

# *Changes in 9-1-1*



## **Summary of Final Report and Framework for Proposed Legislation**

for the 99<sup>th</sup> General Assembly  
Spring 2015

9-1-1 Services Advisory Board

*Disclaimer: This presentation is based on the best information at the time of authorship.*

***Best information as of 4/1/2015***

## Public Act 98-634 (last year), SAB to plan for a State-Wide NG911 System (Due date 4/1/2015)

- (1) defines the structure of the statewide network;
  - Create RFI/RFP to define it
- (2) a plan and timeline for the transition to a statewide network;
  - 5-Year Plan (2020)
- (3) consolidation of 9-1-1 systems and services;
  - Formula to reduce # of PSAPs, merge ETSBs, provides grants to aid in consolidation
- (4) plan for the implementation of the Statewide Next Generation 9-1-1;
  - Create RFI/RFP to define it
- (5) list of costs for which the moneys from the Wireless Service Emergency Fund should not be used;
  - Remains with the current language we have today.

## Public Act 98-634 (last year), SAB to plan for a State-Wide NG911 System (Due date 4/1/2015)

- (6) costs necessary for the 9-1-1 systems to adequately function;
  - Create RFI/RFP to define it
- (7) the adequate amount of the wireless surcharge in order to support sufficient 9-1-1 services throughout the State;
  - Determined to be \$0.87 for both wireless and wireline, can/will/may increase
  - prepaid increases to 3% at Point-of-Sale
- (8) a plan and timeline for the payment of past due Wireless Carrier Reimbursement Fund invoices to wireless carriers;
  - resolved and WCRF tapered off over 5 years
- (9) the proper division of responsibilities between the Statewide 9-1-1 Administrator and the Illinois Commerce Commission for the oversight of funding distribution, technological standards, and system plan authorizations, modifications and consolidations going forward;
  - To be determined

# Combine Three Laws into One

- Wireline 9-1-1
  - (50 ILCS 750/) Emergency Telephone System Act.
  - Eliminate referenda language and setting of local rates for wireline
  - Cease the creation of new ETSBs
- Wireless 9-1-1
  - (50 ILCS 751/) Wireless Emergency Telephone Safety Act.
- Pre-Paid 9-1-1
  - (50 ILCS 753/) Prepaid Wireless 9-1-1 Surcharge Act.

All aspects of 9-1-1 combined into one Act:  
(50 ILCS 750/) Emergency Telephone System Act.

# Statewide 9-1-1 Network by 2020

- **Illinois Commerce Commission (ICC) will conduct two requests for proposals (RFPs)**
  - RFP issued by July 1, 2016, which is the selection of a consultant to conduct a feasibility study on the implementation of a statewide Next Generation 9-1-1 network in Illinois. Suggested to be completed by July 1, 2017.
  - RFP should be issued within 12 months of receiving the consultant's completed study and result in the ICC contracting with the 9-1-1 system provider who will actually design, build, and potentially share in the operation of the Statewide NG9-1-1 Network. The Network should be completed no later than July 1, 2020.

# Assurance of Ubiquitous 9-1-1 Services Statewide

- Currently, 9 counties without 9-1-1 service five have never enacted a referendum for a wireline surcharge under the Emergency Telephone System Act
  - 4 of these counties have enacted referenda but have yet to create and operate a 9-1-1 system.
  - The Board strongly recommends that the General Assembly mandate the provision of 9-1-1 services within all of these areas by requiring the respective county authorities to join with nearby ETSBs to create joint systems within 2 years.
  - The Board further recommends that funds be made available to these counties, and through them, to those counties with whom they will create joint systems, through a grant process to be funded as described below.

## Consolidation of 9-1-1 Systems and Services by July 1, 2017

- A **county with at least 250,000** population **having a single ETSB** and more than 2 PSAPs, the number of PSAPs must be reduced by at least 50% or to 2 PSAPs, whichever is greater.
- A **county with at least 250,000 population** having **more than one ETSB** serving a population of less than 25,000 shall be consolidated such that no ETSB in the county serves a population less than 25,000.
- Any **ETSB that does not have a PSAP** within its jurisdiction shall be consolidated through an intergovernmental agreement with an existing ETSB that has a PSAP to create a joint board.

Consolidation of 9-1-1 Systems and Services by July 1, 2017  
(Continued)

- Any county with a population of **less than 250,000** having a **single ETSB** and **more than 2 PSAPs**, the number of PSAPs must be reduced by at least 50% or to 2 PSAPs, whichever is greater.
- Any county with a population of **less than 250,000** that has **more than one ETSB** and **more than 2 PSAPS**, the boards must be consolidated into a single joint board, and the number of PSAPs must be reduced by at least 50% or to 2 PSAPs, whichever is greater.
- The corporate authorities of each **county that has no 9-1-1 service** must enter into an intergovernmental agreement with an existing ETSB.



# Approvals and Exemptions from Consolidation

- The entities subject to consolidation should submit consolidation plans for approval.
- An entity could receive a waiver from the consolidation requirement if it demonstrates that the consolidation:
  - would result in a substantial threat to public safety, or
  - would be economically unreasonable, or
  - would be technically infeasible.
  - The waiver would be considered by the new 9-1-1 Board.
- Grants to be made available to assist in consolidation efforts.

## New Format for Surcharges

- **Create a uniform statewide surcharge**, to be applied on an equitable basis to all purchasers of wireline, postpaid wireless, Interconnected Voice over Internet Protocol (VoIP), and cable-provided telecommunications services; **\$0.87/line/month, and 3% Point-of-Sale for pre-paid wireless**
- **Centralize the collection of 9-1-1 revenues**, including use of “no sweeps” language to prohibit transfers of surcharge revenues;
- **Centralize the payment of network costs for local systems**;
- **“Hold harmless”** those counties and municipalities whose current wireline rate exceeds the rate of the uniform Statewide surcharge, preventing those revenues from declining below the level of the most recent fiscal year notwithstanding the likely continued migration of customers away from wireline service;
- **Fund the Statewide 9-1-1 Board**, and provide for staffing expense and for other State expenses necessary to procure NG9-1-1 and to provide and administer discretionary grants that will facilitate consolidation and pave the way for NG9-1-1 at the local level.

# Uniform and Equalized Rate aka “Single Rate”

## • OLD WAY

- Wireline (fixed location & VoIP)
  - Rate set by local referendum:
  - \$0.00 to \$5.00/month/line across the state
- Wireless
  - Rate was set by law at \$0.73/month/line statewide
- Prepaid Wireless
  - 1.5% Point-of-Sale

## • NEW WAY

- Wireline (fixed location & VoIP)
  - Rate set by law:
  - \$0.87 statewide for all ETSBs and 9-1-1 Authorities
- Wireless
  - Rate set by law at \$0.87 statewide
- Prepaid Wireless (to support NG and Consolidation)
  - 3% Point-of-Sale
- Distribution formula makes adjustments to have all ETSBs “made whole” where current rates are over \$0.87, aka “**Hold Harmless**”.

## Pre-July 2015 Wireless Rate

Fund	Rate	Admin	ICC	
Wireless Carrier Fund	\$ 0.05	0.01		20% of the total \$0.05
Wireless Services Emergency Fund	\$ 0.66		\$0.01	ICC oversight and regulation
Wireless Services Emergency Fund	\$ 0.02			Divided up by low-pop counties, ~\$24,00/82 counties.
<b>Total</b>	<b>\$ 0.73</b>			
ETSB HI Population	\$ 0.65			Populations over 100,000
ETSB LO Population	\$ 0.65	Plus share		Population under 100,00 plus ~\$24,000

Best information as of 4/1/2015

# Proposed Uniform Line Rates

<b>Fund</b>	<b>Rate</b>	<b>Comment</b>
Wireless Carrier Fund	\$0.033	To be phased out, transferred to grants
Wireless Cost Recovery	\$0.009	Allows carriers to improve networks for 9-1-1 services
ETSB Rate	\$0.395	Collected by all ETSBs
Fund for Counties under 100,000	\$0.012	Pool divided by the 87 counties under 100,000
"Hold Harmless" Fund	\$0.292	This fund makes up for rates currently above \$0.87
State Network Fund	\$0.072	Targeted for NG911 network
Consolidation Fund	\$0.051	Grant pool, ETSBs apply for consolidation grants
ICC/Administration Fund	\$0.007	ICC oversight and regulation
Total (per line per month)	<b><u>\$0.87</u></b>	<b>Applies to wireless, wireline, VoIP</b>

# Phase out of Wireless Carrier Fund

- **OLD**-Current, **\$0.05** of the current \$0.73
  - **\$0.04** for cellular system improvements for wireless call handling and other purposes
  - **\$0.01** for administration and compliance
- **NEW** – Shift Carrier Reimbursement Fund to grants funds for consolidation and NG911 over time
  - Change rate to **\$0.033**
  - After year 2, start to phase out
  - Eventually eliminate altogether
  - Shift funds to grants as it is phased out

# Priority of Distribution

- Payment by the ICC of the **network costs** of all ETSBs;
- Monthly **payments to local systems** that replace, dollar for dollar, the amounts they currently receive under the wireline surcharge created by referendum under Section 15.3 of the ETSA (50 ILCS 750/15.3);
- The **administrative and staffing** expenses of the Statewide 9-1-1 Board, and the expense to the State of proceeding with the procurement activities culminating in the creation of Statewide NG9-1-1; and
- **Grants to local systems** that will create E9-1-1 coverage where none exists, promote consolidation, and prepare local systems for the move to NG9-1-1.

# Allowable Costs, Audits and Financial Reports

- The allowable costs will continue as described in the current WETSA and ETSA.
- Annual audit submissions will continue.
- Continue to submit Financial Reports.



# Division of Regulatory Responsibilities

- The **Illinois Commerce Commission should maintain its current role** in overseeing funding distribution and the regulatory oversight of the 9-1-1 systems, including maintaining technological standards and reviewing plans for consolidation and system changes.
- **A Statewide 9-1-1 Board should be created within the ICC** to, at the very least, provide assistance with the development of the Statewide NG9-1-1 network, review and approval of 9-1-1 system consolidation plans, and review and approval of consolidation and NG9-1-1 infrastructure grants.
- The **Statewide 9-1-1 Board** should include **representatives** from the ICC, the Department of State Police, various sized 9-1-1 systems, and public safety agencies.
- The **precise outline of the Board's makeup**, powers, duties, and administrative structure will require additional consideration of the **General Assembly and the Governor**.

## Expected Action:

- The final report was approved by all members of the 9-1-1 Services Advisory Board.
- The report is to be distributed to the legislators at any time.
- Legislative language is expected at any time from Representative John Bradley's staff.
- No bill number has been assigned yet.
- The Joint Legislative Committee of IL-APCO and I-NENA will remain informed of the status of the bill and will continue to inform the membership of the associations.

## SUMMARY:

- THE PROPOSED LEGISLATION IS A **COMPROMISE** THAT PROVIDES SOME ASSISTANCE TO PUBLIC SAFETY COMMUNICATIONS.
- ALL LEGISLATION, WHETHER IT IS THIS CURRENT PROPOSAL OR THE WIRELESS LEGISLATION IN THE 1990'S, IS A **COMPROMISE** AND SUBJECT TO **NEGOTIATION**.
- THE **SERVICE PROVIDERS AND THE I.C.C. HAD PROPOSALS** THAT WERE NOT INCLUDED IN THE PROPOSED LEGISLATION OR WERE **CHANGED THROUGH NEGOTIATION**.
- ***A SURCHARGE INCREASE, MOVEMENT TOWARD NG 9-1-1, NO CHANGE IN THE AUTHORIZED EXPENDITURES OF SURCHARGE FUNDS, AND A STATEWIDE 9-1-1 AUTHORITY ARE ALL PRINCIPALS WE HAVE FOUGHT FOR.***