Section 190.305, RSMo, states in part:

*The tax shall be utilized to pay for the operation of emergency telephone service and the operational costs associated with the answering and dispatching of emergency calls as deemed appropriate by the governing body.*

The funds allowed by Section 190.335, RSMo, are:

*...for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.....*

5. A statement identifying any entity in your State that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.
6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the purpose designated by the funding mechanism or otherwise used to implement or support 911.
7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

**Response for #5, #6 & #7:** There is no State entity that has the direct authority to approve expenditures or provide oversight. The local political subdivision has three different methodologies available that provide approval of expenditures and establish oversight procedures. The statutes provide for governance.

Section 190.309, RSMo, is established for those jurisdictions that are funded by Section 190.305, RSMo, and states in part:

1. *Any county may establish an "Emergency Telephone Service 911 Board", referred to in this section as the "board". The powers and duties of the board may be defined by order or ordinance of the county.*
2. *Members of the board shall be appointed by the governing body of the county, and shall be known as the board of directors of the emergency service telephone 911 board. The governing body shall appoint eleven persons to the board. Such powers shall include, but not be limited to:*

*Receiving moneys from any emergency telephone service tax levy authorized by the governing body of the county pursuant to section 190.305, and authorizing disbursements from such moneys collected:*

Sections 190.329 and 190.337, RSMo, are established for those jurisdictions that are funded by §190.335, RSMo:

1. *....the initial board shall consist of seven members appointed without regard for political party who shall be selected from and shall represent the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from any one commission district of the county.*
2. *Beginning in 1992, three members shall be elected from each commission district and one member shall be elected at large, with such at-large member to be a voting member and chairman of the board. Of those first elected, four members from commission districts shall be elected for terms of two years and two members from commission districts and the member at large shall be elected for terms of four years. In 1994, and thereafter, all terms of office shall be for four years, except as provided in subsection 3 of this section. Any vacancy on the board shall be filled in the same manner as the initial appointment was made. Four members shall constitute a quorum.*
3. *Upon approval by the county commission for the election of board members to be held on general municipal election day, pursuant to subsection 2 of section 190.327, the terms of those board members then holding office shall be reduced by seven months. After a board member's term has been reduced, all following terms for that position shall be for four years.*

*190.337. 1. The sales tax established by a county according to the provisions of section 190.335 shall be permanent and revenues from it shall be disbursed only for the purposes for which it was collected.*

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Response:** The State Auditor conducts bi-annual general audits which include 911 and E911 of the local subdivisions. To our knowledge, there have been no findings that funds were used for any purposes other than for implementation or support of 911 or E911.

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

**Response:** The state of Missouri has not identified any instance where funds collected for 911 or E911 purposes were made available or used for any purpose other than the ones designated by the funding mechanism.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your State, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancement of such services.

**Response:** The state of Missouri does not collect funds for the implementation and support of 911 or E911 services. All funds are imposed and collected by the local political subdivision. The state law establishes criteria regarding the allowable uses of the funds by local authorities. Section 190.305, RSMo.

11. A statement regarding whether your State classifies expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes.
12. Whether your State has expended such funds on Next Generation 911 programs.
13. If so, how much your state has expended in the annual period ending December 31, 2013 on Next Generation 911 programs.

**Response for #11, #12 & #13:** In 2009, Missouri was awarded a grant exclusively for 911 centers from the Department of Transportation for \$1,694,889.24. This grant requires the local 911 center to match federal funds with a 50% match. This grant was closed on September 25, 2012.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 or E911.

**Response:** None

Thank you for your interest in Missouri's efforts to fund and maintain 911 or E911.

Respectfully Submitted,



Chris Pickering  
Homeland Security Coordinator  
Missouri Office of Homeland Security

Montana

July 31, 2014

David G. Simpson  
Rear Admiral, USN (Ret.)  
Chief, Public Safety and Homeland Security Bureau  
Federal Communications Commission  
Washington, D.C. 20554

Re: Annual Information Collection As Mandated By the New and Emerging Technologies Improvement Act of 2008

Dear Mr. Simpson:

Per the Federal Communications Commission's information request regarding "detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified".

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

Response

*The Montana Legislature has established a funding mechanism designated for or imposed for the purposes of basic 911 or enhanced 911 support or implementation.*

*Citation: Montana Code Annotated (MCA) Title 10, Chapter 4, et seq.  
[http://leg.mt.gov/bills/mca\\_toc/10\\_4.htm](http://leg.mt.gov/bills/mca_toc/10_4.htm)*

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Response

*A total of \$1.00 per month is collected per subscriber line for basic 911; enhanced 911 and wireless enhanced 911 services. The surcharge is based on a \$0.25 fee for basic 911; \$0.25 fee for enhanced 911 and \$0.50 fee for wireless enhanced 911. The monthly surcharge is imposed*

*on telephone exchange access services, wireless telephone service, or other 911 accessible services.*

*Citation: MCA 10-4-201*

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

*Response*

*The total amount of fees collect, as described above, for basic 911, enhanced 911 and wireless enhanced 911, for the annual period ending December 31, 2013, was \$13,099,542.*

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

*Response*

*Per MCA 10-4-302; 10-4-311 and 10-4-313 the Montana Department of Administration (MDOA) is directed to make quarterly allocations and distributions of the entire basic, enhanced 911 and wireless enhanced 911 Jurisdiction accounts to localities. Limitations on the use of basic 911 and enhanced 911 are provided for in MCA 10-4-303 and 10-4-312.*

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

*Response*

*Regarding state funds collected for basic 911 and enhanced 911 purposes, as identified above, MCA 10-4-102(1)(d) directs the Department of Administration to "monitor implementation of approved basic and enhanced 9-1-1 system plans for compliance with the plan and use of funding".*

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

*Response*

*MDOA has implemented policies and procedures to satisfy the requirements in MCA 10-4-102(1)(d). An example of Department policies that have been adopted include funding guidelines, which are available at: <http://pssb.mt.gov/911programs.mcp>*

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Response

*MDOA is currently engaged in the monitoring of expenditures by localities against the established funding guidelines for State Fiscal year 2013. No compliance issues have been identified at this time, therefore no corrective actions have been required.*

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the

Response

*MDOA believes that all state funds collected for 911 or E911 purposes, as described in Question 1, that were collected for the annual period ending December 31, 2013, were made available or used for purposes designated in MCA 10-4-101 et seq.*

*As stated above, MDOA is currently engaged in the monitoring of expenditures by localities against established funding guidelines for State Fiscal year 2013 and no compliance issues have been identified at this time.*

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Response

*MDOA is not aware of any state funds collected for 911 or E911 purposes, for the annual period ending December 31, 2013, that were made available or used for purposes otherwise unrelated to the purposes or uses designated in MCA 10-4-101 et seq.*

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Response

*Per MCA 10-4-303 and 10-4-312 localities have obligated or expended state funds collected for 911 or E911 purposes, which include installing, operating, and improving 911 systems and services. All 911 jurisdictions in Montana are currently providing basic and enhanced 911 services. All 911 jurisdictions in Montana are currently providing wireless enhanced 911 services in all areas where commercial wireless service is available.*

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

Response

*Currently MCA 10-4-101 et seq. does not include any references to Next Generation 911.*

12. Has your state expended such funds on Next Generation 911 programs?

Response

*Currently the Montana Legislature has not appropriated any state funds and/or has not created any Next Generation 911 specific programs. Therefore no state funds have been expended on Next Generation 911 programs.*

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Response

*Not applicable; See response above*

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Response

*The FCC is encouraged to consider the nationwide public safety broadband network that is being deployed by the First Responder Network Authority (FirstNet) as a model for providing a nationwide 911 system or network. Next generation 911 systems and services should be integrated into FirstNet's business plan and service offerings.*

Nebraska



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The funding and implementation of *landline* enhanced 911 services is the province of local governing bodies pursuant to the Emergency Telephone Communications Systems Act, Neb. Rev. Stat. §§ 86-420 to 86-441.01 (2008 Cum. Supp.).

The funding and implementation of *wireless* enhanced 911 service is within the jurisdiction of the Nebraska Public Service Commission pursuant to the Enhanced Wireless 911 Services Act, Neb. Rev. Stat. §§ 86-442 to 86-470 (Cum. Supp. 2008).

The Prepaid Wireless Surcharge Act (Prepaid Act) Neb. Rev. Stat. §§ 86-901 to 86-905 (Cum. Supp. 2012), became effective on July 19, 2012. Under this Act, each retail seller of prepaid wireless telecommunication services will collect the Wireless 911 surcharges directly from the consumer at the point-of-sale and remit to the Department of Revenue.

The use of the funds is limited to the purposes set forth in Neb. Rev. Stat. § 86-465(2). On February 23, 2010, the Commission adopted a permanent funding mechanism to distribute funds pursuant to LB 1222 [2006]. A copy of the Commission's order is available at <http://psc.nebraska.gov/orders/ntips/911->



Federal Communications Commission  
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[019.PI-118.14.pdf](#)

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Landline Enhanced 911 Service

Local governing bodies are permitted to impose a service surcharge of up to \$1.00 on each landline telephone number or functional equivalent within the governing body's 911 service area, with the exception of Douglas County which shall not exceed \$.50.<sup>1</sup> Funds generated by these surcharges shall be used "only for the purchase, installation, maintenance, and operation of telecommunications equipment and telecommunications-related services required for the provision of 911 service."<sup>2</sup>

Enhanced Wireless 911 Service

Wireless carriers providing service within Nebraska are required to collect and remit to the Nebraska Public Service Commission (PSC) a surcharge up to \$.70 on all active telephone numbers or functional equivalents every month from users of wireless service.<sup>3</sup> A lower cap of \$.50 is set for any users of wireless service whose primary place of use is Douglas County.<sup>4</sup> Additionally, special provisions are in place to address users of prepaid wireless service and prepaid wireless carriers.<sup>5</sup> The wireless surcharge is collected at the point of sale for all prepaid wireless 911 services, collected by the state Department of Revenue and remitted to the PSC.<sup>6</sup> Currently, the wireless surcharge is set at \$.45.<sup>7</sup>

<sup>1</sup> Neb. Rev. Stat. § 86-435(1) and (2).

<sup>2</sup> Neb. Rev. Stat. § 86-435(5).

<sup>3</sup> Neb. Rev. Stat. § 86-457(1).

<sup>4</sup> Neb. Rev. Stat. § 86-457(2).

<sup>5</sup> LB [1091] (2011).

<sup>6</sup> LB [1091] (2011).

<sup>7</sup> The Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund, Docket No. 911-002, Order Setting Surcharge (Oct. 29, 2013).



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

During 2013, \$8,764,368.16 was remitted to the Enhanced Wireless 911 Fund through the imposition of the \$.45 wireless 911 surcharge.

The PSC receives annual reports regarding the amount of landline surcharges collected and remitted by local exchange carriers to local governing bodies. During the 2013 calendar year, \$6,899,263.02 was remitted to local governing bodies in Nebraska through the landline 911 surcharge.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

According to the Enhanced Wireless 911 Services Act:

... The (Enhanced Wireless 911) fund shall consist of the surcharges credited to the fund, any money appropriated by the Legislature, any federal funds received for wireless emergency communication, and any other funds designated for credit to the fund. Money in the fund shall be used for the costs of administering the fund and the purposes specified in section [86-465](#) unless otherwise directed by federal law with respect to any federal funds. The costs of administering the fund shall be kept to a minimum. ...<sup>8</sup>

Pursuant to the Wireless Act, the PSC entered an Order Adopting the Permanent Funding Mechanism, the 911 Support Allocation Methodology (911-SAM), on February 23, 2010, to determine eligible costs and establish an application process for funding.<sup>9</sup>

<sup>8</sup> Neb. Rev. Stat. § 86-463.

<sup>9</sup> In the Matter of the Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service, Application No. 911-019/PI-118 Final Order Adopting Model and Application Process (Feb. 23, 2010).



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The 911-SAM forecasts the future status of the Enhanced Wireless 911 Fund (Fund) and assists in the allocation of annual support amounts to eligible PSAPs and Wireless Service Providers (WSPs). The 911-SAM calculates Fund support amounts for each year forecasted based on the existing balance, reserve levels, pre-existing payment commitments, Fund administration costs, local telephone carrier costs paid on behalf of the PSAPs by the Commission, and surcharge remittance levels. Fund support amounts are allocated utilizing cost proxies. The 911-SAM derives cost proxy amounts, representing the costs incurred for the provision of wireless enhanced 911 service, for three cost categories; PSAP, Geographic Information Systems (GIS), and WSP. Cost proxy amounts are determined as functions of independent variables and predefined cost inputs. More specifically, PSAP and GIS cost proxy amounts are calculated as functions of population and the WSP cost proxy amount is determined as a function of wireless towers. Cost category proxy amounts are calculated at a PSAP or county level and aggregated to a statewide level. Statewide cost category proxy amounts are further aggregated to determine a total proxy amount. The 911-SAM then calculates each cost category's allocation of the Fund support amount, calculated as the cost category's statewide cost proxy amount, relative to the total proxy amount. The 911-SAM further utilizes cost proxy results at a PSAP or county level, to allocate cost category support amounts to each eligible PSAP and WSP. Eligible PSAP support amounts include PSAP and GIS. The 911-SAM has been amended since its original release, including; a conversion to operate on a fiscal year running from July 1 to June 30, inclusion of a personnel module, an interest calculation, and a decreasing cap on, leading to the elimination of, the WSP Grant Program. Furthermore, amounts attributable to local carrier costs have been separated from other PSAP costs.

For PSAPs, eligible expenses include costs for the provision of wireless E911 service related to equipment, software, GIS data, maintenance, telecommunications services, trunking, translation services, personnel, training and capital expenses. Enhanced Wireless 911 funds can only be used for the portion of expenses related to the provision of wireless E911 services. In the case of expenses that relate to the provision of both landline and wireless 911, PSAPs can use enhanced wireless 911 funds for a percentage of the costs based upon their actual wireless 911



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call volumes filed with the PSC at the time of their annual application for funding or the PSC determined default of 55%, whichever is greater. The written policy is available at [http://psc.nebraska.gov/ntips/pdf/e911/911-SAM Eligible Costs.pdf](http://psc.nebraska.gov/ntips/pdf/e911/911-SAM%20Eligible%20Costs.pdf)

In addition to the support paid directly to PSAPs, the PSC pays LEC charges on behalf of PSAPs based upon a tariffed rate per wireless subscriber.

For WSPs, eligible expenses include software and equipment necessary for the provision of enhanced wireless 911, database management, transportation and facilities to carry wireless E911 calls to the selective router. Eligible expenses do not include personnel costs or the construction of towers; however, certain capital expenses related to tower equipment directly related to the provision of wireless E911 service are eligible.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Nebraska Public Service Commission has the authority to expend funds collected through the enhanced wireless 911 surcharge. All PSAPs and wireless service providers are required to comply with annual auditing requirements for the use of funds.

Local governing bodies, i.e. counties and municipalities, have the authority to expend funds collected through their individual landline 911 surcharges.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The PSC is subject to review by the State Auditor's office. No enforcement or other corrective action has been taken against the PSC. The PSC conducts an annual audit of PSAP spending. Audit forms are due October 15<sup>th</sup> of each year along with; documentation of expenditures, either in the form of a copy of the check or a copy of the invoice paid, fund account balances dated July 31, narrative explanation of how the PSAP utilized



Federal Communications Commission  
Washington, D.C. 20554

Wireless E911 funds to pay invoices along with explanation of the wireless/wireline ratio used, and explanation of funds set aside.

WSP's are allocated a yearly amount and funds are granted quarterly after the PSC verifies invoices.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

All corrections with respect to PSAP and wireless service providers have been handled administratively.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
<b>X</b> (re: Wireless 911 surcharge)	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Because the Commission does not have oversight over the collection and use of landline 911 surcharges collected by local governing bodies, we cannot comment regarding the expenditure of their funds. With respect to the Enhanced Wireless 911 Fund, during 2013 \$8,764,368.16 was paid to or on behalf of wireless carriers and PSAPs for the provision of enhanced wireless 911 services and an additional \$376,108.94 was used to cover the expenses of administering the Fund. Such administrative expenses



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Washington, D.C. 20554

are specifically authorized by state statute<sup>10</sup>.  
The Prepaid Wireless Surcharge Act (Prepaid Act)<sup>11</sup> changing the collection and remittance of enhanced wireless 911 surcharges from prepaid services to a point of sale collection took effect January 1, 2013. Retail sellers are allowed to deduct and retain up to 3% of the surcharges collected. Amounts collected are remitted by retailers to the Department of Revenue. The Department of Revenue remits the collected amounts, less administrative costs not to exceed 2%, to the State Treasurer for credit to the Enhanced Wireless 911 Fund and TRS Fund.

10.A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

All wireless enhanced 911 funds collected by the Commission are paid to or on behalf of PSAPs and wireless service providers for the provision of enhanced wireless 911 service.  
Generally, PSAPs are requesting funds for GIS maintenance contracts, 911 personnel, language translation contracts, maintenance of equipment and software, CAD, telecommunications (phone lines, trunks) costs, and training.  
Generally, WSP are using their funding for monthly costs for services from Intrado and TCS, for database services, software maintenance contracts, and internal engineering and operations costs.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

<sup>10</sup> Neb. Rev. Stat. [§86-463](#) (2014)  
<sup>11</sup> Neb. Rev. Stat. §§ 86-901 to 86-905 (Cum. Supp. 2012).



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12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Nevada



BRIAN SANDOVAL  
*Governor*

**STATE OF NEVADA**  
**PUBLIC UTILITIES COMMISSION**

ALAINA BURTENSHAW  
*Chairman*

REBECCA WAGNER  
*Commissioner*

DAVID NOBLE  
*Commissioner*

CRYSTAL JACKSON  
*Executive Director*

July 31, 2014

David G. Simpson  
Rear Admiral, USN (Ret.)  
Chief, Public Safety and Homeland Security Bureau  
Federal Communications Commission  
Washington, DC 20554

RE: Annual Information Collection as Mandated by the New and Emerging Technologies Improvement Act of 2008.

Rear Admiral Simpson:

On behalf of the Office of the Governor of Nevada, the Public Utilities Commission of Nevada ("PUCN") submits the attached 2014 NET 911 Information Collection Form.

The attached response describes a surcharge, allowed pursuant to the Nevada Revised Statutes ("NRS") 244A.7643, through which counties in Nevada may fund 911 and Enhanced 911 support and implementation. However, because the surcharge is imposed and collected at the county level, the attached form does not include information, such as specific dollar amounts collected and expended, that is not directly available to the State government. Individual counties are better-situated to provide details regarding the amounts collected through the surcharge, as well as the specific expenditures that utilized the surcharge funds, during the 2013 calendar year. In fact, it is my understanding that Nevada's counties have previously provided this information directly to the Federal Communications Commission's Bureau of Public Safety and Homeland Security.

Therefore, to facilitate your collection of information, I have provided a blank copy of the 2014 NET 911 Information Collection Form to the appropriate entity in each Nevada county that oversees the funding of 911 and E911 services. Each county has been instructed to return a completed Form to the designated "FCC fee report" email address.

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NORTHERN NEVADA OFFICE  
1150 East William Street  
Carson City, Nevada 89701-3109  
(775) 684-6101 • Fax (775) 684-6110

<http://puc.nv.gov>

SOUTHERN NEVADA OFFICE  
9075 West Diablo Drive, Suite 250  
Las Vegas, Nevada 89148  
(702) 486-7210 • Fax (702) 486-7206

If you have any questions regarding this letter or the attached Form, please contact me at [gweir@puc.nv.gov](mailto:gweir@puc.nv.gov) or (775) 684-6185.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Weir". The signature is stylized with a large initial "G" and a flourish.

Garrett Weir  
Assistant General Counsel  
Public Utilities Commission of Nevada



Federal Communications Commission  
Washington, D.C. 20554

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Nevada Revised Statutes ("NRS") 244A.7643 authorizes counties within Nevada to impose a surcharge for the enhancement of the telephone systems for reporting emergencies in the counties.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

State law limits the amount of the aforementioned surcharge to no more than 25 cents per month for each local exchange access line or wireless access line. For each trunk line to the local exchange, the surcharge amount must equal 10 times the amount of the access line surcharge.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

This information is not directly available to the State government.



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Telecommunication providers collect the surcharge from customers on a monthly basis, and the collected funds are remitted to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month in which the surcharge was collected.

NRS 244A.7645 provides for the establishment of an advisory committee (in each county collecting a surcharge), which oversees the allocation of surcharge funds and ensures that the funds are used only for the purpose of enhancing the telephone system for reporting an emergency.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

As discussed above, NRS 244A.7645 provides for the establishment of an advisory committee (in each county collecting a surcharge), which oversees the allocation of surcharge funds.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The counties' advisory committees authorize and review the use of funds collected through the surcharge.

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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The Public Utilities Commission of Nevada is not aware of any such corrective action for the 2013 calendar year.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

N/A

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The State of Nevada government does not have direct access to this information. As stated above, individual counties oversee the collection and use of funds for 911 and E911 purposes.



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11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
Counties, rather than the State, have access to the information necessary to answer this question.	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

N/A
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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

A blank copy of this form has been provided to each of Nevada's counties, along with instructions to submit the completed form via email to [911feereport@fcc.gov](mailto:911feereport@fcc.gov).

Nevada's counties include:

Carson City  
Churchill County  
Clark County\*  
Douglas County  
Elko County  
Esmeralda County  
Eureka County  
Humboldt County  
Lander County  
Lincoln County  
Lyon County  
Mineral County  
Nye County  
Pershing County  
Storey County  
Washoe County  
White Pine County

\*NRS 244A.7643, which authorizes the imposition of a surcharge by counties whose populations are less than 7,000,000, does not apply to Clark County, whose population is approximately 2 million. Clark County funds its 911 services through property taxes.

Nevada – Carson City



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The funding mechanism for the collection of fees is established in Nevada Revised Statutes 244A.7641 through 244A.7647 and by Carson City Municipal Code Chapter 4.05.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The fees charged through this authorization are twenty-five cents (\$0.25) per month per individual line or two dollars and fifty cents (\$2.50) per month per line for trunk lines.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amount of fees collected in calendar year 2013 was \$221,576.09.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The funds are collected by our local government and are not distributed to any other local government or "localities." The criteria for allowable uses for the fund are controlled by Nevada Revised Statutes 244A.7641 and 244A.7647 and by Carson City Municipal Code Chapter 4.05.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The oversight for expenditures in Carson City is ultimately the local governing body—the Carson City Board of Supervisors. The Board of Supervisors has established an advisory committee that reviews expenditures, develops a 911 Surcharge Master Plan, and approves the expenditure of collected funds based upon the approved plan.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Any local government in the state can use the funds generated within its local government provided it follows the criteria established in Nevada Revised Statutes 244A.7641 through 244A.7647. The oversight for expenditures in Carson City is ultimately the local governing body—the Carson City Board of Supervisors.



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Washington, D.C. 20554

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No enforcement or other corrective actions have been undertaken in connection with this oversight as none were necessary.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds were used for purposes other than those purposes established by statute or local ordinance.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.



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The funds collected within Carson City are, by ordinance and state law, strictly for the use of Carson City. No other organizations received funding through the fees collected. Carson City used the money collected to directly support 911 operations in the City's Public Safety Answering Point (PSAP) by upgrading the 911 phone system used to process 9-1-1 calls.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Next generation 911 charges would be eligible under our state law and local ordinances. Carson City has not expended funds directly on next generation 911 systems or services, although the funds that have been expended for the latest 911 software are partially forward compatible to next generation systems.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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Washington, D.C. 20554

No other comments.

Nevada – Douglas County



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Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Douglas County, NV established a surcharge through the adoption of County Ordinance 2007-1212 in accordance with Nevada Revised Statutes 244A.7641 through NRS 244A.7647 inclusive.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The fee structure includes:  
A \$0.25 charge per month, per land line to the local exchange.  
A \$0.25 charge per month, per cellular/mobile telephone number.  
A \$2.50 charge per month on trunk lines.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amount of fees collected for the annual period ending December 31, 2013 is \$149,688.84. Expenditures began as of October 7, 2009.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The 911 surcharge funds are collected by Douglas County, a local government entity. Telecommunications providers send monthly checks to the Douglas County 911 Emergency Services Department. All funds are deposited in a 911 surcharge account for the sole purpose of maintaining and replacing 911 equipment.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Douglas County, NV 911 Surcharge Advisory Committee is a local advisory committee established by County Ordinance 2007-1212 to develop and oversee a five year master plan and make recommendations to the Douglas County Board of County Commissioners on the expenditure of 911 surcharge funds.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The 911 surcharge funds are used for the sole purpose of replacement and maintenance of the E911 system, 911 Tax Advisory board review of budget



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expenditures at quarterly board meetings.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No corrective action required this reporting period.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Funds used solely for the monthly costs associated with the operations and maintenance of the E911 system.



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Funds expended used solely for the operation, license and maintenance of the E911 system equipment.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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Nevada – Washoe County



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC’s Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission’s obligations under Section 6(f)(2) of the NET 911 Act:

- 1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

Please insert an “X” below the appropriate answer.

YES	NO
X	

If “yes,” please include a citation to the legal authority for such mechanism.

Nevada Legislature enacted NRS 244A.7641 to NRS 244A.777 to allow up to a twenty-five cent surcharge per line on customers in Washoe County. The surcharge is imposed by the Washoe County, NV, Board of County Commissioners. Washoe County Code Supplement No. 13: 65.400-65-460

- 2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

January 15, 2008, the Washoe County Board of Commissioners, authorized by NRS 244A. 7643 and WCC 65.450, Raising the Enhanced 911 surcharge rate effective May 1, 2008 to the following:  
a. 25 cents per month for each access line to the local exchange  
b. 25 cents per month per telephone number assigned to a customer by a supplier of mobile phone service  
c. Each trunk line to the local exchange of a telecommunications provider must equal to 10 times the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider, set at \$2.50  
d. A telecommunications provider or supplier which collects the surcharge imposed pursuant to NRS 244A.7643 is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Washoe County, Nevada's surcharge collections from January 1, 2013 through December 31, 2013= \$1,573,181.76

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Nevada Legislature enacted NRS 244A.7643 Surcharge: Imposition; master plan required in certain counties; amount; collection; penalties for delinquent payment and Washoe County created a special revenue fund to collect and administer the surcharge funds received.

This is a restricted fund.

NRS 244A.7645 Establishment of advisory committee to develop plan to enhance or improve telephone system; creation of special revenue fund; use of money in fund.

3. If a surcharge is imposed in a county pursuant to [NRS 244A.7643](#), the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to [NRS 244A.7643](#). The money in the fund must be used only:

(a) In a county whose population is 45,000 or more but less than 700,000, to enhance the telephone system for reporting an emergency, including only:

(1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(b) In a county whose population is less than 45,000, to improve the telephone system for reporting an emergency in the county.

(Added to NRS by [1995. 1056](#); A [1999. 1686](#); [2001. 621, 2125](#); [2007. 561](#); [2009. 641](#); [2011. 1124](#))

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Nevada Legislature enacted NRS 244A.7645 Establishment of advisory committee to develop plan to enhance or improve telephone system; creation of special revenue fund; use of money in fund.

The Washoe, NV, Board of County Commissioners reviews, approves or otherwise changes or denies requests for use of the funds collected as advised by the Washoe County 911 Emergency Response Advisory Committee.



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Washington, D.C. 20554

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Washoe County provides legal counsel to each E911 Advisory Board meeting that advises stakeholders whether the proposed use of money from the fund complies with the intent of NRS 244A. 7645 "Establishment of advisory committee to develop plan to enhance or improve telephone system; creation of special revenue fund; use of money in fund." Washoe County Commissioners, Audit Division, Finance, Manager, Purchasing and Technology Services and the public (during public meetings) oversee expenditures.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No Washoe County corrective measures were requested January 1, 2013 through December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Washoe County audit indicated that no funds collected for Washoe County E911 were used for any other purpose than intended in NRS 244A.7645.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.



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Washington, D.C. 20554

Washoe County 911 funds are used to provide 911 call taking equipment, software and services to benefit Washoe County's three primary Public Safety Answering Points (PSAPs) - Washoe County, the City of Reno and the City of Sparks. The funds also support reverse 911 technology through the Washoe County Emergency Operations Center.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Washoe County's actual expenditures from January 1, 2013 through December 31, 2013 were \$1,056,860.41 for Next Generation 911 implementation and maintenance through the vendor Intrado Inc. Additional costs are incurred to keep Washoe County's three primary Public Safety Answering Points (PSAPs) - Washoe County and the cities Reno and Sparks call recording systems and dispatch software up to date.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

NRS 244A.7645

4. If the balance in the fund created in a county whose population is 45,000 or more but less than 700,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not



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exceed \$1,000,000.

5. If the balance in the fund created in a county whose population is less than 45,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

New Hampshire



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Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

New Hampshire Revised Statutes Annotated 106-H:9 establishes the enhanced 911 system including the statewide emergency notification system and authorizes its funding through a telephone surcharge on residential and business wired telephone lines, coin and public access lines, VoIP service, and commercial mobile radio (cellular) service numbers with a place of primary use within New Hampshire. The statute specifies that the monies in the account, a dedicated, non-lapsing fund in the State Treasury, shall be used exclusively to support Enhanced 911 services and the statewide emergency notification system.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Wired, CMRS and VoIP providers are required to bill monthly each customer in the



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Amount of \$ 0.57 per line, the current charge. After 25 business telephone exchange lines, PBX trunks or Centrex lines, commercial mobile radio service exchange lines, or VoIP service lines per customer billing account, no further surcharge is levied.

The E-911 Commission, which is appointed by the Governor, reviews the E-911 surcharge and the E-911 operating budget annually and upon recommendation of the Director of the Division of Emergency Services and Communications, subject to approval of the Commissioner of the Department of Safety, can establish a higher and lower amount, which is then added to the tariff for conventional telephones by the Public Utilities Commission, and imposed by the Commissioner on the other telephone systems.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$10,467,786.57

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

See the answer to question 1, above. New Hampshire Revised Statutes Annotated 106-H: 9, the State law that establishes the criteria and uses of the surcharge. It is limited to fund development of the Enhanced 9-1-1 database, the statewide emergency notification system and the operations of the Enhanced 9-1-1 system and the statewide emergency notification system. New Hampshire has a single, centralized E-911 system with two PSAPs, one in the City of Concord and one in the City of Laconia that, together, serve the entire state. The calls are received and processed by 9-1-1 and forwarded to local first responders. No funds are made available to localities, but some equipment belonging to E-911 is present in local dispatch centers and provides a direct connection to our PSAP to facilitate the direct transfer of information.



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5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Department of Safety, Division of Emergency Services and Communications, Bureau of E-911 is the agency that authorizes expenditures of funds collected under Revised Statutes Annotated 106-H:9, I (a) through (c).

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The Director of the Division of Emergency Services and Communications has day-to-day supervision of the system subject to oversight by the Commissioner of the Department of Safety and the Enhanced 9-1-1 Commission. The Enhanced 911 Commission annually reviews the prior year's expenditures, the unexpended amount lapsing back into the fund, if any; the Bureau's budget request, and projections as to the health of the dedicated fund and decides whether to recommend a change in the rate of the surcharge. The Commissioner and the Department of Safety Business Office review these figures in preparing the budget for the Governor and the Legislature. The Audit Division of the Legislative Budget Assistant periodically audits the Department of Safety including the E-911 function in order to ensure compliance with all laws and regulations including the restricted 911 fund.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No enforcement or corrective action was necessary during the annual period ending December 31, 2013.



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8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds from the dedicated E-911 fund were transferred to the General Fund or any other fund. The E-911 fund supports a portion of the State Police Communications Section (the budgeted amount was \$2,643,271 in FY 13 and \$2,058,512.00 in FY 14). This is not an unrelated purpose because Communications is where the Department of Safety budgets the cost of personnel, benefits and expenses that maintain the interoperable statewide emergency radio communications system with its network of towers and electronic equipment. This is the system that connects with consoles in local emergency dispatch centers, that the two E-911 PSAP's forward the emergency calls and messages to, and enables them to transmit the emergency messages in real time to mobile and portable radios in vehicles of state, county and local first responders throughout the state as well as updating the responders about situations as they are enroute to the scenes of the emergencies. This is the electronic "backbone" that enables coordinated responses to 911 calls from single or multiple agencies and updated information to be exchanged between police, fire, emergency medical services and hospitals during the response phase of a 911 call.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended



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funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Specifically, the Division of Emergency Services and Communications, which is funded from the dedicated E-911 surcharge, operates the two PSAP's that handle all 9-1-1 calls in the state, and the statewide emergency notification system which enhances the E9-1-1 system by allowing 911 once it is made aware of a situation where public notification is required, to send recorded, telephonic warning messages to the public or segments of the public regarding escaped prisoners, flooded roads, traffic crashes causing backups, missing or kidnapped children, fleeing criminals, and other crimes and disasters, using the 911 database of phone numbers. We also support the State Police Radio Communications Maintenance budget (see answer to question 9 above) that maintains the backbone for interoperable radio communications, which enables 911 call information to be transferred by the local dispatch agencies to first responders in the field as they are enroute to 911 calls. That is the extent to which the E-911 funds are used.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?



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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The Governor's Office, the Department of Safety's E-911 Bureau, the E-911 Commission and the Legislative Budget Assistant's Audit Bureau in their periodic audits of State agencies all monitor the dedicated, nonlapsing E-911 Fund to ensure that its use is limited to the purposes of E-911 support and implementation as required by RSA 106-H in New Hampshire's Revised Statutes Annotated.

New Jersey



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

**State of New Jersey**

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

**N.J.S.A. 52:17C-19. 9-1-1 System and Emergency Response Trust Fund Account**  
a. There is established in the Department of the Treasury within the General Fund a special account to be known as the "9-1-1 System and Emergency Response Trust Fund Account."  
b. Funds credited to the "9-1-1 System and Emergency Response Trust Fund Account" shall be annually appropriated for the purposes of paying:

- 1) eligible costs pursuant to the provisions of sections 13 and 14 of P.L.1989, c. 3 (C.52:17C-13 and 52:17C-14);
- 2) the costs of funding the State's capital equipment (including debt service), facilities and operating expenses that arise from emergency response;
- 3) the cost of emergency response training, including any related costs or expenses of the Office of Emergency Management in the Division of State Police in the Department of Law and Public Safety;
- 4) the cost of operating the Office of Emergency Telecommunications Services created pursuant to section 3 of P.L.1989, c. 3 (C.52:17C-3); the cost of operating the 9-1-1 Commission created pursuant to section 2 of P.L.1989, c. 3 (C.52:17C-2);



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- 5) any costs associated with implementing any requirement of the Federal Communications Commission concerning 9-1-1 service that is not otherwise allocated to a carrier and not eligible for reimbursement under law or regulation;
- 6) any costs associated with planning, designing or implementing an automatic location identification technology that is not otherwise allocated to a wireless carrier and not eligible for reimbursement under law or regulation; and any costs associated with planning, designing or acquiring replacement equipment or systems (including debt service) related to the enhanced 9-1-1 network as defined by subsection e. of section 1 of P.L.1989, c. 3 (C.52:17C-1).

**N.J.S.A. 52:17C-20. Itemized billing for emergency response fee**

A mobile telecommunications company and a telephone exchange company collecting the fee imposed pursuant to section 2 of P.L.2004, c. 48 (C.52:17C-18) shall itemize and separately identify the fee set forth on each periodic bill received by the customer as the "9-1-1 System and Emergency Response Assessment," which identification may be abbreviated as "911System/Emerg.Resp.Fee." Provided however, that a mobile telecommunications company or telephone exchange company may commence the separately identified itemization of the periodic charge on a periodic bill issued to a customer not later than October 1, 2004, but only if the customer's first periodic bill issued on and after that date includes the separately identified itemization for the periodic bills issued for the customer during the months of July, August and September of 2004, if any, and the fee imposed for the bills for those months is also set forth separately for collection thereon from the customers.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The 9-1-1 System and Emergency Response Fee places a monthly assessment of 90 cents on each wireline, wireless and VoIP telephone in the state.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.



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The total amount collected in calendar year 2013 was \$121 million.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Through the annual budgeting process, the Office of the State Treasurer, the Office of Management and Budget (OMB), and the State Legislature determine how to allocate the revenue generated by the 9-1-1 System & Emergency Response Fee. In the current State fiscal year (FY 2015), the State anticipates that revenue from the 9-1-1 System & Emergency Response Fee will generate \$120 million. Of that amount there was no funding made available to county and local PSAPs..

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Through the annual budgeting process, the Office of the State Treasurer, OMB, and the State Legislature determine how to allocate the revenue generated by the 9-1-1 System & Emergency Response Fee.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.



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Through the annual budgeting process, the Office of the State Treasurer, OMB, and the State Legislature determine how to allocate the revenue generated by the 9-1-1 System & Emergency Response Fee.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Through the annual budgeting process, the Office of the State Treasurer, OMB, and the State Legislature determine how to allocate the revenue generated by the 9-1-1 System & Emergency Response Fee.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
As allowed by the enabling legislation, funds have been made available or used for the purposes designated by the funding mechanism. Nearly 11% of the fees collected support the State's cost of the Statewide 911 Emergency Telephone System (~\$12M) and the operating budget of the Office of Emergency Telecommunications Services (~\$1M). Beyond the amounts provided to E9-1-1 programs, the	



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<p>remaining funds (~\$107M) are used to support emergency response activities, including Homeland Security and State Police, consistent with the fee's enabling legislation.</p>	
---	--

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The funds collected from the 9-1-1 System and Emergency Response Fee are deposited in the 9-1-1 System and Emergency Response Trust Fund Account and applied to offset the costs of the specific departmental programs and activities outlined below.

- 10.A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The funds collected from the 9-1-1 System and Emergency Response Fee are deposited in the 9-1-1 System and Emergency Response Trust Fund Account and applied to offset the costs of the specific departmental programs and activities outlined below.

The estimated revenue from the mobile telecommunications service and telephone exchange service fee in fiscal year 2015 totals \$120 million. In accordance with the enabling legislation (P.L.2004, c.48), these funds will be deposited into the 911 System and Emergency Response Trust Fund account and applied to offset a portion of the cost of related programs listed below (dollars in thousands):

**Department of Law and Public Safety**



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Emergency Operations Center and Hamilton TechPlex Maintenance	\$3,773
Office of Homeland Security and Preparedness	3,845
Rural Section Policing	53,398
Urban Search and Rescue	1,000
Division of State Police - Remaining Operating Budget	198,469
<b>Department of Military and Veterans' Affairs</b>	
Military Services - National Guard Support Services	3,863
<b>Department of the Treasury</b>	
Office of Emergency Telecommunications Service (OETS)	900
Statewide 911 Emergency Telephone System	12,372
<b>Total, State Appropriations</b>	<b>\$277,620</b>

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?



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\$62,467.60 in consultant costs to develop a report titled "Current Next Generation 9-1-1 Activities, Trends and Recommendations."

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

New Mexico



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

New Mexico's Enhanced 911 Act (Section 63-9D-1 et. seq. NMSA 1978) provides a funding mechanism designated to support local governments' and carriers' costs of providing 911 service throughout the state.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

New Mexico's Enhanced 911 Act (Section 63-9D-1 et. seq. NMSA 1978) mandates a \$.51 surcharge per month on each subscriber's landline telephone and a \$.51 surcharge per month on each subscriber's cellular telephone.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.



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The total amount collected for the annual period ending December 31, 2013 was \$11,970,079.32.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The surcharge is collected in accordance with the Enhanced 911 Act (Section 63-9D-1 et. seq. NMSA 1978) and deposited into the Enhanced 911 fund administered by the Local Government Division of the Department of Finance and Administration. Payments from the fund through grants are made to or on behalf of local governing entities or their fiscal agents for the costs of providing Enhanced 911 service.

New Mexico has established written criteria, Rule 10.6.2 NMAC, Enhanced 911 Requirements (Rule), detailing the allowable uses of the fund.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

New Mexico's Enhanced 911 Act (Section 63-9D-1 et. seq. NMSA 1978) identifies the Local Government Division of the Department of Finance and Administration as the state entity with the authority to administer the fund and the power to adopt rules to carry out the provisions of the Enhanced 911 Act (Act). The Board of Finance Division of the Department of Finance and Administration has the authority to approve E911 expenditures. The Department of Information Technology approves projects of \$100,000 or greater.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

All payments from the fund are reviewed for compliance with the Act and the Rule and approved for payment by E911 Program Managers and the Local Government Division Director. Prior approval from the Board of Finance is required for all expenditures.



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

There has been no enforcement or other corrective actions undertaken in connection with such oversight of the annual reporting period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds collected through New Mexico's Enhanced 911 Act (Section 63-9D-1 et. seq. NMSA 1978) are made available and used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.



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The State of New Mexico E911 Program funds a statewide E911 system comprised of network, Geographic Information Systems (GIS), database, E911 equipment, maintenance, and both GIS and PSAP training. All funding provided to local governments in calendar year 2013 falls into one of the above categories. All funds were used in compliance with the Act and the Rule and were used to improve and enhance the New Mexico E911 system through equipment and network upgrades, modernization, and training.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

During the annual period ending December 31, 2013, the New Mexico E911 Program expended a total of \$845.43 on Next Generation for completion of a Next Generation Security (NG-SEC) compliant security plan.



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Washington, D.C. 20554

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

No comment.

New York



NEW YORK STATE  
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor

Jerome M. Hauer, Ph.D., MHS, Commissioner

July 21, 2014

Received & Inspected

Mr. David G. Simpson  
Rear Admiral  
Federal Communications Commission  
445 12th St SW  
Washington, DC 20554

AUG 04 2014

FCC Mail Room

**RE: Annual Information Collection Mandated by the New and Emerging Technologies Improvement Act of 2008**

Dear Mr. Simpson:

This letter is New York's response to in relation to the Annual Information Collection pursuant to New and Emerging Technologies Improvement Act of 2008. Information is provided in accordance with the topic areas requested.

1. New York State has three funding mechanisms designated or imposed for the purposes of 911 or E911 support or implementation:

(a). The first mechanism is established at the State level through section 186-f of NYS Tax Law. This section of law authorizes a "public safety communications surcharge" (PSCS) and establishes the value, collection, deposit and distribution thereof. This surcharge is applied to all wireless communication devices (except those used by NYS and any of its agencies, instrumentalities and political subdivisions) utilized by customers whose place of primary use is in the State of New York. Each wireless communications service supplier providing service in NYS is statutorily responsible for the collection of the PSCS and is also charged with depositing revenue derived from the same with the State Comptroller, who distributes such revenues to the General Fund as well as the State Wireless Telephone Emergency Account Fund, established pursuant to Section 97QQ of the State Finance Law.

(b). The second and third funding mechanisms are established at the local level through Article 6 of the NYS County Law. Sections 303 and 308 of Article 6 authorize the City of New York and all other NYS counties to establish two separate 911/E911 surcharges: one which applies to land lines and one which applies to wireless communication devices. Revenues derived from these surcharges fund the costs associated with obtaining, operating, and maintaining the telecommunication equipment and telephone services needed to provide an E911 system. Service suppliers act as the collection agent for participating localities and remit funds collected from the surcharge to the same on a monthly basis. Article 6 of the County Law does not require localities to impose either surcharge.

2. NYS Law authorizes the imposition of a Public Safety Communications Surcharge (PSCS) and two local 911/ E911 surcharges.

(a). The State PSCS is currently set in statute at \$1.20 (Tax Law Section 186-f).

1220 Washington Avenue, State Office Building Campus  
Building 7A, Suite 710  
Albany, NY 12242

(b). County Law provides that NYS counties may also impose two surcharges:

(i) Section 303 authorizes a surcharge of up to thirty-five cents per access line per month on the customers of every service supplier (i.e., a telephone company that provides local exchange access service within a 911 service area) operating within a participating county. New York City (NYC) is authorized to impose a surcharge of up to one dollar for this purpose. The imposition of this surcharge is at the localities' discretion.

(ii) Sections 308-a through 308-x authorize NYC and all other NYS counties to impose a surcharge of up to thirty cents per access line per month on each wireless communications device through which service is provided to a customer whose place of primary use is within the county. The imposition of this surcharge is at the localities' discretion.

3. For the annual period ending December 31, 2013, \$183,219,891 was collected from the State's Public Safety Communications Surcharge (PSCS). Credible estimates or reports of the local revenues collected through surcharges authorized in County Law are not available nor reported to this Division.

4. Section 186-f of the Tax Law specifies the allowable uses of funds generated from the PSCS. This section provides that:

- Not less than \$9 million annually shall be disbursed in support of the Local Enhanced Wireless 911 Program, which assists counties in financing the operations of 911 dispatch centers;
- Up to \$75 million may be allocated annually to aid local governments in designing, constructing, and operating a wireless communications network(s) that will provide interoperable communications solutions to first responders across the state. Request-for-Applications (RFA) were issued in 2012 and DHSES announced awards of these funds totaling \$111 million in early 2013. We are currently processing claims from awarded counties.
- The sum of seven million dollars annually for the provision of grants to counties for costs related to the operation and improvement of local public safety answering points.
- The sum of two million dollars annually for the provision of reimbursement to counties for operating expenses, other than personal service, incurred during the operation of local public safety answering points.

5 and 6. Regarding the expenditure of funds allocated for the Local Enhanced Wireless 911 program and other grants authorized in Section 186-f of the Tax Law, the New York State Division of Homeland Security & Emergency Services (DHSES), in consultation with the NYS Interoperable and Emergency Communication Board (formerly the NYS E911 Board), reviews municipal expenditures related to E-911 service initiatives and authorizes reimbursement of the same.

7. All programs authorized in Section 186-f of the Tax Law was conducted in accordance with the law, no issues or corrective actions were necessary.

8. To the best of our knowledge, State funds collected through the funding mechanism that generates revenues for 911 or E-911 purposes -- Section 186-f of the NYS Tax Law-- have been used or made available for each of the specific purposes designated in that funding mechanism. With respect to funds generated through local or county-based E-911 surcharges,

we do not currently possess the relevant information at the State level to validate that all such funds have made available and used for their designated purposes, although we assume such is the case.

9. In State Fiscal Year 2013-14, \$20 million was transferred from the balance of the State Wireless Telephone Emergency Account, to the state's General Fund. The transfer of these funds was authorized by statute and did not affect the ability of the State to reimburse municipalities for approved E-911 expenditures or otherwise support its several E-911 programs.

10. In addition to the responses indicated in response 4, funds generated from the PSCS are allocated to support the emergency response operations and mission of the New York State Police and the Division of Homeland Security and Emergency Services.

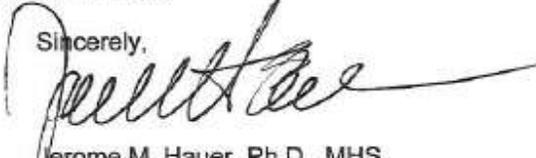
11-13. At this time, the State of New York does not differentiate between 911 and Next Generation 911 expenditures. Based upon the language in existing statute, we believe that 911, E-911 and Next Generation 911 would be within scope of current programs.

14. To the best of our knowledge, New York is the first and only state that allocates collected funds towards non-match grants to NYS counties in order to help them improve their ability for first responders to communicate with each other and create a network of regional partnerships and systems that include State agencies. This State support to counties is available through the Statewide Interoperable Communications Grant program.

All counties are eligible to apply to this competitive grant program. To date, \$215 million has been allocated from the State Budget for such purposes. State support to counties through this program will continue in 2014.

I believe this information concerning New York State is sufficient for the Commission to fulfill its reporting obligations Section 6(f)(2) of the NET 911 Act.

Sincerely,



Jerome M. Hauer, Ph.D., MHS  
Commissioner

North Carolina



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The State of North Carolina established a funding mechanism for the support and implementation of 911 and E911 in Session Law 2007-383, codified as N.C.G.S. §62A-46. Administration of the 911 Fund is governed by the N.C. 911 Board. N.C.G.S. §62A-41, -44  
The Board's enabling legislation expressly incorporate the FCC Order (94-102, 1 December 1997) and subsequent modifications.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

A fee not to exceed \$.70/month is imposed on each voice communications service connection (includes wireline, wireless and VoIP providers) that can access the 911 system. For the period January – December 2013, the Board set the fee at \$.60.  
N.C.G.S. §62A-43



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$ 71,688,784.47

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

**The State limits uses of 911 fees collected and distributed to CMRS Providers for their cost recovery to provide enhanced 911 service to Primary PSAPs. Only the actual costs incurred for the compliance with the requirements of enhanced 911 service are reimbursable.**

**N.C.G.S. §62A-45(a)**

**Funds are distributed monthly to all Primary PSAPs based on the average of their reported eligible expenditures for the previous five (5) years. Funds received in excess of the "base" amount may be distributed to Primary PSAPs on a per capita basis or be placed in the PSAP Grant Account.**

**N.C.G.S. §62A-46(b)**

**Primary PSAPs may use 911 Funds for the lease, purchase, or maintenance of emergency telephone equipment, including necessary computer hardware, software, database provisioning, addressing, nonrecurring costs of establishing a 911 system, dispatch equipment located exclusively within a building where a PSAP is located excluding transmitters & antennae and training for 911 personnel.**

**N.C.G.S. §62A-46(c)**

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

**The North Carolina 911 Board has been designated as the entity to receive 911 fees collected, to distribute and provide oversight on all 911 fees. The 911 Board established an "Eligible Expenditure List" to aid Primary PSAPs receiving 911 funds, and makes 911 Board staff available to assist Primary PSAPs.**

**N.C.G.S. §62A-42(a)(2), -(5)**



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6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

**The 911 Board conducts an annual Revenue/Expenditure Report for each Primary PSAP to ensure compliance with the use of all 911 fees.**

**N.C.G.S. §62A-42(a)(5)**

**Each CMRS Provider seeking cost recovery is required to submit a plan detailing technical and operational aspects of its system together with cost projections. Providers must deliver sworn invoices in compliance with their plans and allowable expenditures. Funds are released to CMRS providers upon staff approval.**

**N.C.G.S. §62A-45(a)**

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

**After careful review by 911 Board staff of detailed PSAP revenue/expenditure reports, any use of 911 funds by a PSAP for non-eligible 911 expenditures were reimbursed by the PSAP into the Emergency Telephone System Fund (911 Fund).**

**N.C.G.S. §62A-48**

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911



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implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

**All funds received by the 911 Board and distributed to Primary PSAPs or qualified CMRS providers have been made available and used for the authorized purposes of implementing or supporting of 911 or E911.**

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

**For the calendar year 2013, funds collected for 911 or E911 were spent on the following programs, activities and organizations supporting 911 and E911 services:**

- a) **125 Primary PSAPs, primary PSAPs being defined in North Carolina as the first point of reception of a 911 call by a public safety answering point.**  
N.C.G.S. §62A-40(16)
- b) **6 Commercial Mobile Radio Service Providers (CMRS) who provide E911 services to the 125 Primary PSAPs and request cost recovery for actual costs incurred to provide E911 services.**  
N.C.G.S. §62A-45(a)
- c) **Provided funding for a total of 8 911 grants for consolidation, relocation and enhancements of PSAPs.**  
N.C.G.S. §62A-47(b)
- d) **Provided funding for recurring statewide project of providing orthography images for ¼ of the state in support of Primary PSAP Geographic Information Systems (GIS) databases. Each year ¼ of the state will be updated so that in a four year cycle, all statewide imagery will be updated.**  
N.C.G.S. §62A-47(d)
- e) **Provided funding for electronic call analysis program for 125 Primary PSAPs to have the ability to provide statewide detailed E911 call data.**  
N.C.G.S. §62A-47(d)



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Washington, D.C. 20554

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

\$ 567,380.00

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Not at this time

North Dakota

**Sixth Annual (2014) Information Collection Mandated by the  
New and Emergency Technologies Improvement Act of 2008 (NET 911 Act)**

Background: Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act: (North Dakota's 2014 responses in **bold**):

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)? **Yes, Chapter 57-40.6 of the North Dakota Century Code authorizes counties or cities to impose a fee (to be collected by all telecommunication companies) on a per communication device per month basis. The local governing board passes a resolution placing the question of the imposition of this fee on the ballot, upon approval of the electorate it goes into effect. In 2013, effective for CY2014, Chapter 57-40.6 was amended by the Legislature to require "point-of-sale" collection of a 2% gross receipts fee in-lieu of the "per device fee" for pre-paid wireless service only. The pre-paid fee revenue is centrally collected by the State Tax Department and remitted to a joint powers entity consisting of all local 911 jurisdictions for distribution or dedication to statewide 9-1-1 network costs.**
2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services. **The statutory limit on the fee for landline, VoIP, and monthly wireless contracts was raised from \$1.00 to \$1.50 per device per month, effective August 1, 2009. Thirteen of North Dakota's 56 911 jurisdictions have since passed a fee of \$1.50 per device per month, one assesses a fee of \$1.25, and the rest remain at \$1.00. In 2013, effective for CY2014, Chapter 57-40.6 was amended by the Legislature to require "point-of-sale" collection of a 2% gross receipts fee in-lieu of the "per device fee" for pre-paid wireless service only.**
3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013. **The total collected by all jurisdictions was \$9,998,322.**
4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how

collected funds can be used, and identify those allowed uses. **As noted in “1” above, the fees from landline, VoIP, and wireless monthly contracts are imposed by local jurisdictions and remitted by the phone companies directly to those jurisdictions (53 counties and 3 cities). The Legislation authorizing the imposition of this fee also regulates the use of the fee revenue. Specifically 57-40.6-05 states that the revenue must be used “solely for implementing, maintaining, or operating the emergency services communication system.” Additionally 57-40.6-10 requires that jurisdictions receiving this fee revenue maintain the revenue in a separate fund and; “ensure that fee proceeds collected under this chapter are expended in accordance with guidelines developed pursuant to section 57-40.6-12 and implement an accounting system sufficient to meet the requirements of section 57-40.6-05.”**

5. A statement indentifying any entity in your State that has the authority to approve the expenditure of funds collected for 911 or E911 purposes. **The State Legislature has created a statutory body, the Emergency Services Communications Coordinating Committee (ESC3), charged with implementing and maintaining expenditure guidelines that detail what is, and is not, allowable under the broader statutory limitation. Each jurisdiction is mandated by 57-40.6-12 to submit a report to the statutory body on the revenues and expenditures related to this fee, and the the guidelines and compiles the information for presentation to the Legislature Committee then reviews the reports against. In addition, if a local jurisdiction has a question about a particular expenditure that they don’t feel is clearly addressed by the expenditure guidelines; the ESC3 will formally address the question with specific guidance.**
6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism, or otherwise used to implement or support 911 or E911. **Each jurisdiction is mandated by 57-40.6-12 to submit a report to the statutory body (ESC3) on the revenues and expenditures related to this fee, and the Committee then reviews the reports against the guidelines and compiles the information for presentation to the Legislature.**
7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013. **All funds generated by the fees authorized by state law have been used or made available for purposes allowed by statute and the expenditure guidelines, so no enforcement or corrective actions have been necessary.**
8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1? **Yes, reporting by**

**all 911 jurisdictions indicate that all funds were used solely for the purposes designated by the funding mechanism identified in Question 1.**

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used. **No funds generated by the fee authorized by 57-40.6 have been used or made available for purposes other than the ones allowed by statute and the expenditure guidelines.**
10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services. **As noted, these funds are collected and expended locally to support the equipment, staffing, networking, and support services for their 911 public safety answering points. The reporting discussed in "4" above is summarized biennially for the Legislature, illustrating how the funds generated by the fee authorized by state law have been used to support those PSAPs. This summary follows:**
- |   |     |
|---|-----|
| a. Dispatch Staffing/Dispatch Contracts | 70% |
| b. Network Charges                      | 11% |
| c. Equipment                            | 12% |
| d. Other Network                        | 3%  |
| e. Other Phone                          | 1%  |
| f. Facility/Utilities/Other             | 3%  |
11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes? **Yes.**
12. Has your state expended such funds on Next Generation 911 programs? **Yes.**
13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs? **No funds generated by the fee authorized by state law were expended by December 31, 2013.**
14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911. **No additional comments**

Ohio



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

Ohio Revised Code Sections

128.18 Determining rates and charges.

<http://codes.ohio.gov/orc/128.18>

128.22 Charges on improved realty to pay for public safety answering points

<http://codes.ohio.gov/orc/128.22>

128.27 Telephone company to bill and collect charges

<http://codes.ohio.gov/orc/128.227>

128.42 Wireless 9-1-1 charge imposed on subscribers.

<http://codes.ohio.gov/orc/128.42>

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Wireline:



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Up to \$0.50/line/month

Wireless:

\$0.25/billed number/month

Effective Jan. 1, 2014 Prepaid Wireless:

0.005% of the sale price of a prepaid wireless phone

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$25,689,296.16

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

**ORC Section 128.54 Funds established for receipt, distribution, and accounting for amounts received from Wireless 9-1-1 charges.**  
<http://codes.ohio.gov/orc/128.54>

(A) (2) Amounts remitted under section 128.46 of the Revised Code shall be paid to the treasurer of state for deposit as follows:

(a) Ninety-seven per cent to the wireless 9-1-1 government assistance fund. All interest earned on the wireless 9-1-1 government assistance fund shall be credited to the fund.

(b) One per cent to the wireless 9-1-1 administrative fund ;

(c) Two per cent to the 9-1-1 program fund.

**ORC 128.57 County systems receiving disbursements to provide wireless 9-1-1 service.** <http://codes.ohio.gov/orc/128.57>

Except as otherwise provided in section 128.571 of the Revised Code:

(A) A countywide 9-1-1 system receiving a disbursement under section 128.55 of the



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Revised Code shall provide countywide wireless enhanced 9-1-1 in accordance with this chapter beginning as soon as reasonably possible after receipt of the first disbursement or, if that service is already implemented, shall continue to provide such service. Except as provided in divisions (B), (C), and (E) of this section, a disbursement shall be used solely for the purpose of paying either or both of the following:

(1) Any costs of designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining the necessary data, hardware, software, and trunking required for the public safety answering point or points of the 9-1-1 system to provide wireless enhanced 9-1-1, which costs are incurred before or on or after May 6, 2005, and consist of such additional costs of the 9-1-1 system over and above any costs incurred to provide wireline 9-1-1 or to otherwise provide wireless enhanced 9-1-1. Annually, up to twenty-five thousand dollars of the disbursements received on or after January 1, 2009, may be applied to data, hardware, and software that automatically alerts personnel receiving a 9-1-1 call that a person at the subscriber's address or telephone number may have a mental or physical disability, of which that personnel shall inform the appropriate emergency service provider. On or after the provision of technical and operational standards pursuant to section 128.021 of the Revised Code, a regional council of governments operating a public safety answering point or a subdivision shall consider the standards before incurring any costs described in this division.

(2) Any costs of training the staff of the public safety answering point or points to provide wireless enhanced 9-1-1, which costs are incurred before or on or after May 6, 2005.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

**ORC Section 128.02 Statewide emergency services internet protocol network steering committee.** <http://codes.ohio.gov/orc/128.02>

Establishes a Steering Committee and a 9-1-1 Program Office. The Steering Committee has the sole authority to approve the expenditure of funds collected for E911.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The following code provisions contain language on oversight:

- 128.022 Guidelines for tax commissioner to use when disbursing money from next generation 9-1-1 fund to countywide 9-1-1 fund
- 128.34 Proceeding to enforce compliance



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- 128.45 Wireless service provider record keeping
- 128.46 Provider or reseller to remit charges to coordinator; billing and collection fee; assessments
- 128.60 Duty to provide information; confidentiality
- 128.99 Penalties

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

None

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

With the exception of the administrative fees allowed by law, all E911 funds collected were distributed directly to the County 9-1-1 Authorities.



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

All E9-1-1 funds are distributed to each of the 88 County 9-1-1 Boards on a monthly basis based on the number of wireless phones registered within the County in 2013 with a guaranteed minimum distribution of \$90,000.00 per County. Initially these funds were used to develop E911 capabilities within each County. Now that all Counties are E9-1-1 compliant these funds are used for system maintenance, upgrades, and training.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

None

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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The ESINet Steering Committee is investigating changing the fee structure from wireless telephones to a Universal Device Fee to be assessed against any device subscribing to a service that is capable of initiating a call to 9-1-1.

## Oklahoma

MICHAEL C. THOMPSON  
COMMISSIONER



MARY FALLIN  
GOVERNOR

STATE OF OKLAHOMA  
DEPARTMENT OF PUBLIC SAFETY

November 1, 2014

David Simpson  
Chief  
Homeland Security Bureau  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Re: Sixth Annual Information Collection Mandated By the New and Emerging Technologies Improvement Act of 2008**

Dear Mr. Simpson:

On behalf of the Governor of Oklahoma, Mary Fallin, the following is the information requested by Mr. David Simpson, Chief, Homeland Security Bureau. The respondent for this information is Mr. Gene Thaxton, Oklahoma's E911 Coordinator to the Federal Communications Commission (FCC). The following is a recitation of the question followed by Oklahoma's response.

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 9-1-1 Act established a funding mechanism designated for or imposed for the purposes of 9-1-1 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Response:**

Oklahoma has no statewide assessed 9-1-1 fees. All fees for 9-1-1 implementation or operations are assessed by local governments.

The state has established three (3) separate fees to fund 9-1-1 implementation and operations. In 63 O.S. (2001) sections 2811-2821, cities or counties or combined boards are authorized to enact a wireline fee which may vary from between 0 and 15% of the base telephone rate depending on when the fee was enacted and the amount set by the governing body. The fee can be changed annually.

Title 63 O.S. (2001) sections 2841-2846 allows counties to submit for vote a wireless fee assessed on pre-paid and post paid wireless users. The wireless fee is set at 50 cents per month per cellular telephone.

Title 63 O.S. (2001) sections 2851-2853 allows cities, counties or combined boards to assess a VoIP fee of 50 cents per month per VoIP user.

2. The amount of the fees or charges imposed for the implementation and support of 9-1-1 and E911 services.

**Response:**

Oklahoma has no centralized point for fee collection or remission. Wireline fees range from 0 to 15 % of the base telephone rate that existed at the time that the fee was enacted. The fee may be altered each year by the governing body of the jurisdiction that assessed the fee. Wireless and VoIP fees are 50 cents per user per month.

Wireline and VOIP fees are remitted to the jurisdiction that assessed the fee. Wireless fees are remitted to the regional planning commission covering the county that assessed the fee. The regional planning commission then remits to the jurisdiction that is the primary place of use for the cellular telephone user according to information provided by the wireless company to the regional planning commission annually.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December, 2013.

**Response:**

Oklahoma has no centralized point for fee collection or remission and no authority to require such reporting of such fees or charges for the annual period ending December, 2013.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

**Response:**

Because the fees are assessed and remitted locally, it is impossible to determine the total amount collected for each fee on a statewide basis.

Each statute limits how the fee is to be used. The wireline statute (63 O.S. (2001) sec. 2814) authorizes a wireline fee "for the operation of an emergency telephone service," and provides that "the governing body shall account for all disbursements from the account and shall not allow the funds to be transferred to another account not specifically established for the operation of the emergency telephone system."

The wireless fee statute (63 O.S. (2001) sec. 2843.1) limits the use of the fee "to provide for processing nine-one-one emergency wireless calls," and for "services related to nine-one-one emergency wireless telephone services, including automatic number identification and automatic location information services." Wireless fees are remitted by carriers to the regional planning district which is authorized to distribute money to each

public agency "that has sent a written request for installation, maintenance and operation of an emergency wireless telephone service (63 O.S. (2001) sec. 2843.1)."

The VoIP fee may be used for "the operation of enhanced 9-1-1 emergency services which includes the provision of 9-1-1 calls received from interconnected Voice over Internet Protocol (VoIP) service users." 63 O.S. (2001) sec. 2853.

5. A statement identifying any entity in your State that has the authority to approve the expenditure of funds collected for 9-1-1 or E911 purposes.

**Response:**

Each local government has authority to approve expenditure of 9-1-1 funds. In many instances local governments combine to form county-wide or regional 9-1-1 boards which share or may share equipment, personnel or services. In that case, the authority rests in the cooperative board pursuant to the terms of an Interlocal agreement.

The wireline fee is required to be reviewed annually by the governing body that assessed the fee. 63 O.S. (2001) sec. 2814(G). Wireless and VoIP fees are set at 50 cents per month by statute.

Each fee statute requires an annual audit of the funds which may be conducted in conjunction with the local government's annual audit.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designed by the funding mechanism or otherwise used to implement or support 911

**Response:**

Each fee statute requires an annual audit of the funds which may be conducted in conjunction with the local government's annual audit. That would be the only oversight procedure(s) that would be in effect at this time.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

**Response:**

Neither the respondent for this information nor the Statewide 911 Advisory has not been advised of any problems or misuse of funds by the agency charged with conducting the annual audit.

8. In the annual period ending December 31, 2013, were funds collected for 9-1-1 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Response:**

Oklahoma statutes were crafted to limit the use of 9-1-1 fees to the implementation and operation of 9-1-1 systems. Since Oklahoma has no centralized 9-1-1 enforcement or reporting agency, the details of the actual use of the funds is unknown. Discussions concerning this issue are being conducted with Oklahoma's Legislative Leaders.

9. A statement identifying what amount of funds collected for 9-1-1 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 9-1-1 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 9-1-1 or E911 purposes were made available or used.

**Response:**

Oklahoma statutes were crafted to limit the use of 9-1-1 fees to the implementation and operation of 9-1-1 systems. Since Oklahoma has no 9-1-1 enforcement or reporting agency, it is unknown whether any local 9-1-1 funds have been used for purposes other than specified in the statutes.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your State, or political subdivision thereof, has obligated or expended funds collected for 9-1-1 or E911 purposes and how these activities, programs, and organizations support 9-1-1 and E911 services or enhancements of such services.

**Response:**

Oklahoma statutes were crafted to limit the use of 9-1-1 fees to the implementation and operation of 9-1-1 systems. Since Oklahoma has no 9-1-1 enforcement or reporting agency, it is unknown whether any local 9-1-1 fund have been used for purposes other than specified in the statutes.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Response:**

Oklahoma statutes were crafted to limit the use of 9-1-1 fees to the implementation and operation of 9-1-1 systems. Since Oklahoma has no 9-1-1 enforcement or reporting agency, it is unknown whether any local 9-1-1 fund have been used for purposes other than specified in the statutes.

12. Has your state expended such funds on Next Generation 911 programs?

Response:

No

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

**Response:**

No response since the previous question was answered - No

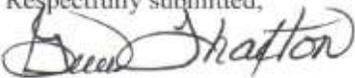
14. Any other comments you may wish to provide regarding the applicable funding mechanism for 9-1-1 and E911.

**Response:**

In 2005, the Oklahoma Legislature created the Statewide 9-1-1 Advisory Board to assist in the implementation, operation and improvement of 9-1-1 service statewide. The Board is advisory only, it has no state funding or paid staff. As of this writing, no legislative changes have been made concerning the Statewide 9-1-1 Advisory Board and its responsibilities.

Should there be any questions concerning Oklahoma's response, please direct those to Mr. Gene Thaxton, [gthaxton@dps.state.ok.us](mailto:gthaxton@dps.state.ok.us) 405/425-2231.

Respectfully submitted,



Gene Thaxton  
Oklahoma E911 Coordinator to the FCC

Cc: Governor Mary Fallin  
Commissioner Michael Thompson

Oregon



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

403.200 Imposition of tax; rate.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

\$0.75

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$39,115,990



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Revenue is collected each quarter.

- From this amount up to ½ of 1% is allowed to Dept. of Revenue for collection.
- From this amount up to 4% is allowed for the state level administration of the 9-1-1 Program.
- From this amount, 35% is placed in the Enhanced Subaccount to pay for equipment and circuits to the PSAPs for the Enhanced backbone.
- The remainder of the amount is distributed to the governing authorities responsible for PSAP operations to help pay for PSAP operations.

Oregon Administrative Rules are in place providing what the governing authorities may use the distribution for. OAR allows the governing authorities to expend the monies for most things that allow the PSAP to operate. However for the majority of the PSAPs the amount of money does not even provide for their personnel costs, let alone any other expenditure.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Oregon Office of Emergency Management has the authority to make expenditure from the Enhanced Subaccount to provide the backbone of Enhanced 9-1-1 statewide. The governing authorities over the PSAPs have the authority to make expenditure with the tax money distributed to them for PSAP operations.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Although there is no requirement for a specific audit of the Enhanced Subaccount, the Secretary of State's office does have the authority to audit any account established at the state level.

For expenditure of the distribution by the governing authorities for PSAP operations, there is state statute that requires any entity that makes use of public funds to be audited once a year.



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

None at state level. Unknown at the local level.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The Oregon Office of Emergency Management follows the Legislatively approved and adopted budget for 911.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Since only the State 9-1-1 Program and the local governing authorities of the PSAPs have the authority to spend Emergency Communications Tax, all expenditures are for the benefit of the PSAPs and the citizens and visitors they serve.



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11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The State of Oregon 9-1-1 Program has the authority to expend funds for the initiation and pre-planning phases of NG 9-1-1 and as such has expended \$195,734.07 for consultation services to develop an RFI, RFP and Project Management documents for future migration to NG9-1-1, during the annual period ending December, 31, 2013.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

None

Pennsylvania



Federal Communications Commission  
Washington, D.C. 20554

Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

The Commonwealth of Pennsylvania has established mechanisms for funding 911 through landline, wireless and VoIP services.

The contribution rate for wireline services is defined in Chapter 53, Emergency Telephone Service, of Title 35 of the Pennsylvania Consolidated Statutes, 35 Pa.C.S.A. § 5307.

The collection and disbursement of the wireline contribution rate is established at 35 Pa.C.S.A. § 5307.

Legal authority for the Wireless E9-1-1 Emergency Services Fund and corresponding wireless surcharge is found at 35 Pa.C.S.A. § 5311.4.

The VoIP service customer 911 fee is established in 35 Pa.C.S.A. § 5311.14.

Starting July 1, 2011, the Commonwealth began collecting the prepaid wireless E9-1-1 surcharge established in 35 Pa.C.S.A. § 5311.4(b.1).



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2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Pennsylvania has three different fee structures for the collection of 911 funds from wireline services, wireless services, and VoIP services.

The wireline contribution rate is collected based on the class of a particular county. Counties of the First through Second Class "A" may impose a monthly contribution rate in an amount, not to exceed \$1 per line, on each local exchange access line. Counties of the Third through Fifth class may impose monthly contribution rates in an amount, not to exceed \$1.25 per line, on each local exchange access line. Counties of the Sixth through Eighth class may impose a monthly contribution rate in an amount, not to exceed \$1.50 per line, on each local exchange access line.

The wireless E-911 surcharge is a \$1.00 monthly fee paid by Wireless service customers for each device that provides wireless service for which that customer is billed by a wireless provider for wireless service or receives prepaid wireless telephone service from a wireless provider. Such fee shall be collected apart from and in addition to any fee levied by the wireless provider in whole or in part for the provision of 911 services. For prepaid wireless service, a surcharge of \$ 1 per retail transaction is applied to the cost of each retail transaction regardless of whether the service or prepaid wireless device was purchased in person, by telephone, through the Internet or by any other method.

The VoIP service customer 911 fee is \$1.00 per month for each telephone number or successor dialing protocol assigned by a VoIP provider to a VoIP service customer number that has outbound calling capability.

Wireline, Wireless, and VoIP 911 funds are made available to localities in different ways. The wireline contribution rate is collected by the service supplier providing local exchange telephone service within the county and then forwarded monthly or quarterly to the county treasurer where the money is placed in a restricted account. On a quarterly basis, the county treasurer pays to a municipality, which operates a 911 system, a sum of money not less than that contributed by the telephone subscribers of that municipality to the county 911 system less administrative costs (35 Pa.C.S.A. §§ 5307 (a) & (d)). Wireless 911 fees are collected by the wireless service provider and remitted to the State Treasurer on a monthly or quarterly basis for deposit into the Wireless E-911 Emergency Services Fund. Prepaid wireless E-911 surcharges collected by a seller are remitted to the Department of Revenue and transferred into the Wireless E-911 Emergency Services Fund. The manner of payment and auditing of expenditures is outlined in 35 Pa.C.S.A. § 5311.5(c)-(e).



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

**For the annual period ending December 31, 2013:**

Wireline revenue reported by PSAPs:	\$ 50,853,363.63
VoIP fee collected:	\$ 25,164,434.62
Wireless Surcharge (Includes Prepaid):	\$ 116,761,983.90
<b>Total</b>	<b>\$ 192,779,782.15</b>

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Wireline, Wireless, and VoIP 911 funds are made available to localities in different ways. The wireline contribution rate is collected by the service supplier providing local exchange telephone service within the county and then forwarded monthly or quarterly to the county treasurer where the money is placed in a restricted account. On a quarterly basis, the county treasurer pays to a municipality, which operates a 911 system, a sum of money not less than that contributed by the telephone subscribers of that municipality to the county 911 system less administrative costs (35 Pa.C.S.A. §§ 5307 (a) & (d)). Wireless 911 fees are collected by the wireless service provider and remitted to the State Treasurer on a monthly or quarterly basis for deposit into the Wireless E-911 Emergency Services Fund. The manner of payment and auditing of expenditures is outlined in 35 Pa.C.S.A. § 5311.5(c)-(e):

**(c) Manner of payment.**--Each PSAP and wireless provider shall submit to the agency each year, not later than 120 days before the first day of the agency's fiscal year, the eligible costs it expects to incur for wireless E-911 service during the next fiscal year of the agency. The submission may include eligible costs that the PSAP or wireless provider has already incurred for wireless E-911 service at the time of the submission. The agency shall review the submission, ensure that the costs are eligible for payment from the fund, and notify the submitting PSAP or wireless provider, not later than 30 days before the first day of the agency's fiscal year, of the eligible costs.

The agency shall pay to each PSAP and wireless provider, from the fund, the amount of the submitted costs the agency determined to be eligible, whether or



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not the costs have been incurred at or before the time of payment and whether or not the costs, if already incurred, were incurred prior to the effective date of this section. Payment shall be made in four equal payments during the first month of each quarter of the agency's fiscal year as follows:

(1) The agency shall first pay the costs approved for each PSAP that are payable in the quarter.

(2) Following the payment of approved costs to a PSAP for Phase I deployment of wireless E-911 service, as set forth in the FCC E-911 Order, but only after the PSAP has issued its request to wireless providers to furnish Phase I wireless E-911 service pursuant to the FCC E-911 Order, the agency shall pay the approved costs of wireless providers that are payable in the quarter to provide the requested wireless E-911 service to that PSAP.

(3) Following the payment of approved costs to a PSAP for Phase II deployment of wireless E-911 service, as set forth in the FCC E-911 Order, but only after the PSAP has issued its request to wireless providers to furnish Phase II wireless E-911 service pursuant to the FCC E-911 Order, the agency shall pay the approved costs of wireless providers that are payable in the quarter to provide the requested wireless E-911 service to that PSAP.

(4) In any quarter of the agency's fiscal year, all costs specified in section 5311.4(a)(1) that are approved by the agency for payment to PSAPs or wireless providers shall be paid before any other costs payable pursuant to this chapter are paid to any PSAP or wireless provider. In the first quarter of the agency's fiscal year, the agency shall determine whether payments to PSAPs and wireless providers during the preceding fiscal year exceeded or were less than the eligible costs incurred by each PSAP and wireless provider submitting costs during the fiscal year. Each PSAP and wireless provider shall provide verification of such costs as required by the agency. Any overpayment shall be refunded to the agency or, with the agency's approval, may be used to pay agency-approved costs the PSAP or wireless provider submitted for the current fiscal year of the agency. The amount of any underpayment will be paid to the PSAP or wireless provider in accordance with this subsection and subsection (d) within the current fiscal year. The agency shall reconsider a determination of eligible costs pursuant to this subsection upon request by a submitting PSAP or wireless provider and shall provide a procedure for such reconsideration.

**(d) Pro rata sharing of fund amounts.--**(1) If the total amount of money in the fund in any quarter is insufficient to pay for both agency-approved PSAP costs and agency-approved wireless provider costs which are payable in the quarter under subsection (c) for both Phase I deployment and Phase II deployment of wireless E-911 service, as set forth in the FCC E-911 Order, then payments from the fund for that quarter shall be made as follows:

(i) The agency-approved Phase I deployment costs of a PSAP and those wireless providers to which the PSAP has issued its request for Phase I wireless



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E-911 service shall be paid before any agency-approved costs for Phase II deployment are paid.

(ii) If, notwithstanding subparagraph (i), the total amount of moneys in the fund in the quarter is insufficient to pay all Phase I deployment costs of both PSAPs and wireless providers which are payable in the quarter, then each requesting PSAP and each requesting wireless provider shall receive, for payment of Phase I deployment costs, a pro rata share of the total amount of moneys in the fund in the quarter.

(iii) If the total amount of moneys in the fund in the quarter is insufficient to pay all agency-approved Phase II deployment costs of both PSAPs and wireless providers which are payable in the quarter, then each requesting PSAP and each requesting wireless provider shall receive, for payment of Phase II deployment costs, a pro rata share of the total moneys in the fund which are available in the quarter for payment of Phase II deployment costs.

(2) For any PSAP or wireless provider, pro rata shares shall be computed based upon the total dollar amount of money available in the fund for payment of Phase I or Phase II deployment costs, whichever is applicable, multiplied by the ratio of:

(i) the total dollar amount of agency approved but unpaid costs of that PSAP or wireless provider for Phase I or Phase II deployment, whichever is applicable; to

(ii) the total dollar amount of all agency approved but unpaid costs.

**(e) Triennial financial audit.--**The agency shall require a triennial financial audit of each PSAP's use of the disbursements it has received from the fund and of a wireless provider's collection, deduction, retention, remittance and use of the amounts collected by the wireless provider under the wireless E-911 surcharge or the disbursements it received from the fund. These triennial financial audits shall be consistent with guidelines established by the agency, and the cost of each audit shall be paid from the fund.

VoIP 911 fees are collected and made available to counties in two different ways based on the choice of the provider. This is explained in 35 Pa.C.S.A. §§ 5311.14(a) - (f):

**(a) VOIP SERVICE CUSTOMER 911 CONTRIBUTION.--**

(1) Each VoIP provider or telecommunications carrier shall collect a \$1 fee per month for each telephone number or successor dialing protocol assigned by a VoIP provider to a VoIP service customer number that has outbound calling capability. The following apply:

(i) The fee, minus the actual uncollectibles experienced by the VoIP provider, shall be remitted:

(A) quarterly; or

(B) at the option of the provider or telecommunications carrier, monthly.

(ii) The remittance shall be made as follows:



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- (A) Except as set forth in clause (B), to the county treasurer.
- (B) In a home rule county, as follows:
  - (I) To the county official responsible for the collection and disbursement of funds.
  - (II) At the option of the remitter, to the State Treasurer. Election of the option shall be by regulations established by the agency, which shall include appropriate notification to the affected counties of the exercise of this option.
- (iii) The fee shall be stated separately in the VoIP service customer's paper or electronic billing, and the fee shall be collected apart from and in addition to any fee levied by the VoIP provider in whole or in part for the provision of 911 services or E-911 services.
- (2) In the case of VoIP service customers purchasing multiple dial tone telephone access lines from a VoIP provider, the following multipliers shall be applied to determine the contribution rate of each customer:
  - (i) For the first 25 lines, each line shall be billed at the approved contribution rate.
  - (ii) For lines 26 through 100, each line shall be billed at 75% of the approved contribution rate.
  - (iii) For lines 101 through 250, each line shall be billed at 50% of the approved contribution rate.
  - (iv) For lines 251 through 500, each line shall be billed at 20% of the approved contribution rate.
  - (v) For lines 501 or more, each line shall be billed at 17.2% of the approved contribution rate.
- (3) If a VoIP provider receives a partial payment for a monthly bill from a VoIP service customer, the VoIP provider:
  - (i) may first apply the payment against the amount the VoIP service customer owes the VoIP provider; and
  - (ii) shall then remit to the county or the State Treasurer the lesser amount resulting from the application of the payment.
- (4) The fees collected and remitted under this subsection shall not:
  - (i) be subject to taxes or charges levied by the Commonwealth or a political subdivision; nor
  - (ii) be considered revenue of the VoIP provider for any purpose.
- (5) As reimbursement for administrative costs to cover its expenses of billing, collecting and remitting the fees during the reporting period, the VoIP provider is allowed to retain for reimbursement up to the following percentages of the total fees collected under this subsection:
  - (i) If remittance is made to the county, 2%.
  - (ii) If remittance is made to the State Treasurer, 1%.
- (6) To the extent that a VoIP provider obtains connections to the public switched telephone network from a telecommunications carrier, that telecommunications carrier shall not be required to assess or make contributions to any 911 or E-911



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fund in connection with the customers or the telephone numbers for which the VoIP provider is responsible for collecting and making contributions under this section. If, however, the telecommunications carrier is, by agreement with the VoIP provider, required to make 911 or E-911 contributions on behalf of the VoIP provider customer, the VoIP provider shall not be responsible for collecting and making contributions under this section.

**(b) REPORTING BY VOIP PROVIDERS.--**

(1) With each remittance under subsection (a), a VoIP provider and telecommunications carrier shall supply the following information to the individual receiving the remittance and to the agency the total fees collected under subsection (a)(1) from its VoIP service customers during the reporting period. If the telecommunications carrier has remitted the fees to the county or the agency pursuant to an agreement with the VoIP provider, the VoIP provider shall provide notification of the reporting agreement along with the telecommunications carrier's name and 911 or E-911 account number.

(2) A VoIP provider and telecommunications carrier shall provide the county or, if remitting to the State Treasurer, the agency with requested information, including the primary place of use of each interconnected VoIP service customer, in order to discharge its obligations under this section. The information shall be in writing.

This paragraph includes the collection and deposit of the VoIP fee and its administration of the fund.

(B.1) CONFIDENTIALITY -- Information supplied by VoIP providers under this section shall remain confidential, and release of the information shall be governed by section 5311.7 (relating to public disclosure and confidentiality of information).

**(c) COLLECTION ENFORCEMENT.--** A VoIP provider has no obligation to take legal action to enforce the collection of a fee imposed under this section.

**(d) DEPOSIT OF REMITTED FEES.--** The individual who receives fees remitted under this section shall deposit receipts into the restricted account established under section 5307(c)(relating to collection and disbursement of contribution).

**(e) ESTABLISHMENT OF FUND.--**There is hereby established in the State Treasury a non-lapsing restricted interest-bearing account to be known as the VoIP 911 Emergency Services Fund. The fund shall consist of the fees remitted to the State Treasurer under this section.

**(f) DISTRIBUTION OF FEES.--**Moneys in the VoIP 911 Emergency Services Fund established and the interest it accrues are appropriated on a continuing basis to the agency to be disbursed by the agency. The agency shall make



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quarterly disbursements from the account to each county by March 31, June 30, September 30, and December 31, in an amount equal to the amount of fees collected from VoIP service customers located in that county. The disbursements are for the purpose of assisting counties with the implementation of an agency approved plan adopted under section 5305(relating to county plan). The agency may retain up to 1% of the fees for costs incurred in administering this subsection.

The Commonwealth has established written criteria regarding the allowable uses of funds collected for 911 purposes.

The allowable uses of funds from the wireline contribution rate are outlined in 35 Pa.C.S.A. § 5308 and in regulations regarding eligible costs that can be found at 4 Pa. Code § 120b.106.

The Pennsylvania Emergency Management Agency ("the Agency") issued regulations regarding eligible costs that can be found at 4 Pa. Code § 120b.106.

The allowable uses for the funds from the Wireless E-911 Emergency Service Fund are outlined at 35 Pa.C.S.A. §§ 5311.4 (a) & (d).

Disbursements from the wireless fund are limited by certain criteria found in 35 Pa.C.S.A § 5311.5(b).

Pursuant to 35 Pa.C.S.A § 5311.14(f), VoIP 911 fees are to be used for the purpose of assisting counties with the implementation of an Agency-approved plan adopted under section 5305.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Pennsylvania Emergency Management Agency has the authority to approve the expenditures of wireless funds collected for the exclusive direct provisioning of E-911 services and the authority to determine ineligible expenditures of wireline and VoIP funds.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

**Triennial Plans.** Counties must submit a triennial plan for Agency approval every three years. These plans must be in conformance with legislation and regulations in



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order for the county to establish and collect the contribution rate within the county. The contribution rate is established to cover the nonrecurring and recurring costs of a 911 system. In order to justify the requested contribution rate, a county must report the reimbursable expenses included in the contribution rate, nonrecurring and recurring. The expenses are to be summarized in a form with detailed schedules attached, when necessary, to explain and justify the items summarized on the form. The triennial plans require that counties submit copies of contracts, agreements or receipts for equipment, services or other recurring or nonrecurring costs eligible for reimbursement.

**Annual Report.** Additionally, 35 Pa.C.S.A § 5308(c) mandates the Agency to adopt procedures to assure that the total amount collected from the 911 wireline contribution rate is expended only for the nonrecurring costs, costs for mobile communications equipment, maintenance and operation of a county 911 system. The Agency issued regulations establishing an annual report that counties must submit in order to review county spending:

**4 Pa. Code § 120b.112. Reports.** For counties where a 911 system has been established, a report shall be submitted to the Agency annually detailing the status of 911 systems. The report shall be on a form provided by the agency and shall include information including the contribution rate, progress reports, installation schedules, installation expenses, anticipated 911 system changes, other system related costs, and other information deemed necessary by the Agency. The report will be for the current calendar year and shall be forwarded to the Agency by December 1, of the current year.

Wireline contributions are deposited by the county treasurer into an interest bearing restricted account used solely for the purpose of nonrecurring and recurring charges billed for the 911 system and to make quarterly payments to municipalities that operate a 911 system based on the contributions of the telephone subscribers of that municipality. The Agency requires a triennial audit of each county's collection and disbursement of contribution rate funds and expenditures for the nonrecurring costs, training, costs for mobile communications equipment, maintenance, and operation of 911 systems. Counties are required to file two copies of the audit report with the Agency within 90 days of the applicable fiscal year.

Pennsylvania legislation provides VoIP providers the option to remit funds to the county or to the Agency, however, the Agency acts only as a pass through and the administration of VoIP funds is governed by the wireline legislation cited above. Therefore, the use and availability of VoIP funds is monitored using the same wireline contribution rate oversight procedures outlined above.

Wireless funds have different oversight procedures in Pennsylvania. Under 35 Pa.C.S.A § 5311.5(c) each PSAP and wireless provider shall submit to the Agency each year, not later than 120 days before the first day of the Agency's fiscal year, the



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eligible costs it expects to incur for wireless E-911 service during the next fiscal year of the Agency. The submission may include eligible costs that the PSAP or wireless provider has already incurred for wireless E-911 service at the time of the submission. The Agency shall review the submission, ensure that the costs are eligible for payment from the fund, and notify the submitting PSAP or wireless provider, not later than 30 days before the first day of the Agency's fiscal year, of the eligible costs. Each PSAP and wireless provider has to provide verification of such costs as required by the Agency.

A triennial financial audit is conducted by the counties of each PSAP's use of the disbursements received from the wireless fund and of a wireless provider's collection, deduction, retention, remittance, and use of the amounts collected by the wireless provider under the wireless E-911 surcharge or the disbursements it received from the wireless fund.

A reconciliation of wireless funds is conducted by the Agency annually. In the first quarter of the Agency's fiscal year, the Agency determines whether payments to PSAPs and wireless providers during the preceding fiscal year exceeded or were less than the eligible costs incurred by each PSAP and wireless provider submitting costs during the fiscal year. Each PSAP and wireless provider is required to provide verification of these costs. Any overpayment is refunded to the Agency or, with the Agency's approval, may be used to pay Agency-approved costs the PSAP or wireless provider submitted for the current fiscal year of the Agency.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

In calendar year 2013, \$12,884,120.18 in overpayments were approved to be reallocated to Agency-approved costs for the fiscal year. In addition, audits of PSAP accounts found \$2,221,378.00 in expenses that were not eligible to be paid from their respective 9-1-1 accounts. These PSAPs reimbursed their 9-1-1 accounts from their county general operating accounts to correct these findings.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	



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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

At no time did the Commonwealth of Pennsylvania make wireless, wireline, or VoIP 911 funds available for any purposes other than those purposes allowed by cited statute.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

By statute, operation of Primary PSAPs in Pennsylvania is a responsibility of the counties and cities (if they so choose) within the commonwealth. All wireless, wireline, and VoIP funding in Pennsylvania is directed to the counties and cities responsible for the provision of E911 service, and is to be used for the exclusive direct provision of E-911 services as outlined in the statutory language. The political

subdivisions that receive wireless, wireline, and VoIP funding in Pennsylvania are listed below:

- Adams County
- Allegheny County
- Armstrong County
- Beaver County
- Bedford County
- Berks County
- Blair County
- Bradford County
- Bucks County
- Butler County
- Cambria County
- Cameron County
- Carbon County
- Centre County
- Chester County
- Dauphin County
- Delaware County
- Elk County
- Erie County
- Fayette County
- Forest County
- Franklin County
- Fulton County
- Greene County
- Huntingdon County
- Indiana County
- Jefferson County
- Juniata County
- Lackawanna County
- Lancaster County
- Monroe County
- Montgomery County
- Montour County
- Northampton County
- Northumberland County
- Perry County
- Philadelphia County
- Pike County
- Potter County
- Schuylkill County
- Snyder County
- Somerset County
- Sullivan County
- Susquehanna County
- Tioga County



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- |                     |                   |                       |
|---------------------|-------------------|-----------------------|
| • City of Allentown | • Lawrence County | • Union County        |
| • City of Bethlehem | • Lebanon County  | • Venango County      |
| • Clarion County    | • Lehigh County   | • Warren County       |
| • Clearfield County | • Luzerne County  | • Washington County   |
| • Clinton County    | • Lycoming County | • Wayne County        |
| • Columbia County   | • McKean County   | • Westmoreland County |
| • Crawford County   | • Mercer County   | • Wyoming County      |
| • Cumberland County | • Mifflin County  | • York County         |

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

For State Fiscal Year 2013-14, the Commonwealth of Pennsylvania approved \$475,000 in wireless surcharge revenue for PSAPs to conduct Next Generation 9-1-1 needs assessments. The Commonwealth itself expended \$305,189.20 for Next Generation 9-1-1 strategic planning as well as the development and deployment of Emergency Services IP-based networks (ESInets) in two regions of the state. These networks will make up part of the backbone of the statewide Next Generation 9-1-1 system in Pennsylvania.



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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The cost to deliver 9-1-1 service in Pennsylvania exceeds existing 9-1-1 fund surcharge revenue streams. For the most recent annual reporting period (CY 2013), Pennsylvania PSAPs reported expenses exceeded 9-1-1 revenue by \$99.3 million. This fiscal challenge was exacerbated by the September 30, 2009, expiration of the ENHANCE 911 Act of 2004 (the Act). While successful in its application to secure \$2.4 million of the \$41 million of the Act funds appropriated by Congress, Pennsylvania's deployment of its Next Generation solution is dependent upon its allocated share of the Act's original \$1.25 billion appropriation authorization. The Act's original grant funding is critically important to the Commonwealth's plan to advance the technological capability of its 9-1-1 system to support Next Generation 9-1-1 and additional funding should be reauthorized.

Rhode Island



**RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY**  
**RI E-911 Uniform Emergency Telephone System**

311 Danielson Pike, North Scituate, RI 02857-1907  
Telephone: (401) 459-0911 — Fax: (401) 459-0933

Colonel Steven G. O'Donnell  
Commissioner, Department of Public Safety  
Superintendent, Rhode Island State Police

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October 9, 2014

David G. Simpson  
Rear Admiral, USN (Ret.)  
Chief, Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

SUBJECT: INFORMATION COLLECTION MANDATED BY THE NEW AND EMERGING TECHNOLOGIES IMPROVEMENT ACT OF 2008

Dear Chief Simpson,

In response to your recent request, please find the responses from the Department of Public Safety (DPS) with respect to the Federal Communications Commission (FCC) inquiry under the "New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act)".

According to the FCC, the intent of the NET 911 Act is to collect information, "detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified." The FCC questions and DPS responses are as follows:

- Q. 1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?
- A. 1. The State of Rhode Island has established a funding mechanism of \$1.00 per wireline per month (RIGL 39-21.1-14) and \$1.00 (RIGL 39-21.1-14) plus .26-cents (RIGL 39-1-62) (for a total [monthly] wireless 911 surcharge of \$1.26) per month for every wireless "...instrument, device or means ... which has access to, connects with, or activates or interfaces or any combination thereof with the E 9-1-1 Uniform Emergency Telephone System." (RIGL 39-1-62 (d)(1) entitled "E-911 Geographic Information System (GIS) and Technology Fund" and RIGL 39-21.1-14(a) entitled "Funding"). Pursuant to RIGL 39-1-62 (d) (1), these funds are deposited into the R.I. General Fund as general revenue.

Additionally, the State of Rhode Island collects a prepaid wireless E9-1-1 charge at the point of sale for every retail transaction for prepaid wireless telecommunications service. This prepaid E9-1-1 charge is the only E9-1-1 funding obligation imposed with respect to prepaid wireless telecommunications service in this state. This prepaid wireless charge is collected from the consumer at the point of sale by the seller. The charge rate is 2.5% per retail transaction for prepaid wireless telecommunications service. This statutory language, rate and remittance is found at RIGL 39-21.2-2(2), (7), (8), RIGL 39-21.2-3(2), (4), RIGL 39-21.2-4(a), (b) and RIGL 39-21.2-5(a), (b), and (f).

- Q. 2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.
- A. 2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services are as follows: \$1.00 per month for each wireline device, \$1.26 per month for each wireless device, and 2.5% per retail transaction for any prepaid wireless device. These fees are further identified in RIGL 39-1-62, RIGL 39-21.1-14, and RIGL 39-21.2-4.
- Q. 3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.
- A. 3. The State of Rhode Island tabulates fee collection on a fiscal year basis. The most recent fiscal year completed (FY 2014) encompasses the period from July 1, 2013 through June 30, 2014. The total fees collected for wireline, wireless, and prepaid services for FY 2014 totaled approximately \$17,454,000 dollars.
- Q. 4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.
- A. 4. RIGL 39-1-62 establishes a funding mechanism for a number of wireline devices. Additionally, RIGL 39-21.1-14, establishes a funding mechanism for both Voice Over Internet Protocol (VoIP) and other wireline devices and all wireless devices. Lastly, RIGL 39-21.2-4 establishes a funding mechanism for prepaid wireless devices. These funding mechanisms prescribe the manner by which the funds are collected, transferred to the State's Division of Taxation, and ultimately deposited into the General Fund for eventual disbursement. RIGL 39-1-62(c), (d), (e), RIGL 39-21.1-14(g) and RIGL 39-21.2-2(2) identifies the allowed uses for 911 collected surcharge funds. Additionally, § 35-3-1 (1) of the General Laws directs the State Budget Officer to "exercise budgetary control over all state departments and agencies and perform management analyses;" Because RI E911 falls within the purview of the Rhode Island Department of Public Safety (DPS), E911's budget is managed on a day-to-day basis by the DPS's Central Business Office (CBO) with oversight by the State Budget Officer and the Department of Administration - Division of Purchasing.

- Q. 5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.
- A. 5. Under § 35-3-2 of the Rhode Island General Laws, the Rhode Island General Assembly has the authority to annually appropriate general revenue funds as it deems necessary to pay the administrative and other expenses of state government. Additionally, § 35-3-1 (1) of the General Laws directs the State Budget Officer to “exercise budgetary control over all state departments and agencies and perform management analyses.”
- Q. 6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.
- A. 6. Because RI E911 falls within the purview of the Rhode Island Department of Public Safety (DPS), E911’s budget is managed on a day-to-day basis by the DPS’s Central Business Office (CBO) with oversight by the State Budget Officer and the Department of Administration - Division of Purchasing.
- Q. 7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.
- A. 7. The Department of Public Safety Central Business Office (CBO) with oversight by the State Budget Officer and the Department of Administration-Division of Purchasing oversees the account activities of RI E 9-1-1. RI E 9-1-1 is not aware of any enforcement or other corrective actions undertaken in connection with this oversight, for the annual period ending December 31, 2013.
- Q. 8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?
- A. 8. All of the funds collected for 911 or E911 have not been made available for the purposes designated by the funding mechanism.
- Q. 9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state’s general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

- A. 9. During the most recently completed fiscal year that ended June 30, 2013 (FY 2014), a total of approximately \$17,454,000.00 was collected by the State of Rhode Island for E911 surcharges. E911 expended approximately \$5,361,000.00 from state appropriations. The remainder, approximately \$12,093,000.00 went to the State's General Fund and was used for purposes other than for E911's operation. Additionally, the agency is supported by the Department of Administration for many administrative services that it is not charged for. This includes payroll processing, accounts payable processing, and financial reporting.
- Q. 10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes, and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.
- A. 10. The E-911 program operating budget is approximately 5.2 million dollars. In accordance with RI General Law, the surcharge funds are collected by the RI Division of Taxation and remitted into the RI General Fund.
- Q. 11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?
- A. 11. Authorized expenditures for 911 are broadly classified. Due to this broad classification, expenditures on Next Generation 911 are within the scope of permissible expenditures (RIGL 39-21.1-14(g)).
- Q. 12. Has your state expended such funds on Next Generation 911 programs?
- A. 12. Four years ago RI E 9-1-1 purchased a Solacom Switch for the price of \$155,000.00 (Phase 1). That switch is instrumental in being one of the components necessary for the receipt of Next Generation 911 services. Additionally, RI E 9-1-1 has recently received purchase orders for Phase 2 and Phase 3 (final phase) to update our NG911 systems. The Phase 2 purchase order was for the sum of \$277,869.39 (PO 3381766 dated 6/23/14); the Phase 3 purchase order was for the sum of \$199,914.30 (PO 3394655 dated 9/16/14). RI E 9-1-1 is in the process of ordering the Phase 2 and Phase 3 NG911 technology and once received, will commence the implementation, testing and integration of NG911 at both our Primary PSAP and Alternate PSAP.
- Q. 13. If so, how much has your state has expended in the annual period ending December 31, 2013 on Next Generation 911 programs?
- A. 13. RI E 9-1-1 has expended approximately \$16,000.00 on our annual maintenance and updates for our Solacom Selective Router, which is a piece of hardware that supports our NG911 initiative.

Q. 14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

A. 14. None

Respectfully submitted,



William P. Gasbarro  
Contracts and Specifications Officer  
Co-Director

Gregory M. Scungio  
Principal Project Manager  
Co-Director

cc: Colonel Steven O'Donnell  
Lt. Col. Karen Pinch  
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South Carolina



Federal Communications Commission  
Washington, D.C. 20554

**Approved by OMB**  
**3060-1122**  
**Expires: May 31, 2015**  
**Estimated time per response:**  
**10-50 hours**

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

The State of South Carolina has established a mechanism to fund E911 services. Section 23-47-40 of the S.C. Code of Laws governs landlines and Section 23-47-50 governs wireless. Landline based funding is administered by local governments. Wireless based funding is administered by the Office of Research & Statistics of the South Carolina Budget & Control Board.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The landline fees are collected at the local level by each of the 46 counties and 4 municipalities. Those fees range from \$0.30 to a maximum of \$1.00 per subscriber per month. The wireless 911 surcharge fee in South Carolina for 2013 was \$0.63 per subscriber per month. By law, the wireless fee is the average of the landline fees.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The landline fees are collected at the local level. The State does not play a role in collecting those fees and does not have the information concerning the total amount collected by the local governments.

The State of South Carolina collected \$27,690,958.32 in Wireless 911 fees in the 2013 calendar year.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

46 counties and 4 municipalities receive a quarterly distribution of a portion of the wireless surcharge based on total wireless call volume for that time period, which must be used specifically for 911 or E911 purposes. An additional amount of the wireless surcharge is available for reimbursement to these counties and municipalities for upgrading, acquiring, maintaining, programming, and installing necessary data, hardware and software to comply with certain FCC requirements.

The State of South Carolina has no role in collecting, distributing or monitoring landline based fees. The criteria for acceptable use of landline fees is outlined in section 27-43-40.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Please see answer for question 6.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.



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The Revenue and Fiscal Affairs office has no role in collecting, distributing or monitoring landline based fees. The criteria for acceptable use of landline fees is outlined in section 27-43-40. The Section 23-47-65 of the S.C. Code of Laws gives the CMRS Advisory Committee authority to approve certain reimbursements at the local level from wireless based fees.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

N/A

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The State of South Carolina has not made 911 or E911 funds available for any purpose other than the maintenance, enhancement or furthering of 911 services in the State of South Carolina as prescribed by statute.



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The State of South Carolina disbursed \$34,503,796.99 to PSAPs and CMRS providers. The State of South Carolina reimbursed 41 jurisdictional PSAPs a total of \$15,831,836.84 for the purchasing of 911 equipment, hardware and software and recurring charges associated with such equipment. An additional \$10,922,812.49 was distributed to the PSAPs based on each jurisdiction's total wireless 911 call volume. Finally, \$7,749,047.66 was distributed to 8 CMRS providers for 911 equipment dedicated to providing wireless 911 service. The PSAPs and CMRS providers benefit from the reimbursements by providing them a means to upgrade and purchase new equipment to provide the best possible 911 service throughout the State of South Carolina.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?



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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

None.

South Dakota



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Estimated time per response:  
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Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

South Dakota Codified Law 34-45-4 and 34-45-4.2  
<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=34-45>

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

SDCL 34-45-4 "A monthly uniform 911 emergency surcharge of one dollar and twenty-five cents shall be assessed per service user line." SDCL 34-45-4.2 "There is hereby imposed a prepaid wireless 911 emergency surcharge of two percent upon the gross receipts of each retail transaction for the purchase of prepaid wireless telecommunications service."

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The amount of surcharge collected for the annual period ending December 31, 2013



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was \$13,275,031.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The 911 surcharge funds are remitted by the telecos to the SD Department of Revenue on a monthly basis. This includes the \$1.25 per line surcharge and the 2% prepaid wireless surcharge. DOR then transfers those dollars to the SD Department of Public Safety for distribution as explained in SDCL 34-45-8.4.

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=34-45-8.4>

34-45-8.4. (Text of section effective until July 1, 2018) Distribution of surcharge revenue to public agencies and to public safety 911 emergency fund and 911 coordination fund. The Department of Revenue shall transfer the surcharges collected pursuant to §§ 34-45-4 and 34-45-4.2 to the Department of Public Safety. The Department of Public Safety shall remit each month seventy percent of the revenue collected from the 911 emergency surcharges imposed by § 34-45-4 to the public agency, which has adopted an ordinance pursuant to § 34-45-2, where the surcharges were collected. The secretary of the Department of Public Safety shall approve vouchers and the state auditor shall draw warrants to pay each public agency its share of the distribution. The Department of Public Safety shall deposit thirty percent of the revenue collected from the 911 emergency surcharges imposed by § 34-45-4 into the public safety 911 emergency fund created pursuant to § 34-45-8.5. The Department of Public Safety shall deposit all of the revenue collected from the prepaid wireless service surcharge imposed by § 34-45-4.2 into the South Dakota 911 coordination fund created pursuant to § 34-45-12.

(Text of section effective July 1, 2018) The Department of Revenue shall transfer the surcharges collected pursuant to §§ 34-45-4 and 34-45-4.2 to the Department of Public Safety. The Department of Public Safety shall remit each month eighty-five percent of the revenue collected from the 911 emergency surcharges imposed by § 34-45-4 to the public agency, which has adopted an ordinance pursuant to § 34-45-2, where the surcharges were collected. The secretary of the Department of Public Safety shall approve vouchers and the state auditor shall draw warrants to pay each public agency its share of the distribution. The Department of Public Safety shall deposit fifteen percent of the revenue collected from the 911 emergency surcharges imposed by § 34-45-4 into the public safety 911 emergency fund created pursuant to § 34-45-8.5. The Department of Public Safety shall deposit all of the revenue collected from the prepaid wireless service surcharge imposed by § 34-45-4.2 into the South Dakota 911 coordination fund created pursuant to § 34-45-12.

Written criteria regarding allowable uses of the 911 surcharge funds is stated South Dakota Administrative Rule, Chapter 50:02:04.

<http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=50:02:04>



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50:02:04:08. PSAP allowable recurring and nonrecurring costs. Costs must be directly related to the installation, maintenance, or operation of a PSAP to be considered allowable costs. Directly related costs are those that are necessarily incurred by a PSAP to process emergency and non-emergency requests for service, relay information from those requests to the appropriate public safety or public service agency, and to provide support to the responding agency throughout the response.

Allowable costs may be recurring or nonrecurring. Costs must be necessary and reasonable for proper and efficient performance and administration of a PSAP. A cost is reasonable if, in nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

The determination of whether a recurring or nonrecurring cost is allowable shall be at the sole discretion of the board.

50:02:04:09. Recurring costs. Recurring costs may include the following:

- (1) PSAP personnel costs to include the following:
  - (a) Salaries and wages, including overtime pay and payments for compensated absences under an established plan for vacation, sick leave, holidays, compensatory time or other forms of leave;
  - (b) Old age and survivor insurance (OASI) -- employer's share;
  - (c) Medicare -- employer's share;
  - (d) Retirement -- employer's share;
  - (e) Workers' compensation insurance premiums or contributions;
  - (f) Group health and life insurance -- employer's share;
  - (g) Unemployment compensation insurance -- employer's share; and
  - (h) Compensation for accrued leave paid out upon retirement, resignation, or termination under an established plan. If the employee's primary function and duties are to work as an employee of a PSAP or, at least 50 percent of the employee's work hours are spent performing PSAP duties, any or all of the employee's salary constitutes a personnel cost. The percentage of time spent by a County 911 Coordinator on 911 related duties may be proportionally paid as a personnel cost; and
- (2) PSAP operational costs, including the following:
  - (a) Insurance, including general liability, property, automobile, and employee bonds;
  - (b) Contractual and consulting services and fees;
  - (c) Recruitment and testing;
  - (d) Publishing;
  - (e) Rentals;
  - (f) Repairs and maintenance, including maintenance contracts and service agreements;
  - (g) Supplies and materials;
  - (h) Postage and other delivery costs;
  - (i) Travel;
  - (j) Training, including registration and certification fees;
  - (k) Membership dues and subscriptions; and
  - (l) Utilities, including telephone services.

50:02:04:10. Nonrecurring costs. Nonrecurring costs may include the following:

- (1) Real property, pro-rated to the percentage of the premises occupied by a PSAP;



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(2) Major improvements or remodel costs to a PSAP;

(3) Furniture and equipment, such as administrative and maintenance vehicles for a PSAP, furnishings, office equipment, computers and related connectivity, phone systems, radio systems, and recording equipment; and

(4) Software and data necessary to the operation of a PSAP.

50:02:04:11. Communication equipment allowed or disallowed as nonrecurring costs. 911 surcharge funds may be used to pay for radio communication equipment that allows a PSAP to page and communicate with emergency responders. Such equipment may include: back room radio equipment and racks, central electronics banks, radio software, desktop radio consoles, radio computers and servers, control station radios, control station antennas and cables, mobile radios used by a PSAP as a control station or base station radio, portable radios used in a PSAP for backup purposes, and repeaters of paging terminals used by a PSAP. 911 surcharge funds may be used to pay connectivity costs between the PSAP and allowable communication equipment.

911 surcharge funds may not be used to purchase radio communication equipment or systems for emergency responders or other municipal or county agencies. Prohibited equipment includes: portable and mobile radios, pagers, cell phones, mobile data terminal and related equipment, automatic vehicle location (AVL) systems and related equipment, pyramid radios or systems, warning sirens and related equipment, radio towers, and equipment shelters.

50:02:04:12. Physical addressing costs allowed or disallowed as nonrecurring costs. 911 surcharge funds may be used to pay initial one-time costs associated with a county or municipality issuing physical addresses for the purpose of implementing Enhanced 911 to include: street name signs, map books, and wages related to addressing. After Enhanced 911 has been implemented in a county, no 911 surcharge funds may be used to pay on-going maintenance costs related to addressing, street name signs, or map books.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=34-45-12>

34-45-12. 911 coordination fund--Distributions to public safety answering points. There is hereby created within the state treasury the South Dakota 911 coordination fund. Any funds collected from prepaid wireless telecommunications service pursuant to § 34-45-4.2 shall be deposited in the South Dakota 911 coordination fund. Any money in the South Dakota 911 coordination fund is continuously appropriated for reimbursement of allowable nonrecurring and recurring costs of 911 service and operating expenses of the board. The board shall authorize disbursements from the fund pursuant to this chapter for the expenses of the board and for approved nonrecurring and recurring costs requested by the governing body of eligible 911 public safety answering points. The board may solicit proposals to coordinate and implement an upgrade to the 911 emergency service system of all public safety answering points. The funds may be disbursed for the purpose of planning, coordinating, purchasing, installing, maintaining, and operating, an upgrade to the 911 emergency services system. Any interest earned on money in the fund shall be credited to the fund.



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In addition the local entities (cities/counties) expend 911 funds. The authority to approve the expenditure of funds collected for 911 or E911 purposes rests with the governing entity receiving such surcharge monies.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The South Dakota 9-1-1 Coordination Board has the statutory authority in 34-45-18.2 to promulgate rules regarding 911 expenditures. Administrative Rule 50:02:04:07 states the PSAP financial standards. <http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=50:02:04:07>

**50:02:04:07. Financial standards.** A PSAP must be operated according to the following financial standards:

- (1) Any governing body responsible for the operation of a PSAP must maintain within its accounting system a separate special revenue fund to be identified as the 911 Fund;
- (2) The financial balances and activities of the 911 Fund must be accounted for and reported in accordance with generally accepted accounting principles or other comprehensive basis of accounting;
- (3) Any governing body responsible for the operation of a PSAP must adopt an annual PSAP budget and submit it to the board on forms provided by the board. The budget must include all appropriations and the means of financing those appropriations;
- (4) Any governing body receiving 911 emergency surcharge funds must deposit all received funds, including all interest earned on fund investment, in the 911 Fund;
- (5) Any governing body that receives 911 emergency surcharge revenue shall submit an annual 911 Fund financial report to the board detailing all revenue, expenditures, fund balances, and other financial information as requested on forms provided by the board. The annual report shall be submitted to the State 911 Coordinator by March 31<sup>st</sup> of each calendar year;
- (6) All 911 emergency surcharge funds and all other funds allocated as a means of financing a PSAPs budget or other 911 related expenditures must be deposited in the 911 Fund and identified by revenue source code on the annual financial report. All 911 related expenditures must be made from the 911 fund;
- (7) All grant funds received from the board must be deposited in and expended from the 911 Fund; and



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(8) All recurring and nonrecurring costs paid from the 911 Fund must be allowable expenditures as prescribed by the board.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The 911 Coordination board has the authority to collect annual financial data from any entity receiving 911 surcharge funds.

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=34-45-20>

34-45-20. Board duties. The board shall:

- (1) Evaluate all of the current public safety answering points and systems throughout the State of South Dakota for their capability to adequately and efficiently administer systems;
- (2) Develop plans for the implementation for a uniform statewide 911 system covering the entire state or so much as is practicable;
- (3) Monitor the number and location of public safety answering points or systems and the use of 911 emergency surcharge funds in their administrative and operational budgets;
- (4) Develop criteria and minimum standards for operating and financing public safety answering points or systems;
- (5) Develop criteria for the eligibility and amount of reimbursement of recurring and nonrecurring costs of public safety answering points or systems;
- (6) Develop criteria for the implementation of performance audits of the use of the 911 fees utilized in the operation of the 911 system. The audit shall be conducted by the Department of Legislative Audit and shall be presented to the board and the Legislature;
- (7) Report annually to the Government Operations and Audit Committee about the operations and findings of the board and any recommendations for changes in the surcharges imposed by this chapter and the distribution of the revenue; and
- (8) Report annually to the Governor and the Legislature about the operations and findings of the board and any recommendations for changes to 911 service in the state.

The board has the authority to promulgate rules defining the allowable recurring/non-recurring costs with 911 surcharge funds.

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=34-45-18.2>

34-45-18.2. Promulgation of rules regarding operational standards, coordination of service, and expenditures. The board may promulgate rules pursuant to chapter 1-26 setting:

- (1) Minimum technical, operational, and procedural standards for the operation and utilization of a public safety answering point;
- (2) Requirements and amounts for reimbursement of recurring and nonrecurring costs;
- (3) Standards for coordination of effective 911 service on a statewide basis; and
- (4) Allowable expenditures of the 911 emergency surcharge proceeds collected pursuant to § 34-45-4.

No public safety answering point may be required to comply with the provisions of ARSD 50:02:04:02(2), unless the next generation 911 initiative has been implemented. The board shall determine when the next generation 911 initiative is operational. The board shall notify each public safety answering point not complying with the provisions of this rule when this determination has been made. The public safety answering point shall comply with the provisions of the rule within ninety days. However, any public safety answering point that



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submits a written request to the board to opt out of the provisions of ARSD 50:02:04:02(2) may only receive seventy-five cents of each surcharge assessed pursuant to § 34-45-4 that is to be remitted such public safety answering point. The remaining surcharge assessment shall be deposited in the public safety 911 emergency fund.

The board does not have the authority to enforce compliance with said rules. The board did contact any entity who expended 911 funds on non-allowable costs and requested that they correct their procedure immediately to come into compliance with the financial rules.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Zero

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

SDCL 34-45-18 established the South Dakota 911 Coordination Board. The 911 Coordination Board is charged with, among other things, setting the allowable expenditures of the 911 emergency surcharge proceeds collected pursuant to 34-45-4 and 4.2. SDCL 34-45-12 states "Any money in the South Dakota 911 coordination fund is continuously appropriated for reimbursement of allowable nonrecurring and recurring costs of 911 service and operating expenses of the board."



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The funds allocated to the State 911 Coordination Board are used to: pay the operating expenses of the board and state 911 coordinators office; to fund a statewide grant program designed to provide financial assistance to PSAPs that need help in funding non-recurring costs necessary to achieve or maintain compliance with the standards set out in Administrative Rules of South Dakota related to General Operational Standards, Call Taking Standards, Communication with Field Units, Facilities and Equipment, and Technical Standards; and to create a web-based data collection system to collect the annual financial reports from the entities receiving 911 surcharge monies.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

\$152,190

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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None

Tennessee



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3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

<p>Tenn. Code Ann. § 7-86-108(a)(1)(A) (landline);  Tenn. Code Ann. § 7-86-108(a)(1)(B) (wireless);  Tenn. Code Ann. § 7-86-108(a)(1)(B)(vi) (non-wireline);  Tenn. Code Ann. § 7-86-128 (pre-paid).</p>
--

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

<p><b>Wireline 911 funding mechanism:</b> The law authorizes local emergency communications district (ECD) boards of directors to levy an emergency telephone service charge in an amount not to exceed sixty-five cents (\$.65) per month for residential classification service users and two dollars (\$2.00) per month for business classification users. The 911 fee is remitted to each of Tennessee's 100 ECDs every two (2) months by the wireline telecommunications service providers operating within each ECD's boundaries. Tenn. Code Ann. § 7-86-110(a). An ECD may seek a public</p>
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referendum or request the Tennessee Emergency Communications Board (TECB) to increase the 911 service charge on landlines in the ECD's service area up to the statutory maximum which may not exceed one dollar fifty cents (\$1.50) for residential classification service users and three dollars (\$3.00) for business classification service users. Tenn. Code Ann. §§ 7-86-108(a)(2)(A); 7-86-306(a)(12).

**Non-wireline 911 funding mechanism:** The law authorizes the TECB to impose and collect a flat, statewide monthly 911 service charge on the users and subscribers of wireless telecommunications service to assist ECDs in the areas of management, operations and accountability and promote uniform, statewide 911 service. Tenn. Code Ann. §§ 7-86-108(a)(1)(B)(i)(a); 7-86-302(a); 7-86-303(d)(3)(A). The wireless 911 service charge remains at the amount set in 1998, \$1.00 per user or subscriber per month. In 2006, the law was amended to impose this same 911 fee on all non-wireline telecommunications service capable of connecting a person dialing or entering the digits 911 to a 911 call center. The fee is collected by non-wireline telecommunications service providers and remitted to the Board every two (2) months. Tenn. Code Ann. § 7-86-108(a)(1)(B)(ii)(a).

**Pre-paid 911 funding mechanism:** The law imposes a statewide prepaid wireless emergency telephone service charge of fifty-three cents (53¢) on each retail transaction involving the purchase of prepaid wireless telecommunications, except for "minimal amounts" which may be exempted from the fee at the seller's discretion. The law designates as minimal an amount of service denominated as ten (10) minutes or less, or five dollars (\$5) or less. Tenn. Code Ann. § 7-86-128.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$98,199,801.31 includes \$63,890,869.31 wireless (based on 2013 calendar year) and \$34,308,932. landline (based on fiscal year 2013 ECD audit figures)

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.



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**TECB's 911 Funding Mechanisms:** By law, the TECB distributes twenty-five percent (25%) of the revenue generated by the monthly service charge on users and subscribers of non-wireline telephone service to the State's 100 ECDs, based on the proportion of the population of each district to that of the State. Tenn. Code Ann. § 7-86-303(d)(1). The funds are distributed every two months.

The TECB also provides a number of non-statutory funding programs, described below, for the ECDs. Approximately 85% of the TECB's expenditures in FY 2013 were distributed directly to the ECDs.

Specifically, the TECB provides the Recurring Operational Funding (ROF) program to the ECDs to address the gradual decline in landline revenue and the disproportionality of the strictly population-based distribution required by Tennessee law (in 2013, the four most populous ECDs received almost 37% of the 25% statutory distribution). This program distributes over \$21.6 million annually. Under the ROF program, each district receives a base amount of \$80,000, annually as an acknowledgement of the basic costs intrinsic to providing 911 service without regard to the population served by the ECD. The remainder of the \$21.6 million (\$13.6 million) is divided among the districts based on seven (7) population groups. A set amount is allocated to each group based on the average audited cost ratios of each of the population groups, determined from an analysis of audited financial statements from the 2004/2005 fiscal year. In figuring this calculation, all personnel costs, including salaries and benefits, were excluded in order to assure more equal treatment between districts that dispatch and those that do not. Each ECD in each of the seven (7) population groups receives the same dollar amount. The population groups receive the following annual distributions, updated to reflect the new population counts from the 2010 census, which may be used in the operation of the districts for all purposes permitted under the TECB Revenue Standards:

<u>Population Groups (2010 Census):</u>	<u>Annual distribution to each ECD (per population group):</u>
Under 15,000	\$124,182
15,000 – 29,999	\$142,860
30,000 – 49,999	\$167,214
50,000 - 74,999	\$188,916
75,000 - 99,999	\$265,860
100,000 - 199,999	\$345,150
over 300,000	\$1,269,936

The TECB has also initiated a recurring program to provide over \$2 million annually to ECDs for dispatcher training. In addition, the Board offers \$10,000 annually to each ECD for GIS mapping maintenance. Further, all revenue the TECB receives from non-wireline telecommunications providers other than cell phone carriers (currently limited to



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911 fees on VoIP service) funds a program to incentivize ECDs to upgrade and maintain their GIS mapping systems. A uniform GIS Mapping System incorporating standards established by the National Emergency Number Association (NENA) is being incorporated into Tennessee's Next Generation 911 project because GIS maps will ultimately be used for call routing. ECDs must satisfy certain milestones to qualify for the funding, which are distributed in three payments annually.

In addition to recurring funding programs, the TECB offers ECDs non-recurring (one-time) funding and reimbursements for the purchase of essential equipment and other items up to the following amounts:

- \$50,000 for Geographic Information System ("GIS") Mapping Systems
- \$40,000 for Controllers
- \$450,000 for Essential Equipment
- \$5,000 for Master Clocks
- \$150,000 to each ECD that Consolidates (to a maximum of 3 ECDs)
- \$1,000 to Train Dispatcher Trainers
- \$100,000 to Cover Uninsured Catastrophic Event Losses

Additionally, the TECB has made \$25 million available to ECDs for CPE equipment used to connect them to the IP platform the state is deploying to modernize Tennessee's 911 infrastructure (Next Generation 911 Project). The funding plan provides each ECD with a base amount of \$120,000 plus an additional amount determined by the district's population.

**Criteria for Allowable Uses of 911 Funding:** Tenn. Code Ann. § 7-86-102(d) requires that each ECD use funds received from all sources "exclusively in the operation of the emergency communications district." Consistent with that mandate, the TECB has established 911 Revenue Standards pursuant to Tenn. Code Ann. § 7-86-306(a)(10), providing guidance to the ECDs on the Required, Permissible and Prohibited Uses of 911 revenue. These criteria can be found at <http://www.tennessee.gov/commerce/911/> under "Laws, Policies and Regulations."

ECDs are subject to annual audits to assure compliance with the Revenue Standards and generally accepted auditing standards. The auditing manual may be accessed at: <http://www.comptroller1.state.tn.us/repository/cal/mgt/tnecdmanual2008.pdf>.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Both the TECB and the boards of directors for each of Tennessee's 100 ECDs are authorized to approve the expenditure of funds collected for 911 and E911 purposes so



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long as the expenditures are consistent with Tennessee law and the TECB Revenue Standards. County Commissions must approve debt to be paid over five years or more.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

**Oversight Procedures Impacting the TECB:** The TECB's expenditures and all its other activities are subject to audit by the Office of the Comptroller of the Treasury. In addition, Tennessee law requires the TECB to submit an annual report on its activities, the status of statewide implementation of wireless and enhanced 911 service, compliance with the FCC's orders, the status and level of the 911 charge and the status, level and solvency of the 911 fund to the Governor, Speakers of the General Assembly and the Finance, Ways and Means Committees of the Tennessee Senate and the House of Representatives. Tenn. Code Ann. §§ 7-86-108(a)(1)(B) and 7-86-315.

**Oversight Procedures Impacting ECDs:** The law authorizes the TECB to withhold distributions of the non-wireline 911 service charge from ECDs that are operating in or fail to correct specific violations of the law including, but not limited to, the failure to submit an annual budget or audit, operating contrary to the open meetings act, or failing to comply with the emergency communications law. Tenn. Code Ann. § 7-86-108(f). The TECB may also withhold such distribution upon a finding that an ECD is not taking sufficient actions or acting in good faith to establish, maintain or advance wireline or wireless E-911 service. *Id.*

Further, expenditures by Boards of Directors of each of Tennessee's ECDs are subject to audit annually. The audit process is supervised by the Office of the Comptroller of the Treasury, which approves each audit and may conduct investigations on its own initiative. Tenn. Code Ann. § 7-86-113. In addition, the TECB conducts on-site ECD monitoring annually to assure compliance with operating, technical and revenue standards. To qualify for TECB reimbursement programs, ECD expenditures for essential equipment and NG911 equipment must meet TECB technical specifications and are subject to the review and approval of the TECB Chairman, Executive Director and the Chief of 911 Technical Service.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.



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During the annual period ending December 31, 2013, there were no circumstances requiring TECB enforcement action.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

None of the funds collected from the users and subscribers of non-wireline telecommunications service for 911 or E911 purposes by the TECB have been made available or used for purposes other than those designated by the funding mechanism for implementation or support of 911 and E911. The TECB is unaware of any circumstances in which local ECDs utilized 911 funding for purposes unrelated to 911 during the last fiscal year.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

**Expenditures by the TECB:** During the last year, the Tennessee Emergency Communications Board distributed approximately 85% of the revenue it collected to the State's 100 ECDs, which provide or facilitate 911 service locally. The TECB is statutorily mandated to distribute 25% of the revenue it collects from the 911 fees to the districts, but it voluntarily provides them with significantly more funding, including over \$25 million annually for the Recurring Operational Funding Program, dispatcher training and GIS mapping maintenance. A list of 911 equipment for which the TECB provides



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reimbursements to the ECDs is included in the response to question 4. About 1% of collected revenue was paid to, or made on behalf of ECDs, to reimburse for wireless carrier-related charges.

Approximately 3.8% of the Board's revenue was expended on agency administrative costs -- salaries, benefits, travel, rent, consultants and the like.

In addition, the TECB has expended 911 funds this year to:

- AT&T for the NG911 Network
- Telecommunications Systems, Inc. for NG911 management services
- Office of Information Resources/GIS for GIS services needed for the NG911 project

**Expenditures by the ECDs:** A comprehensive list of the activities, programs, and organizations receiving funds from each of the State's 100 ECDs over the last year does not exist. Tennessee law and the TECB Revenue Standards mandate that all funds received by ECDs be used exclusively in the operation of the district, which would be to support or enhance 911 service. Tenn. Code Ann. § 7-86-102(d). Annual audits are conducted to assure compliance.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	



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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

\$16,012,818.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Texas



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response: 10-50 hours

The following is the State of Texas' response to the FCC's Annual Information Collection as required by the federal NET 911 Act.

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

Wireline 9-1-1 fees: Texas Health and Safety Code Ann. §§ 771.071, 772.114, 772.214, 772.314, 772.403 and via municipal ordinances.<sup>1</sup>  
Statewide Wireless/Prepaid Wireless 9-1-1 Fees: Texas Health and Safety Code Ann. §§ 771.0711, 771.0712.  
Statewide Equalization Surcharge: Texas Health and Safety Code Ann. § 771.072.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Wireline 9-1-1 fees may only be imposed on a "local exchange access line" as that term is defined by the Texas Commission on State Emergency Communications (CSEC).<sup>2</sup>

<sup>1</sup> For municipal ordinances see e.g., Addison Code of Ordinance Sec. 82-242; Wylie City Ordinance 98-20; Town of Highland Park Ordinance No. 1355; Farmers Branch City Ordinance Sec. 30-121; City of Plano: Plano Code of Ordinances 7.5-17; Dallas County Commissioners Court, Court Order 87-1456 (Aug. 17, 1987).

<sup>2</sup> Tex. Health & Safety Code Ann. § 771.063(d).



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CSEC's definition includes voice service provided via interconnected Voice over Internet Protocol.<sup>3</sup> Wireline fees are set by CSEC for citizens in the state 9-1-1 program serving area, and individually by the 52 statutory and municipal Emergency Communication Districts (ECDs) for their respective regions. The wireless and prepaid wireless fees are statewide fees set by the Texas Legislature. The Equalization Surcharge is a statewide fee set by CSEC.

- The wireline 9-1-1 fee for the state 9-1-1 program (residential and business) is set at its statutory maximum of \$.50 per month.
- ECDs wireline 9-1-1 fee: Residential varies from \$0.20 to \$1.38 per month. Business wireline fees range from \$0.46 to \$3.96 per access line, up to a 100 line maximum in most ECD program service areas. Business trunks wireline fees range from \$0.74 to \$3.96.
- Statewide wireless 9-1-1 fee: \$.50 per month for wireless telecommunications connection.
- Statewide prepaid wireless 9-1-1 fee: 2% of the purchase price of each prepaid wireless telecommunications service.
- Statewide equalization surcharge: \$0.06 per month per local exchange access line access line or wireless telecommunication connection.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

	Wireline 9-1-1 Fees	Wireless 9-1-1 Fees	Prepaid Wireless 9-1-1 Fees	9-1-1 Equalization Surcharge	TOTALS
State of Texas <sup>4</sup>		\$102,747,464	\$21,306,879	\$19,675,421	\$143,729,764
State 9-1-1 Program	\$15,547,976				\$15,547,976
772 ECDs	\$35,230,707				\$35,230,707
Municipal ECDs	\$18,707,036				\$18,707,036
TOTALS	\$69,485,719	\$102,747,464	\$21,306,879	\$19,675,421	\$213,215,483

<sup>3</sup> 1 Tex. Admin. Code § 255.4 (Comm'n on State Emergency Communications).

<sup>4</sup> The wireless 9-1-1 fee, the prepaid wireless 9-1-1 fee, and the equalization surcharge are statewide fees that are remitted by service providers to the Texas Comptroller of Public Accounts. Each month CSEC distributes to the ECDs their pro-rata share of remitted wireless and prepaid wireless fees. On a quarterly basis, the Commission allocates to the RPCs their pro-rata share of appropriated wireline, wireless, and prepaid wireless fees. Appropriated equalization surcharge is used by CSEC to fund the state's poison control program and to supplement those RPCs whose allocated wireline/wireless/prepaid wireless fees are insufficient to fund 9-1-1 service.



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

9-1-1 service in Texas is provided via the state 9-1-1 program administered by CSEC and implemented through 23 Regional Planning Commissions (RPCs) and by 52 statutory or municipal Emergency Communication Districts (ECDs).

Funding of the state program is provided for by the Texas Legislature via a biennial appropriation to CSEC from collected wireline, wireless, prepaid wireless, and equalization surcharge fees remitted to the Texas Comptroller of Public Accounts and deposited into dedicated accounts. Funds in the dedicated accounts may be appropriated to CSEC only for "planning, development, provision, or enhancement of the effectiveness of 9-1-1 service or for contracts with [RPCs] for 9-1-1 service."<sup>5</sup> More specifically, appropriated wireline fees are allocated by CSEC to RPCs "for use in providing 9-1-1 services as provided by contracts executed under Section 771.078,"<sup>6</sup> Appropriated wireless fees "may be used only for services related to 9-1-1 service."<sup>7</sup> (In 2013 the Texas Legislature amended Health and Safety Code § 771.079 to add subsection (c-1) authorizing the Legislature to appropriate use 9-1-1 fees to "provide assistance to volunteer fire departments" but only if 9-1-1 service is fully funded and all other sources of revenue dedicated to assisting volunteer fire departments are obligated for the fiscal period. To date, no 9-1-1 fees have been appropriated to volunteer fire departments.) The RPCs pay 9-1-1 service expenses directly to service providers and make grant funds available through Interlocal Agreements to public agencies within each RPC's region to provide 9-1-1 service.

Equalization surcharge fees are appropriated to CSEC by the Texas Legislature and allocated by CSEC to "fund approved plans of regional planning commissions and regional poison control centers [under § 777.009]<sup>8</sup> and to carry out its duties under this chapter."<sup>9</sup> There are six regional poison control centers (RPCCs) that comprise the Texas Poison Control Network. CSEC administers the poison control program in a manner similar to that of the state 9-1-1 program by providing grants to fund CSEC-

<sup>5</sup> Tex. Health & Safety Code Ann. § 771.079(c).

<sup>6</sup> § 771.071(f).

<sup>7</sup> § 771.0711(c).

<sup>8</sup> CSEC administers the Texas Poison Control Program via approved strategic plans and grants to six host medical institutions located throughout Texas.

<sup>9</sup> Tex. Health & Safety Code Ann. § 771.072(f).



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approved strategic plans of the RPCCs. Surcharge may also be appropriated to fund the state emergency medical dispatch program<sup>10</sup> and “fund county and regional emergency medical services, designated trauma facilities, and trauma care systems.”<sup>11</sup>

ECDs impose, collect and make available wireline 9-1-1 fees at the local level in accordance with Health and Safety Code Chapter 772 or via their local governing bodies and ordinances—depending upon the type of ECD. Wireline 9-1-1 fees collected within the areas of 772 ECDs are accounted for in the ECDs’ annual budget and may be expended only for 9-1-1 purposes as expressly provided by the applicable law in Texas Health and Safety Code Chapter 772.<sup>12</sup> The use of wireline 9-1-1 fees collected by Municipal ECDs is prescribed by applicable laws or ordinances for expending funds in accordance with city and county budgets.<sup>13</sup> On a monthly basis, CSEC distributes to each ECD its pro-rata share of the total statewide wireless and prepaid wireless fees remitted to the Texas Comptroller based on the ratio of each ECD’s population to the population of the state.<sup>14</sup> ECDs allocate their proportion of wireless and prepaid fees to their local governing bodies in the same manner as wireline 9-1-1 fees. Wireless 9-1-1 fees, regardless of the 9-1-1 entity in receipt thereof, “may be used only for services related to 9-1-1 service.”<sup>15</sup>

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Texas Legislature appropriates wireline and wireless fees collected from within the state 9-1-1 program region, and appropriates all equalization surcharge funds collected in the state.

CSEC approves the expenditure of appropriated and allocated 9-1-1 funds with respect to the state 9-1-1 program and poison control program (funded only from the state equalization surcharge).

Statutory ECDs are governed by a Board of Managers (“Board”) comprised of representatives from each of the governmental jurisdictions participating in the ECD.

Municipal ECDs’ budgets, and audits thereof, are subject to applicable municipal ordinances and/or Texas Local Government Code Chapters 102 (budgets) and 103

<sup>10</sup> § 771.106.

<sup>11</sup> § 771.072(g) (quotation from § 773.122 regarding Emergency Medical Services).

<sup>12</sup> §§ 772.114, 772.214, and 772.314; Texas Att’y Gen Op. No. JC-410.

<sup>13</sup> Tex. Local Gov. Code, Chapter 102 (city budgets); Tex. Local Gov. Code, Chapter 111 (county budgets). See also e.g., City of University Park Code of Ordinance 1.1102; City of Lancaster Ordinance, Chapter 1, Article 1.400, Sec. 1.402; City of Hutchins, Ordinance No. 692, Sec. 1., Art. 11.801.

<sup>14</sup> Tex. Health & Safety Code Ann. § 771.0711(c).

<sup>15</sup> Id.



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(audit of finances). The sole county Municipal ECD—the Dallas County Sheriff's Office—is subject to Texas Local Government Code, Chapters 111 (budget) and 112 (financial accounting) and acts under the authority of the Dallas County Commissioners Court.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

CSEC, as the administrator of the state 9-1-1 and Poison Control programs. (Poison program is funded on a reimbursement basis only from the equalization surcharge.) CSEC approves RPC expenditures and RPCC reimbursements in accordance with state law and legislative directives limiting the uses of such funds. Such expenditures and reimbursements must be consistent with CSEC-approved strategic plans and contracts by and between CSEC and each RPC and CSEC and each RPCC. Oversight is provided by CSEC through compliance monitoring of its RPC and RPCC stakeholders in accordance with CSEC rules, program policy statements, and its contracts with stakeholders. Additionally, each RPC and RPCC is subject to audit by the Texas state auditor and pursuant to state law and contracts executed with CSEC.

Each statutory ECD Board has the authority under Texas Health and Safety Code Chapter 772 to determine allowable 9-1-1 expenses in accordance with its annual budget. Allowable expenses for such ECDs "include all costs attributable to designing a 9-1-1 system and to all equipment and personnel necessary to establish and operate a public safety answering point and other related answering points that the board considers necessary."<sup>16</sup> 772 ECDs are also required to have their director submit a sworn statement on all money received and disbursed and have an independent financial audit.<sup>17</sup> Funds collected for 9-1-1 purposes can only be spent for activities, programs, and organizations that are reasonably beneficial and/or support 9-1-1 services or enhancements in accordance thereto. Oversight procedures reflect the normal operation of a 772 ECD.

Municipal ECD oversight procedures reflect the normal operation of a Municipal ECD. In most instances, budgets are approved by the city council and oversight is provided by city or other officials. For example, the City of Coppell's Director of Finance reviews 9-1-1 expenditures on a monthly basis to determine if all purchases are in compliance. In Highland Park, the Town Finance Director works with the Communication Manager to document 9-1-1 related receipts and expenditures.

<sup>16</sup> §§ 772.117, 772.217, and 772.317.

<sup>17</sup> §§ 772.109, 772.209, and 772.309.



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

For the 2013 calendar year, no enforcement or corrective actions were necessary or taken by CSEC, 772 ECD Boards, or Municipal ECD officials regarding the expenditure of funds with respect to the use of 9-1-1 funds.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

On behalf of the State of Texas, the RPCs and ECDs, CSEC affirms that no 9-1-1 funds have been made available or used for purposes other than those designated by the applicable funding mechanism or used for purposes unrelated to 9-1-1 or E911.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

**State Administered Activities, Programs, and Organizations:**

Activities  
STATEWIDE 9-1-1 SERVICE: Planning, developing, provisioning, and/or enhancement of 9-1-1 service.  
POISON CONTROL SERVICES: Maintain high quality telephone poison referral and related service, including community programs and assistance, in Texas.



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**9-1-1 PROGRAM ADMINISTRATION:** Provide for the timely and cost effective coordination and support of statewide 9-1-1 service by CSEC, including regulatory proceedings, contract management and monitoring, and requirements contained in Health and Safety Code § 771.051.

**POISON PROGRAM MANAGEMENT:** Provide for the timely and cost effective coordination and support by CSEC of the Texas Poison Control Network and service providers, including monitoring, administration of the telecommunications network operations, and the operations of Texas' six regional poison control call centers. Funded on a reimbursement basis solely out of collected equalization surcharge.

**EMERGENCY MEDICAL DISPATCH:** Support the regional emergency medical dispatch resource center pilot program.

**TRAUMA CARE SYSTEM:** Support the emergent, unexpected needs of approved licensed providers of emergency medical services (EMS), registered first responder organizations, or licensed hospitals.

#### **Programs**

**9-1-1 NETWORK OPERATIONS, EQUIPMENT REPLACEMENT AND NG 9-1-1 IMPLEMENTATION:** CSEC contracts with Regional Planning Commissions (RPCs) or on their behalf for the efficient operation of the state 9-1-1 emergency telecommunications system; provides the RPCs with contract authorization and funding for the replacement of equipment supporting Public Safety Answering Points (PSAPs) participating in the state's 9-1-1 program; and provides for the planning, development, transition and implementation of a statewide Next Generation 9-1-1 (NG9-1-1) system to improve the effectiveness and efficiency of 9-1-1 service.

*This program supports emergency communications and public health and safety by providing the network, equipment, database and administration necessary to provide 9-1-1 telecommunications service.*

**REGIONAL POISON CONTROL CENTER OPERATIONS AND TEXAS POISON CONTROL NETWORK OPERATIONS:** CSEC contracts with six RPCCs to provide poison control services and to assist in maintaining the Texas Poison Control Network. Citizens calling 1-800-222-1222, or a 9-1-1 call transferred from a PSAP, receive medical information to treat a possible poison or drug interaction before medical services are required to be dispatched. CSEC also contracts and funds the telecommunications services necessary to operate and maintain the poison control telecommunications network, including network, equipment and software to facilitate call delivery and treatment.

*This program supports an enhancement to 9-1-1 emergency communications and public health and safety by providing the network, equipment, databases, administration and staffing to provide poison control service to the public, first responders and health*



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care facilities.

**REGIONAL EMERGENCY MEDICAL DISPATCH RESOURCE CENTER:** The purpose of this program is to serve as a resource to provide pre-arrival instructions that may be accessed by selected public safety answering points that are not adequately staffed or funded to provide those services. (Health and Safety Code § 771.102) PSAPs subscribe to emergency medical dispatch (EMD) services provided by the resource center.

*This program supports 9-1-1 emergency communications and public health and safety with a resource for pre-arrival instructions when 9-1-1 calls originate from persons in remote or inaccessible areas to which the dispatch of emergency service providers may be difficult or take a long period of time.*

**EMERGENCY MEDICAL SERVICES AND TRAUMA CARE SYSTEMS:** The purpose of the emergency medical services and trauma care system is to provide for the prompt and efficient transportation of sick and injured patients, after stabilization, and to encourage public access to that transportation in each area of the state. Equalization surcharge is used to fund the system, in connection with an effort to provide coordination with the appropriate trauma service area, the cost of supplies, operational expenses, education and training, equipment, vehicles, and cost of supplies, operational expenses, education and training, equipment, vehicles, and communications systems for local emergency medical services. (Texas Health & Safety Code § 773.112 (a) – (c).)

*This program supports an enhancement to 9-1-1 emergency communications and public health and safety by enhancing the communications systems and response of local emergency medical service responders.*

#### **Organizations**

**REGIONAL PLANNING COMMISSIONS:** Established under Texas Local Government Code, Chapter 391. Political subdivisions with whom CSEC is required to contract for the provision of 9-1-1 service. RPCs purchase goods and services that provision 9-1-1 service to PSAPs with state appropriated funds that are granted by CSEC.

**REGIONAL POISON CONTROL CENTERS:** Texas Health and Safety Code Chapter 777 designates six regional centers for poison control in Texas. RPCCs provide 24-hour toll-free referral and information service for the public and health care professionals and provide community programs and assistance on poison prevention. Each PSAP in the state of Texas is required to have direct access to at least one poison center.

**UNIVERSITY OF TEXAS MEDICAL BRANCH - GALVESTON:** Money in the 9-1-1 services fee fund and other state funds are appropriated to the University of Texas Medical Branch at Galveston (UTMB-Galveston) to fund emergency medical dispatch. (Texas Health and Safety Code § 771.106.) Funds are appropriated by the Texas Legislature directly



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to UTMB-Galveston, which in turn contracts with the Montgomery County Hospital District to operate and maintain the emergency medical dispatch center that provides services, on a subscription basis, to the PSAPs in Texas.

**BUREAU OF EMERGENCY MANAGEMENT, TEXAS DEPARTMENT OF STATE HEALTH SERVICES:**

Funds in the equalization surcharge dedicated account established are appropriated by the Texas Legislature directly to the Texas Department of State Health Services, and authorized to be used for the provision and coordination regional trauma services, which may include the cost of supplies, operational expenses, education and training, equipment, vehicles, and communications systems for local emergency medical services. (Texas Health and Safety Code § 773.112 (a) – (c).)

**772 EMERGENCY COMMUNICATION DISTRICTS:**

The 772 ECD expenditures include ongoing contracts or expenses for Selective Routing, Automatic Location Identification, Customer Premises Equipment, Geographic Information Systems and Mapping, NG9-1-1 transition migration, IP and/or wireless networks, security, legal, regulatory, advocacy, accounting, auditing, emergency notification, training, employer/employee related amounts, and memberships or conferences that support 9-1-1 services and/or enhancements and sponsored by organizations such as the National Emergency Number Association, the Texas Emergency Number Association, and the ATIS Emergency Services Interconnection Task Force (ESIF).

**Municipal Emergency Communication Districts (incl. Dallas County Sheriff's Office):**

Municipal ECD expenditures are substantially used to purchase, install, maintain 9-1-1 equipment; and staff and operate PSAPs, including personnel salaries, training of call-takers, dues and subscriptions to professional organizations which enhance the development of 9-1-1 service. Additionally, 9-1-1 funds are used to pay for 9-1-1 network and 9-1-1 database maintenance costs, and reimbursing service providers costs incurred in providing 9-1-1 service. Funds are also used for location services, public education, emergency warning sirens/systems, emergency medical dispatch training and certification, and general support of a Municipal ECDs 9-1-1 division. 9-1-1 funds are oftentimes only a minor part of the funding needed to provide 9-1-1 service or operate an emergency communications center.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	



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12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

For the 2013 calendar year, the amounts expended on NG9-1-1 are as follows:  
State 9-1-1 Program: Six RPCs spent a total of \$6,705,240 in allocated 9-1-1 funds on NG9-1-1 related to implementation of regional Emergency Services Internet Protocol Networks (ESInets).  
772 ECDs: \$8,211,754 in 9-1-1 funds on NG9-1-1 related to implementation of regional ESInets.  
Municipal ECDs: \$116,168.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

In addition to 9-1-1 funds, local governments rely upon other revenue sources to fund parts of the 9-1-1 system, including funding emergency call-taker salaries and training.

Utah<sup>2</sup>



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3060-1122  
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Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

Utah Code Ann. § [69-2-5](#)

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

- The local government \$0.61 fee (61 cent fund) is outlined in Utah Code Ann. § [69-2-5](#)
- The statewide Computer Aided Dispatch \$0.06 fee (6 cent fund) directed to the Utah 911 Committee is outlined in Utah Code Ann. § [69-2-5.5](#)
- The statewide \$0.09 fee (9 cent fund) directed to the Utah 911 Committee is outlined in Utah Code Ann. § [69-2-5.6](#)
- Prepaid wireless 911 service charge is outlined in in Utah Code Ann. § [69-2-5.7](#)

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

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<sup>2</sup> Utah's filed report states that it collected \$2,935,471.03. After filing its report, Utah verbally corrected its filing with Bureau staff, reporting that the state had collected approximately \$29,354,710.30.



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- **\$2,935,471.03**

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

- The Utah State Tax Commission collects the fees on each local exchange service switched access line and each revenue producing radio communications access line that is subject to an emergency services telecommunications charge levied by a county, city, or town under Utah Code Ann. § [69-2-5](#) or § [69-2-5.5](#). Upon the collection of qualifying telecommunications charge revenues, the Tax Commission transmits the amount of qualifying telecommunications charge revenues to an original recipient political subdivision. "Original recipient political subdivision" means a county, city, or town to which the commission makes an original distribution.
- The allowable use of collected 911 funds are outlined in Utah Code Ann. § [69-2-5\(4\)\(b\)](#).

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

- Upon the collection of qualifying telecommunications charge revenues, the Tax Commission transmits the amount of qualifying telecommunications charge revenues to an original recipient political subdivision. "Original recipient political subdivision" means a county, city, or town to which the commission makes an original distribution.
- The allowable use of collected 911 funds are outlined in Utah Code Ann. § [69-2-5\(4\)\(b\)](#).
- In addition, the Utah 911 Committee has authority under Rules governing the use of funds has the authority to approve the expenditure of funds in the Rules authorized by Section [53-10-602\(5\)](#) - **R720**. Public Safety, Criminal Investigations and Technical Services, 911 Committee (Utah).



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- **A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.**  
Regulations covering the oversight of distribution of the 61 cent fund are found in Utah Code Ann. § [69-2-5.8](#) State Tax Commission Redistribution of Revenues from Certain Telecommunications Charges.
- The Utah Tax Commission oversees how the collected 61 cent funds are being made available for used for the purposes designated by the funding mechanism or otherwise used to implement or support 9-1-1.
- Rules governing the use of the 8 cent fund may be found in Rules authorized by Utah Code Ann. § [53-10-602\(5\)](#) - R720, and § [53-10-605](#) Public Safety, Criminal Investigations and Technical Services, 9-1-1 Committee (Utah).
- The Utah State 9-1-1 Committee regularly audits, on a monthly basis, how the collected 8 cent funds are being made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 9-1-1.

6. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

There was no enforcement or other corrective actions taken in connection with such oversight in 2013.

7. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

8. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

All funds collected for 9-1-1 or E9-1-1 in 2013 were used solely for the purposes designated by the funding mechanism.



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9. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

All funds collected for 9-1-1 or E9-1-1 in 2013 were used solely for the purposes designated by the funding mechanism.

10. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

11. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

12. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

N/A

13. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

[HB 155](#) was enacted at the 2014 Legislative Session and took effect July 01, 2014. It increased the 8 cent fund to 9 cents § [69-2-5.6](#), and created the new statewide Computer Aided Dispatch \$0.06 fee (6 cent fund) directed to the Utah 911 Committee is outlined in Utah Code Ann. § [69-2-5.5](#)

Vermont



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Approved by OMB  
3060-1122  
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Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Title 30, Chapter 88 Universal Telecommunications Service

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

\$4,628,027

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$4,628,027



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The State grants or contracts with 8 PSAPs to make payments in support of an assigned number of call taking "seats" in the amount of \$45,000 per "seat". The funds may be used for any purpose, but the PSAP must maintain the required number of seats in order to receive the grant or contracted amount. The total amount provided is \$1,170,000.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Enhanced 911 Board is the only entity authorized to approve expenditure of funds collected for E911 purposes.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The funds are provided based on the appropriated budget for the 911 program. Funds are collected through a fiscal agent managed by the Public Service Board, and collected funds are distributed to the program on a monthly basis by electronic transfer from the fiscal agent to the State Treasurer, which in turn passes the funding through to the Enhanced 911 Board account.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

None to report

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**



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YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No funds were made available or used for any other purpose.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Other than programs and operations managed by the Enhanced 911 Board, the only other use of 911 funds consist of payments to the 8 PSAPs as described in # 4 above.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	



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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

\$4,628,027

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Virginia



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Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

If "yes," please include a citation to the legal authority for such mechanism.

The Commonwealth of Virginia has established a funding mechanism for the support and implementation of wireless E-911. The state E-911 surcharge on wireless telephone service is imposed pursuant to Article 7 of Chapter 15 of Title 56 of the Code of Virginia (§ 56-484.12, et. seq.), <http://law.lis.virginia.gov/vacode/title56/chapter15/> .

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

The state wireless E-911 surcharge is a monthly fee of \$0.75. Each CMRS provider and CMRS Reseller collects a wireless surcharge from each of its customers whose place of primary use is within the Commonwealth. In addition, a \$0.50 prepaid wireless E-911 charge shall be collected per retail transaction by the dealer from the end user with respect to each retail transaction occurring in the Commonwealth.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The total amount collected pursuant to the assessed surcharge for the annual period ending December 31, 2013 is \$55,212,203.72.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

A payment equal to all wireless E-911 surcharges is remitted within 30 days to the Department of Taxation. The Department of Taxation, after subtracting its direct costs of administration, deposits all remitted wireless E-911 surcharges into the state treasury. These monies are then deposited into the Wireless E-911 Fund (the Fund), a special nonreverting fund created in the state treasury. The collected wireless surcharge funds are made available pursuant to Code of Va. § 56-484.17 (<http://law.lis.virginia.gov/vacode/title56/chapter15/section56-484.17/>). The distribution of wireless E-911 funding is as follows:

- Sixty percent of the Wireless E-911 Fund shall be distributed on a monthly basis to the PSAPs according to each PSAP's average pro rata distribution from the Wireless E-911 Fund for fiscal years 2007-2012, taking into account any funding adjustments made pursuant to any audit performed by the Board. On or before July 1, 2017, and every five years thereafter, the Department of Taxation shall recalculate the distribution percentage for each PSAP
- Using 30 percent of the Wireless E-911 Fund, the Board shall provide full payment to CMRS providers of all wireless E-911 CMRS costs.
- The remaining 10 percent of the Fund and any remaining funds for the previous fiscal year from the 30 percent for CMRS providers shall be distributed to PSAPs or on behalf of PSAPs based on grant requests received by the Board each fiscal year. The Board shall establish criteria for receiving and making grants from the Fund, including procedures for determining the amount of a grant and a payment schedule; however, the grants must be to the benefit of wireless E-911.



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In 2006, legislation replaced many of the historic state and local communications taxes and fees with a centrally administered communications sales and use tax and a uniform statewide E-911 tax on landline telephone service. The landline E-911 tax is imposed at the rate of \$0.75 per line. The landline E-911 tax is collected and remitted monthly by communications services providers to the Commonwealth's Department of Taxation and deposited into the Communications Sales and Use Tax Trust Fund. Moneys in the Fund are distributed by the Department of Taxation to localities on a monthly basis.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Virginia E-911 Services Board (the Board) is the entity within the Commonwealth of Virginia that has the authority to approve the expenditures of funds collected for wireless E-911 purposes. Pursuant to Code of Va. § 56-484.14 (<http://law.lis.virginia.gov/vacode/title56/chapter15/section56-484.14/>), the Board can "collect, distribute, and withhold moneys from the Wireless E-911 Fund".

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Pursuant to Code of Va. § 56-484.17 (<http://law.lis.virginia.gov/vacode/title56/chapter15/section56-484.17/>), at the end of each fiscal year, on a schedule adopted by the Board, the Board audits the wireless grant funding received by all recipients to ensure that it was utilized in accordance with the grant requirements. In addition, the Auditor of Public Accounts annually audits the Wireless E-911 Fund.



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No enforcement or other corrective actions have been taken in connection to the oversight of the Wireless E-911 Fund for the annual period ending December 31, 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

In addition to the funding distribution mentioned above, wireless moneys are utilized for two other purposes that support wireless E-911. First, pursuant to Item 416 of the previous biennial budget (<http://lis.virginia.gov/cgi-bin/legp604.exe?131+bud+11-416>), wireless E-911 funding is provided to the Virginia State Police for related costs incurred for answering wireless 911 telephone calls. Secondly, pursuant to Code of Va. § 2.2-2031 (<http://law.lis.virginia.gov/vacode/title2.2/chapter20.1/section2.2-2031/>), the operating expenses, administrative costs, and salaries of the employees of the Division of Public Safety Communications are paid from the Wireless E-911 Fund.

Item 68 of the previous biennial budget for the Commonwealth of Virginia (<http://lis.virginia.gov/cgi-bin/legp604.exe?131+bud+11-68>), wireless E-911 funds will be used to support sheriff's 911 dispatchers. In both fiscal years, it is budgeted that \$8M will be transferred from the Wireless E-911 Fund to the Compensation Board for this purpose. Although the support of sheriffs' dispatchers is not specifically mentioned in



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the funding mechanism established in Code, the purpose is directly related to supporting E-911.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

In addition to providing wireless E-911 funding to localities and CMRS providers, 10 percent of the Wireless E-911 Fund goes to support the PSAP Grant Program. The PSAP Grant Program is a multi-million dollar grant program administered by the Virginia E-911 Services Board. The primary purpose of this program is to financially assist Virginia primary PSAPs with the purchase of equipment and services that support the continuity and enhancement of wireless E-911. Within this program, there are three programmatic areas:

- PSAP Wireless Education Program
- Continuity and Consolidation Program
- Enhancement Program.

The purpose of the Education Program is to provide 911 specific group education and training opportunities within the Commonwealth. The purpose of the Continuity and Consolidation Program is to provide funding to PSAPs for consolidations and projects designed to replace or upgrade wireless E-911 equipment and services that are out of service, without vendor support, technically outdated, or can no longer perform at an established minimum functional standard to sustain an acceptable level of service to the public. The purpose of the Enhancement Program is to provide funding for projects designed to strengthen, broaden or increase the current wireless E-911 operations through equipment, PSAP staff development, or service beyond that PSAP's current capabilities, including Next Generation 911. Since the inception of the PSAP Grant Program in 2007, over \$53M in grant awards have been distributed to Virginia PSAPs.



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11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

For the annual period ending December 31, 2013, the Commonwealth has expended \$260,000 on Next Generation 911 programs. The Commonwealth has also appropriated funding for a NG9-1-1 Feasibility study, which will be competed in calendar year 2014.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

The most recent copy of the E-911 Services Board's Annual Report is available from the following link: <http://www.vita.virginia.gov/isp/default.aspx?id=8576>.

The Code of Virginia (§56-484.14) requires the Board to report annually to the



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Governor, the Senate Committee on Finance, the House Committee on Appropriations, and the Virginia State Crime Commission on the following:

- (i) the state of enhanced 9-1-1 services in the commonwealth,
- (ii) the impact of, or need for, legislation affecting enhanced 9-1-1 services in the commonwealth,
- (iii) the need for changes in the E-911 funding mechanism provided to the Board, as appropriate, and
- (iv) monitor developments in enhanced 9-1-1 service and multi-line telephone systems and the impact of such technologies upon the implementation of Article 8 (§ 56-484.19 et seq.) of Chapter 15 of Title 56.

Washington



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**Approved by OMB**  
**3060-1122**  
**Expires: May 31, 2015**  
**Estimated time per response:**  
**10-50 hours**

Pursuant to OMB authorization 3060-1122, the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Washington State is proud of our 911 accomplishments over the years and we are continuing to move forward with Next Generation 911 technology to upgrade state-wide 911 capabilities.

In answering your questions derived from provisions of the NET 911 Act we believe it is valuable to establish some background for the Enhanced 911 Program in Washington State. The program was authorized in 1991 with the voter approval of Referendum 42. That act modified existing local taxing authority and established the obligation of counties to assure that Enhanced 911 (E911) dialing was available, established a statewide program to support the counties, and permitted both a local and statewide taxing authority to support the implementation and operation of Enhanced 911. Modifications of the legislation since that time have extended the tax to wireless, implemented requirements for private telephone system integration to the 911 system, and changed the role of the state program to attain efficiencies by acquiring network and database services for all counties. 911 services to Tribal Governments are included in the county obligation to assure E911 dialing. Information provided is effective as of December 31, 2013. The state Legislature revised the E911 statute effective January 1, 2011 increasing the county maximum 911 fee to \$.70 cents per month and increasing the maximum statewide fee to \$.25 cents per month. Pertinent statutes and rules concerning controls on the use of the funds can be viewed on the Emergency Management web page at: [http://www.emd.wa.gov/e911/e911\\_financial\\_support.shtml](http://www.emd.wa.gov/e911/e911_financial_support.shtml) under policies and laws.

With that preamble: All counties are authorized by Revised Code of Washington 82.14B.030(i) to impose a county enhanced 911 excise tax on the use of switched access lines, radio access lines and voice over IP access lines.



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2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

As of December 31, 2013, all counties in Washington State had implemented the maximum 911 fee of \$.70 per month per subscriber for wireline, wireless and VoIP services. The State also implemented the maximum statewide fee of \$.25 per month per subscriber for wireline, wireless, and VoIP services. These fees are authorized by Revised Code of Washington 82.14B.030(i).

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Total receipts for the period January 2013 to December 2013 were \$26,314,605 for the state fee and \$69,572,482 for the counties' fee.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

The State and County fees are collected by the carriers and are submitted to the Department of Revenue who then deposits them into the state and counties' Enhanced 911 accounts. The use of the fees is controlled by two mechanisms. The first is the limitations imposed by RCW 82.14B.020 and RCW 82.14B.050 that together permit a fairly broad utilization of the county tax. The second limiting factor is the requirement associated with counties receiving assistance from the State 911 Program. A definitive list of permitted uses for the funds has been directed by Washington Administrative Code (WAC) 118-66 which requires the counties to spend their local collection on those items on the list before being eligible for state assistance, and also places limits on the amount that will be considered for reimbursement for many items. The funding collected from the 911 excise taxes is less than the total funding required to operate Enhanced 911 in Washington State. The remaining support comes from other local government sources.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Washington counties are given certain latitude in the use of the locally collected 911 funds to the degree that they must commit to expenditures in support of 911 equal to the amount that the tax generates. The rules promulgated by the state E911 Program for the use of county funds before being eligible for state assistance provides definitive control over the use of the funds in all 39 counties. For clarity, a statement identifying the appropriate use of both the state and local funds needs to take into account both the restrictions and the latitude of the enabling statutes. For the 39 counties the state provides assistance to, it is absolutely clear that the excise taxes collected are used in direct support of E911 activities. The latitude



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provided the other counties permits them some discretion in the use of the funds, but it is clear that in each case the fiscal commitment of local government to E911 activities exceeds the local excise tax collection.

- 6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

During previous years, the control process the State E911 Program Office utilized along with audit controls provided by the Office of the State Auditor have uncovered instances of use of E911 Funds for unauthorized purposes. These all were promptly remedied.

- 7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

There were no instances detected of unauthorized use of E911 funds in 2013. The control mechanisms for the expenditure of E911 Excise taxes are quite detailed and are clearly in support of the Legislative intent that the funds are spent as presented to the voters, solely to provide E911 services. The equivalency provisions in the statutes governing the use of the funds give local government some options on how to apply the funding, but make it clear that there is an obligation to support E911 not only to the degree that the tax is collected, but to the total permitted by the taxing authorization.

- 8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

- 9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.



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In 2013, the Washington State Legislature allocated \$10.8 million dollars from the state enhanced 911 account to the Washington State Military Department for operating expenses, and \$3.5 million dollars were allocated to fund computer system upgrades for the criminal history section of the Washington State Patrol.

Additionally, in 2012, the Washington State Legislature allocated \$2 million dollars from the state enhanced 911 account to fund radio equipment for the Washington State Patrol -- however, those funds were not expended until 2013 so were not included in last year's submission.

Changes were made simultaneously to state statutes to allow these specific purchases/needs as an authorized use of 911 funds under state law. All other 2013 E911 excise taxes collected at the state and local level were used for the expressed support, implementation, and operation of the 911 system.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The Washington State E911 program reimburses counties for eligible expenses incurred in excess of local E911 excise tax revenues received. WAC 118-66-050 specifies the expenses for which the counties may seek reimbursement. In general terms these can be categorized as salaries, equipment, maintenance support, training, public education, professional development, and mapping/geographic information systems (GIS). Additionally, the state funds the following statewide services: ESInet and associated costs (less \$1 million funded by King County), TTY training, call receiver training, and interpretive services. The state supports the following programs, Public Education and Telecommunicator Emergency Response Team. It also supports the E911 Advisory Committee, chartered by RCW 38-52-530, and its subcommittees. All expenditures directly support E911 services.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

Washington State law specifically classifies Next Generation 911 technology and associated costs as permissive expenditures of funds for E911 purposes.

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO



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X	
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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Washington State expended funding in 2013 on both the continued modernization of the state-wide 911 network to an ESInet, and the procurement and fielding of Next Generation 911 end user equipment, to include digital logging recorders, and upgraded GIS technology and services.

The state expended \$9,350,343 on Next Generation 911 programs in the annual period ending December 31, 2013.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

None

West Virginia



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response: 10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

If "yes," please include a citation to the legal authority for such mechanism

YES	NO
X	
<p>In WV 911/E911 fees are collected from subscribers of landline, wireless, and Voice over Internet Protocol (VoIP) telecommunications service providers. Funding for land-line service is provided for under WV Code §7-1-3cc. This section of the Code Authorizes County Commissions to impose a fee on consumers of local exchange service within their county for the purpose of funding an emergency telephone system. These fees vary based on ordinances passed by each county commission and are collected by the local exchange carrier and remitted directly to the county.</p> <p>In addition, §24-6-6b of the State Code imposes a fee to be collected by all CMRS providers on each valid retail commercial mobile radio service subscription as defined by the West Virginia Public Service Commission. That fee is currently three dollars (\$3) per month per subscriber. That three dollar fee is divided as directed in the statute in the following manner as defined in the WV Code:</p> <p>"ten cents to be distributed to the West Virginia State Police to be used for equipment upgrades for improving and integrating their communication efforts with those of the enhanced 911 systems: Provided, however, that for the fiscal year beginning on the first day of July, two thousand five, and for every fiscal year thereafter, one million dollars of the wireless enhanced 911 fee shall be distributed by the Public Service Commission to subsidize the construction of towers"...And provided further, That for the fiscal year beginning the first day of July, two thousand six, and for every fiscal year thereafter, five percent of the wireless enhanced 911 fee money received by the Public Service Commission shall be deposited in a special fund established by the Division of Homeland Security and Emergency Management to be used solely for the construction, maintenance and upgrades of the West Virginia Interoperable Radio Project and any other costs associated with establishing and maintaining the infrastructure of the system."</p>	



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2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Below is the County approved 911 fee collected for each land line and VoIP providers. For all wireless customers, the fee is \$3 per line per customer.

Jan-13	County	Fee	Comment Field	CTX RATE	ISDN PRI Rate
1	Barbour	\$3.00		\$0.3750	\$15.00
2	Berkeley	\$2.75		\$2.75 Lines 1-8, \$0.3437 Lines 9>	\$13.75
3	Boone	\$2.00		\$0.25	\$10.00
4	Braxton	\$2.10		\$0.2625	\$10.50
5	Brooke	\$2.05		\$2.05 Lines 1-8, \$0.2562 Lines 9>	\$10.25
6	Cabell	\$4.50	Effective 12-13-12 billing \$4.50 for residential and 6.50 for business lines	\$3.50 Lines 1-8, \$0.475 Lines 9>	\$22.50
7	Calhoun	\$2.45		\$0.3060	\$12.25
8	Clay	\$2.00		\$0.25	\$10.00
9	Doddridge	\$2.00		\$0.25	\$10.00
10	Fayette	\$3.50	Changed from \$2.00 effective 1/1/2011	\$0.25	\$17.50
11	Gilmer	\$1.75		\$0.2188	\$8.75
12	Grant	\$3.75		\$3.75 Lines 1-8, \$0.4687 Lines 9>	\$18.75
13	Greenbrier	\$2.00		\$0.25	\$10.00
14	Hampshire	\$2.00		\$0.25	\$10.00
15	Hancock	\$2.05		\$0.2562	\$10.25
16	Hardy	\$3.75		\$0.4680	\$18.75
17	Harrison	\$0.98		\$0.1225	\$4.90
18	Jackson	\$2.00		\$0.25	\$10.00
19	Jefferson	\$5.00		\$0.3620	\$14.50
20	Kanawha	\$4.00	Residential	\$4.00 Lines 1-8, \$0.50 Lines 9>	\$20.00
		\$6.40	Business	\$6.40 Lines 1-8, \$0.80 Lines 9>	\$32.00
21	Lewis	\$1.75		\$0.2188	\$8.75
22	Lincoln	\$3.50		\$3.50 Lines 1-8, \$0.4375 Lines 9>	\$17.50
23	Logan	\$1.50		\$0.1875	\$7.50



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24	McDowell	\$2.90		\$2.90 Lines 1-8, \$0.3625 Lines 9>	\$14.50
25	Marion	\$2.25	2/7/2012	\$0.1287	\$11.25
26	Marshall	\$1.20		\$0.15	\$6.00
27	Mason	\$2.00		\$0.25	\$10.00
28	Mercer	\$1.25		\$0.1562	\$6.25
29	Mineral	\$3.00		\$0.25	\$15.00
30	Mingo	\$2.00		\$0.25	\$10.00
31	Monongalia	\$1.31		\$1.31 Lines 1-8, \$0.1637 Lines 9>	\$6.55
32	Monroe	\$4.65		\$4.65 Lines 1-8, \$0.5812 Lines 9>	\$23.25
33	Morgan	\$2.50		\$0.3125	\$12.50
34	Nicholas	\$2.00		\$0.25	\$10.00
35	Ohio	\$1.97		\$1.97 Lines 1-8, \$0.2463 Lines 9>	\$9.85
36	Pendleton	\$2.50		\$2.50 Lines 1-8, \$0.3125 Lines 9>	\$12.50
37	Pleasants	\$2.00		\$0.25	\$10.00
38	Pocahontas	\$1.25		\$0.1560	\$6.25
39	Preston	\$1.00		\$0.125	\$5.00
40	Putnam	\$1.50		\$0.1875	\$7.50
41	Raleigh	\$2.00		\$0.25	\$10.00
42	Randolph	\$2.50		\$0.3125	\$12.50
43	Ritchie	\$2.00		\$0.25	\$10.00
44	Roane	\$1.75		\$0.2187	\$8.75
45	Summers	\$3.85	1/1/2013	\$0.2312	\$19.25
46	Taylor	\$1.50		\$0.1875	\$7.50
47	Tucker	\$1.50		\$0.1870	\$7.50
48	Tyler	\$2.85		\$0.3562	\$14.25
49	Upshur	\$4.50	Effective 07/01/13	6.50 Centrex	\$22.50
50	Wayne	\$2.00		\$0.25	\$10.00
51	Webster	\$2.60		\$0.3250	\$13.00
52	Wetzel	\$2.95		\$0.3687	\$14.75
53	Wirt	\$2.00		\$0.25	\$10.00
54	Wood	\$1.75		\$1.75 Lines 1-8, \$0.2187 Lines 9>	\$8.75
55	Wyoming	\$2.65		\$2.65 Lines 1-8, \$0.3312 Lines 9>	\$13.25



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

Funds Distributed by the PSC:

County Commissions	\$32,306,896.64
West Virginia State Police	\$1,234,323.38
Office of Emergency Services	\$1,820,037.65
Tower Assistance Fund	<u>\$1,000,000.00</u>
Total	\$37,928,204.37

Amount paid to Counties as reported by Local Exchange Carriers to the WV PSC. Note this amount does not include VoIP providers that does not report to the WV PSC. **\$20,072,870.46**

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

These funds, when remitted to the PSCWV for distribution to the County Commissions of the State, are remitted in accordance with the provisions of W.Va. Code §§24-6-6b(b)(c) and (d)(1). One million dollars is deposited annually in a fund administered by the PSCWV for redistribution in the form of grants for wireless tower construction subsidization. The funds are designed for the acquisition, equipping, and construction of new wireless towers that provide E911 service coverage and that might not be otherwise available because of marginal financial viability in the tower coverage area. Ten cents of each 911/E911 fee is distributed to the West Virginia State Police to be used for equipment upgrades, for improving and integrating their communication efforts with those of the enhanced 911 systems. The telecommunications service providers retain a three-percent billing and collection fee before remitting the fees collected to the PSCWV. Five percent of the 911/E911 fee money remitted to the PSCWV is deposited in a special fund established by the Division of homeland Security and Emergency Management to be used solely for the construction, maintenance and upgrades of the West Virginia interoperable Radio Project and any other costs associated with stabilizing and maintaining the infrastructure of the system. The expenditure of 911/E911 fees collected directly by the County Commissions through landline or VoIP telecommunications service provider and 911/E911 fees redistributed to the counties by the PSCWV is statutorily restricted. WV State Law specifies what Enhanced 9-1-1 fee revenues may be used for. This is found, for wireline fees, at §7-1-3cc (b) and, for wireless fees, at 24-6-6b (d) (2) and 24-6-6b (g). Each county receives a quarterly disbursement of the funds collected by the PSCWV.



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5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

West Virginia statutory law requires that all expenditures of funds by County Commissions in the State of West Virginia be audited by the West Virginia State Tax commissioner. See W.W.V. Code §7-12-12. In addition, the financial activities of the PSCWV are monitored internally by the State of West Virginia through audits, reviews and studies by the Legislature and externally by an independent private sector auditor in "Single State Audit."

The PSCWV may review and in certain instances in the past has reviewed the use of 911/E911 fees by the County Commissions. W.Va. Code §24-6-7 confers authority upon the PSCWV to resolve conflicts between County Commissions, between telephone companies, between telephone companies and County Commissions, and between the West Virginia Department of Public Safety (State Police) and County Commissions and/or telephone companies in matters concerning 911/E911 systems. If the dispute involves misuse of 911/E911 fees, the PSCWV has financial analysts review the use of these fees.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

See response to number 5

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2012.

See response to number 5

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	



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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

To the extent that 911/E911 funds have been collected by telecommunications providers from subscribers and submitted to the PSCWV for redistribution to the Counties and other entities, all funds have been distributed as required by the statute. The PSCWV is not aware of any 911/E911 fees being used for purposes other than those established by statute

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

See response to question 9 above

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	Not to our knowledge



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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

If any funds have been spent or allocated, it would be on the County level. The only county in WV to implement any portion of Next Gen 911 is Kanawha County, however, we do not track expenditures.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Please copy future survey request to: WVPSC  
Executive Secretary  
P.O. Box 812  
Charleston, WV 25323

Wisconsin



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Wis. Stat. § 256.35 (3)

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

In Wisconsin, the 911 surcharge is set at the county level. The surcharge rate varies from \$0.00 per month per billable access line (Vernon County) to \$1.00 per month per line (Menominee County).

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.



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The total amount of the 911 surcharge collection during 2013 is not available. The amount of the surcharge varies from one county to the next, depending upon the cost of the 911 network and the number of billable access lines in a given county. Although the surcharge rate applicable in each county is reported, the number of billable access lines in each county is not reported. The local exchange carriers providing the 911 telecommunications service in a given county collect and retain the 911 surcharge. The amount of the 911 surcharge collection in a county is not reported and therefore is not known.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

No portion of the amount collected from the 911 surcharge is shared with the state, county or municipal governments. The 911 surcharge is limited to the recovery of telecommunications network expenses for the 911 service and is retained in full by the participating local exchange carriers. County and municipal expenses related to terminating and responding to 911 calls are paid for through the annual budgets of participating counties and municipalities.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The amount of the 911 surcharge and the expenditure of funds to install and maintain the 911 network in a given county are authorized by a contract that the county enters into with participating local exchange carriers. This contract specifies in detail the network design for the county 911 service, sets the amount of the 911 surcharge, and identifies the obligations of the parties to operate, maintain and repair the 911 network. Wis. Stat. § 256.35(3)(b)3. The requirement for a county-specific contract gives a county a measure of oversight over the design and operation of the 911 network in the county.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The 911 statute, Wis. Stat. § 256.35(3)(i), requires that participating local exchange



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carriers submit a new 911 contract, or an amendment to an existing 911 contract, to the Public Service Commission (PSC) for review. The PSC may disapprove a submitted contract or contract amendment if it finds the contract is not compensatory, is excessive or is not in the public interest. Three county 911 contracts were filed with the PSC in 2013. All three 911 contracts were accepted as filed.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

No enforcement or other corrective actions were undertaken by the Public Service Commission during the annual period ending December 31, 2013. It is possible that one or more individual counties pursued remedies permitted under the respective 911 contracts. However, the PSC is not aware that any of the corrective actions permitted under county 911 contracts were actually undertaken during 2013.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

No portion of the amount collected from the 911 surcharge is shared with the state, county or municipal governments. The 911 surcharge is limited to the recovery of telecommunications network expenses for the 911 service and is retained in full by the participating local exchange carriers.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended



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funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

No portion of the amount collected from the 911 surcharge is shared with the state, county or municipal governments. The 911 surcharge is limited to the recovery of telecommunications network expenses for the 911 service and is retained in full by the participating local exchange carriers.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

N/A

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.



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Currently, 71 of 72 counties in Wisconsin provide E911 service to its residents. One county (Iron County) uses a basic 911 service because of the cost of 911 terminal equipment and associated salary and facilities expense.

Currently, 70 of 72 counties in Wisconsin provide Phase II wireless E911 access to its residents. Two counties (Iron and Taylor Counties) use a basic wireless 911 service both because of the cost of the equipment and facilities and also because, in the view of the counties, there is too little wireless service coverage within the counties to justify the expense.

Wyoming



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

Wyoming Statute § 16-9-103, the Emergency Telephone Service Act.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

Each county can charge up to \$0.75 per land line or mobile line. The charge varies by county. Some have a surcharge of \$0.50 others \$0.75. The Wyoming Office of Homeland Security does not presently have this data from each individual county.



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The Wyoming Office of Homeland Security does not presently have this data from each individual county and is unaware as to whether another state agency tracks this information.

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

Because each county is responsible for collecting its own funds, it has access to such funds. The State has mandated how those funds can be used: Wyoming Statute § 16-9-105(b) provides that funds collected from the 911 emergency tax shall be spent solely to pay for public safety answering point costs, service suppliers' equipment costs, service costs, installation costs, maintenance costs, monthly recurring charges and other costs directly related to the continued operation of a 911 system, including enhanced wireless 911 service. Funds may also be expended for personnel expenses necessarily incurred by a public safety answering point which means expenses incurred for persons employed to take emergency calls and dispatch them appropriately, and to maintain the computer database of the public safety answering point. Funds are to be kept in an account separate from the general fund. Within this framework, decisions on the specific uses of the funds collected in each county are made by those counties. A service supplier remitting the taxes collected may deduct and retain 1 percent as the cost of administration for collecting the taxes (Wyoming Statute § 16-9-104(b)).

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Although the Emergency Telephone Service Act does not explicitly provide any particular entity with the authority to approve expenditures of funds, it appears as if this is up to each county, to be expended only in accordance with Wyoming Statute § 16-9-105(b).



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6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Wyoming Statute §16-9-104(c) provides that "the governing body [the county] may at its own expense require an annual audit of the service supplier's books and records concerning the collection and remittance of the tax authorized by this chapter." The State does not appear to have any other statutory oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism. Additional oversight procedures would be developed by and implemented at the county level which is information that the Wyoming Office of Homeland Security does not have.

7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The State does not have specific statutory enforcement or corrective action provisions. Any such provisions would be developed by and implemented at the county level which is information that the Wyoming Office of Homeland Security does not have.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	



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9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The State does not allow for funds to be dispersed for purposes unrelated to 911 or E911 under Wyoming Statute 16-9-105(b). The Wyoming Office of Homeland Security is unaware of whether any counties violated this statutory mandate and used funds for unauthorized purposes.

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

The Wyoming Office of Homeland Security does not presently have this data from each individual county and is unaware as to whether another state agency tracks this information.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

**Please insert an "X" below the appropriate answer.**

YES	NO
	X

\*No discussion of Next Generation 911 was found.

12. Has your state expended such funds on Next Generation 911 programs?

**Please insert an "X" below the appropriate answer.**

YES	NO
	X



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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The Wyoming Office of Homeland Security does not have this data.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Not at this time.

U.S. Territories

American Samoa

American Samoa did not file a report.

Guam

Guam did not file a report.

Northern Mariana Islands

Northern Mariana Islands did not file a report.

Puerto Rico



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**Approved by OMB**  
**3060-1122**  
**Expires: May 31, 2015**  
**Estimated time per response:**  
**10-50 hours**

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

***Please insert an "X" below the appropriate answer.***

YES	NO
X	

**If "yes," please include a citation to the legal authority for such mechanism.**

"Article 5 of the 9-1-1 Calls Act – Charges to telephone subscribers", (25 L. P. R. A. 1911 et seq), states as follows:

(a) The 9-1-1 Service Governing Board, in the exercise of the faculties granted by this law, shall establish the charges it deems justified to defray the costs of equipment and facilities required to render 9-1-1 services and its direct administration, by participating agencies. The charges shall be established from time to time, at the Board's discretion, and their effectiveness shall not be less than one year.

(Dec. 22, 1994, No. 144, § 5; Aug. 3, 1995, No. 108, § 4.)



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2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

(a) The monthly charge per subscriber is:

- (1) Fifty cents (\$0.50) a month for residential, nonprofit and religious organization subscribers.
- (2) Fifty cents (\$0.50) a month for each cellular telephone subscriber.
- (3) One dollar (\$1.00) a month for commercial, professional and government subscribers.
- (4) These charges will apply to any other line of communication interconnected to a telephone system that can generate and receive phone calls, according to the above categories.

3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

The amount of the fees or charges imposed for the implementation and support of 911 and E911 services is fifty cents (\$0.50) a month for residential, nonprofit and religious organizations subscribers per main telephone line; one dollar (\$1.00) a month for commercial, professional and government subscribers per main telephone line. The total amount collected for the annual period ending December 31, 2013 is \$19,507,889.



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4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

**Article 6 of the 9-1-1 Calls Act – Distribution and use of the funds collected for charges to telephone subscribers and Resolution 006, 1998-99** establishes how the funds are collected, distributed and made available to the public safety agencies (Those agencies whose services are offered through the use of the 9-1-1 emergency telephone number, including, specifically the Police of Puerto Rico, the State Medical Emergencies of Puerto Rico, the Puerto Rico Fire Department, the Commonwealth Emergency Management and Disaster Administration Agency and the Family Department of Puerto Rico.

Also included are the municipal Medical Emergency Programs for the municipalities of Bayamon, Guaynabo, San Juan, Cataño, Ciales, Corozal, Dorado, Florida, Morovis, Naranjito, Toa Baja, Toa Alta, Vega Alta, Vega Baja, Arroyo, Barceloneta, Cayey, Ceiba, Cidra, Fajardo, Guanica, Guayama, Guayanilla, Gurabo, Hatillo, Hormigueros, Las Piedras, Loiza, Manatí, Maricao, Naguabo, Ponce, Quebradillas, San Germán, San Lorenzo, Santa Isabel, Yabucoa, Yauco and Sabana Grande ; funds are also provided for the administration of said agency.

**Article 22 of the 9-1-1 Service Government Board Bylaws** (Regulation Num. 5303) states as follows:

- (a) The provision of emergency services requires the outlay of funds, which must be recovered in order to obtain the resources needed to maintain optimal conditions of said service. The primary source of resources authorized by law will be the amount collected by a charge against subscriber telephone lines installed, uniform manner within each subscriber category. This charge will be billed monthly in conformity with established procedures by the Telephone Company and Private telephone companies in Puerto Rico, duly ratified by the Board, which shall be submitted by the companies for the consideration by the Board in a time frame not to exceed thirty (30) days counted from the date of approval of this regulation.
- (b) The Board has established the Regulations for Billing and Collections from the Subscribers for 9-1-1 Service (Regulation No. 6203) to govern the process of collecting these charges, the deposit of collections, remittance and delivery of the 9-1-1 funds to the 9-1-1 Government Board from the telephone companies subscribers. Telephone companies must supply the telephone numbers of subscribers and their physical addresses or locations of these to the Board, in



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case of cellular, as required by law through the Federal Communications Commission, or any other entity with authority and competence, according to the provisions, agreements, technology and other requirements of the Board, welfare and to safeguard the public interest.

- (c) The deposit of the collections of the telephone companies will be made in the Board's account in the Government Development Bank for Puerto Rico in a period of not more (30) days from collection.
- (d) ...
- (e) ...
- (f) The monthly charge per subscriber will be:
  - (1) Fifty cents (\$0.50) a month for residential, nonprofit and religious organization subscribers.
  - (2) Fifty cents (\$0.50) a month for each cellular telephone subscriber.
  - (3) One dollar (\$1.00) a month for commercial, professional and government subscribers.
  - (4) These charges will apply to any other line of communication interconnected to a telephone system that can generate and receive phone calls, according to the above categories.

Resolution 016, 2009-2010 amended the established limits for the distribution of the funds collected from charges to telephone subscribers to be as follows:

(1) Billing cost and collection of charges by the telephone companies:	0.50%
(2) Reserve for contingencies:	6.50%
(3) Reserve for expansion of services and replacement of equipment and systems:	5.00%
(4) Board administration and joint operating expenses of public safety agencies, including the 9-1-1 call-receiving centers:	38.00%
(5) Individual expenses typical of security agencies in responding to calls via 9-1-1. This item shall be distributed among the public safety agencies in proportion to the number of calls handled by each one, except when the Board members, by consensus, authorize exceptions in order to resolve special needs of one or more agencies:	50.00%



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5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

The Board is formed by the Police Superintendent, the Executive Director of the State Emergency Medical Services of Puerto Rico, the Chief of the Puerto Rico Fire Department and the Executive Director of the State Emergency Management Agency. In addition to the four ex officio members mentioned here, the Board is formed by an additional member representing the public interest, which shall be selected and appointed with the consent of the ex-officio members mentioned herein. There are total of five members of the Board.

Without restricting the faculties and duties of the public safety agencies and of the officials who constitute the Board in compliance of their ministerial duties, the Board is in charge of the coordination of any joint government effort to enforce the provisions of the 9-1-1 Calls Act and distribution of money.

The Board has adopted bylaws. Through said bylaws, the Board established the fees that the Telephone companies are authorized to collect from the state's telephone service subscribers to facilitate the establishment of the 9-1-1 operations and technologies needed in each participating public safety agency to give an adequate receiving and response service and defray the service's operating and maintenance expenses in said agencies. The Board adopted regulations deemed necessary to expedite interagency coordination and the rendering of the emergency services contemplated herein; and those regulations that in the future, by consensus, its members identify as necessary for the Board's jurisdiction. The Board shall also establish by regulations all that is necessary to carry out its purposes.

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

The Section 6. — Distribution and Use of the Funds Collected for Charges to Telephone Subscribers. — (25 L.P.R.A. § 1915) of Act No. 144 of December 22, 1994, as amended, known as "9-1-1 Calls Act", establishes:

- a) The Board's income for telephone charges shall be used exclusively to defray or reimburse the expenses directly attributed to receiving and responding to emergency calls, the dispatching and rendering of primary services in said emergencies, and the administration of said services.



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

The Independent Auditor's Report for 9-1-1 Service Government Board of the Commonwealth of Puerto Rico, as of and for the years ended June 30, 2013 and 2012, states that present fairly, in all material respects, the financial position of 9-1-1 Service Government Board and the changes in financial position and its cash flows in accordance with Generally Accepted Accounting Principles (GAAP) in the United States of America.

However, our Audit Office conducts audits to the 9-1-1 service charge collected and remitted by the Telecommunication Companies offering services in Puerto Rico. Audits are made to validate compliance and correction in the amounts received by the 9-1-1 Board; also funds distributed to Emergency Response Agencies are audited to ensure compliance regarding the sole use and purpose of this funds are according to Law No. 144.

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

**Please insert an "X" below the appropriate answer.**

YES	NO
X	

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

During the period ending in 2013, 9-1-1 Puerto Rico Funds were used exclusively by the Board for the purposes established in Act 144 as amended. However, during the 2013-2014 fiscal year, Act. 144 were amended by Act. 78-2014. This Act contains an Article 6(d) which orders the Board to contribute to the Government debt by donating \$12 million dollars to the "Legal Responsibility Fund". This fund has the purpose of obtaining funds from different government agencies to pay off government old debt. The Act was approve and the 911 Board was obligated to transfer the \$12 million dollars to this fund, five (5) days after the Act approval.



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10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

All the funds collected from telephone subscribers are deposited in the Board's account in the Puerto Rico Development Bank. The funds are distributed as mandated Act. 144 to Emergency Agencies and subscribed Municipalities. The distribution of funds to the Participating Agencies is paid annually in two installments. However, with the Act. 78-2014 the approval on 2013-12014 fiscal year, the Board has disbursed \$12 million in 911 funds to a Government Special Fund create to pay off government debt, instead the distribution of funds to Emergency Agencies and subscribed Municipalities.

11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO
X	



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13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

The 9-1-1 Service Government Board executed an E911 platform migration project to implement a "Next Generation 911" (NG911) system. The project was divided in phases:

1. **Phase I:** Implementation of a functional and operational E911 solution at a new Hato Rey PSAP located in the old AEMEAD headquarters building. Implementation of voice and data telecommunication infrastructure (voice and WAN) infrastructure, physical habilitation of Hato Rey PSAP. **COMPLETED**
2. **Phase II:** Migration of Main PSAP call taking solution to the VIPER E911 solution. Implementation of the Virtual PSAP call center between the Main and Hato Rey PSAPs. **COMPLETED**
3. **Phase III:** Implementation of a functional and operational E911 solution (nine positions, remote survivable VIPER node) at the Centro Interagencial del Este (CIE) PSAP at Ceiba Implementation. **PENDING**
4. **Phase IV:** System enhancements and Text to 9-1-1 service to the public. **PENDING**

The Next Generation 911" (NG911) system investment is of \$3,836,993.61 over a three year period. For the period ending December 31, 2013 the amount invested was \$2,384,912.12. The Board obtained the approval for the disbursement of funds from the National Highway Traffic Safety Administration (NHTSA) to receive funds granted by the E911 Grant in the amount of \$500,000. The independent auditors' report on compliance with requirements applicable to the major federal program expresses an unqualified opinion; report on internal control over compliance with requirements applicable to the major federal program, do not disclose any instances of noncompliance. Also, no material weaknesses or significant deficiencies were noted. No audit findings that are required to be reported in accordance with Section 510(a) of OMB Circular A-133 were noted.

14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

We have difficulties identifying and corroborating the number of either telephone or cellular lines that actually exist within each telephone company. Our funding mechanism relies on what the telephone companies informs us. We need an independent source of corroboration that certifies the actual active telephone and cellular line each month in order for us to verify the amount of E911 collected funds which must be deposited by each individual telephone company. When we have requested this information from government regulatory agencies they inform us that the information is confidential.

US Virgin Islands

US Virgin Islands did not file a report.

Indian Tribes

Bureau of Indian Affairs – Pacific Regional Office



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Approved by OMB  
3060-1122  
Expires: May 31, 2015  
Estimated time per response:  
10-50 hours

Pursuant to OMB authorization 3060-1122 , the FCC's Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission's obligations under Section 6(f)(2) of the NET 911 Act:

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

If "yes," please include a citation to the legal authority for such mechanism.

2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services.

\$ 0



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3. The total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2013.

\$ 0

4. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria. In other words, identify whether your state has established a funding mechanism that mandates how collected funds can be used, and identify those allowed uses.

No such funds are being collected or are being made available by BIA-PRO.

5. A statement identifying any entity in your state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes.

Unknown

6. A description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911.

Not applicable



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7. A statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2013.

Not applicable

8. In the annual period ending December 31, 2013, were funds collected for 911 or E911 purposes in your state/jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 1?

*Please insert an "X" below the appropriate answer.*

YES	NO
	X

9. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support (e.g., funds transferred, loaned, or otherwise used for the state's general fund), including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

Not applicable

10. A statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.

Not applicable



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11. Does your state classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?

*Please insert an "X" below the appropriate answer.*

YES	NO

12. Has your state expended such funds on Next Generation 911 programs?

*Please insert an "X" below the appropriate answer.*

YES	NO

13. If so, how much has your state expended in the annual period ending December 31, 2013 on Next Generation 911 programs?

Unknown
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14. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

None
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The Navajo Nation

THE NAVAJO NATION



BEN SHELLY PRESIDENT  
REX LEE JIM VICE PRESIDENT

NAVAJO DIVISION OF PUBLIC SAFETY  
*Office of the Division Director*

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David G. Simpson  
Rear Admiral, USN (ret.)  
Bureau Chief  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC

Dear Admiral Simpson,

In its 2013 report to Congress, *"On State Collection and Distribution of 911 and Enhanced 911 fees and charges,"* the Federal Communications Commission (FCC) requested information from the twelve regional United States Bureau of Indian Affairs (BIA) offices regarding 911/E-911 funding among Tribal communities. Only three offices responded and none indicated they had collected information on 911 fees in tribal areas. To make matters worse, these BIA regional offices indicated that they had not established a funding mechanism for Indian tribes.

The federal government, its agencies and 3 states governments have done little to provide 911 and telecommunications services to the Navajos living within the Navajo Nation's boundaries.

The Navajo Nation consists of 17 million acres in Arizona, New Mexico and Utah and a population of 175,228. In addition, there are more than a million people living, working and visiting the Navajo lands on an annual basis. Crime rates on the Nation are some of the highest in the United States. In the last five years, more rapes were reported on the Navajo Nation than in cities such as San Diego and Detroit.

Current emergency calls within the Navajo Nation are received on tribal police district administrative lines or answered by surrounding county systems. The latter has led to untold disturbing circumstances where county dispatchers often just forward the emergency calls to the Navajo Police without providing any information, location details, or context of the call. Navajo Nation members seeking emergency assistance have dialed 911 on the Nation in the past and have been routed randomly to dispatchers as far away as Denver and Chicago. Many building and residents on the Nation are without formal postal addresses complicating tracking of calls and location identification. Compounding this concern is the fact that 60% of the homes on the Nation don't have landline telephone service.

Access to reliable and affordable broadband is essential to the safety and security of the Navajo people. The Nation, while geographically located in three states, has historically not received state, local and federal 911 funding. Troubling, at times the 911 excise tax revenue has been allocated for purposes other than emergency and telecommunication services.

The result is that Navajo Nation residents pay a 911-excise tax on their phones, however, the Nation has **not been allocated these emergency surcharge revenues** and this funding has been spent for other unknown purposes.

The excise tax rate per month per wireline, wireless, and VoIP phones are the following in the three States in which the Navajo Nation resides: the State of New Mexico collects a fee of \$0.51 per month per phone, the State of Utah is at \$0.69, and the State of Arizona is at \$0.20. Navajos residing in those states pay those surcharges, yet, have never seen one dime of return to the Navajo Nation for 911 services. Instead other jurisdictions in those States have benefitted from this tax on Navajos and the State of Arizona, has in the past, swept remaining funds from its 911 Surcharge Account into its State General Fund to cover general governmental operating deficits. A fee, whose sole purpose is to fund emergency services, has historically been used as a budgetary shortfall fix for non-emergency services governmental programs.

As will be outlined below, over the last 8 months, the Navajo Nation has embarked on the most comprehensive and advanced effort to establish and operate a 911 system for the Nation. And, we are working closer than ever before with the States of Arizona, New Mexico and Utah. Nonetheless, we believe that the taxes that Navajos have historically paid to these States should be rightfully reimbursed to the Nation and we seek the FCC's assistance in our effort.

There are currently 7 locations within the Navajo Nation that are responsible for answering 911 calls. Incoming 911 calls origination on the Nation are first routed to county Public Safety Answering Points (PSAPs) then either (1) transferred to one of the 7 Navajo Nation centers or (2) the county 911 Dispatcher calls the center and relays the information to a Navajo Nation resource. This process causes significant delay in receiving the call and responding to the incident. We have no trunks currently installed at our PSAPs and 911 calls are processed via Centrex lines directly connected to telephones at the PSAPs. We have no ANI for wireless, wireline, or VOIP calls and no ALI for wireline calls due to the lack of rural addressing and MSAG. We must manually enter 911 call data into our Computer Aided Dispatch (CAD) system. We have minimal alternate call routing when a PSAP cannot answer a call.

I am actively working to significantly improve this situation. A team of highly skilled consultants has been assembled and contracted to upgrade the Navajo Nation 911 to a state-of-the-art system.

Recently, at the direction of President Ben Shelly, the Navajo Division of Public Safety (NDPS) and the Navajo Nation's Presidents Office have developed and implemented an aggressive strategy to develop and modernize a 911 emergency system. While all communities are unique, with differing emergency system and public safety requirements, I believe our new approach can serve as a blueprint for how to maximize efficiency and effectiveness in this area.

The Navajo Nation has never had an effective and viable 911 system to support emergency response by law enforcement, public safety and first responders. As a result on August 8<sup>th</sup> of this year, an Executive Order was issued by President Shelly establishing a backbone for these enhanced 911 services throughout the Navajo Nation. The organizational basis for this plan emanates from a Navajo Nation Telecommunication Regulatory Commission (NNTRC) Report, explained above, and recommendations set forth by a NDPS Tiger Team led by my office.

The NDPS' 911 Tiger Team was created to plan, design, implement and manage all aspects of this initiative. Over the past several months, the team has established operational parameters which include; evaluation of the existing 911 capabilities and services of the Nation; creation of a service plan based upon findings, including the technical capabilities of commercial carriers; and selection of an E-911 system. The Tiger Team is implementing operational PSAPs and extending these services to Ramah, Zuni Pueblo, Hopi Tribe and White Mesa Paiute in Utah. Joining these services are commercial carriers and public safety technology experts such as 4QTRS.

Too often, the Navajo Nation has been left behind when it comes to effective and sustainable emergency 911 systems. We are now making historic progress and respectfully request your assistance in the following manner:

1. Until such time that telephone penetration (and, eventually broadband penetration) and E-911 services in Indian Country is on par with the rest of United States, the Navajo Nation and all recognized tribes will need full support of the USF fund and a funding mechanism from the Bureau of Indian Affairs and the Federal Communication Commission for effective telecommunication and 911 services.
2. We request that you review and work to eliminate the barriers that have prevented Tribal Nations from implementing 911 service plans that require approval by States – which is a condition precedent for access to the revenue from excise taxes that tribal members pay but currently receive no benefit.
3. We request that you investigate the practice of 911 excise taxes being collected from tribal members and redirected for non-emergency uses in States.
4. We ask you to study and consider if and when feasible the creation of Special Federal Districts under the jurisdiction of the FCC to oversee the providing and funding of 911 services in Indian Country.

Sincerely,



John H. Billison, Director  
Division of Public Safety  
Navajo Nation