TITLE 83: PUBLIC UTILITIES

CHAPTER IV: DEPARTMENT OF STATE POLICE

PART 1324

CONSOLIDATION PLANS, REQUESTS FOR WAIVER, AND MODIFICATION PLANS FOR 9-1-1 EMERGENCY SYSTEMS

SUBPART A: GENERAL PROVISIONS

Section

1324.100 Scope

1324.110 Definitions

1324.120 General Requirements

1325.125 Duties

SUBPART B: CONSOLIDATION AND REQUESTS FOR WAIVER

Section

1324.200 Requirements for Consolidation Plans and Requests for Waiver

1324.210 Public Hearings of the Statewide 9-1-1 Advisory Board

1324.220 Decisions of the Administrator

SUBPART C: MODIFICATIONS

Section

1324.300 Types of Modification Plans

1325.310 Requirements for Modification Plan Filings

1324.320 Decisions of the Administrator

AUTHORITY: Implementing and authorized by Section 10 of the Emergency Telephone System Act [50 ILCS 750/10].

SOURCE: Adopted by emergency rulemaking at 40 Ill. Reg. 1099, effective January 1, 2016, for a maximum of 150 days; Emergency expired May 29, 2016; adopted at 40 Ill. Reg. \_\_\_\_\_\_\_\_\_, effective \_\_\_\_\_\_\_\_\_\_.

SUBPART A: GENERAL PROVISIONS

**Section 1324.100 Scope**

This Part shall apply to all 9-1-1 systems and 9-1-1 Authorities, except that it shall not apply to the City of Chicago.

**Section 1324.110 Definitions**

"9-1-1 Authority" means an Emergency Telephone System Board (ETSB) that provides for the management and operation of a 9-1-1 system within the scope of those duties and powers prescribed by the Emergency Telephone System Act (ETSA) [50 ILCS 750]. “9-1-1 Authority” includes the department of State Police only to the extent it provides 9-1-1 services under this Act.

*"9-1-1 Network" means the network used for the delivery of 9-1-1 calls and messages over dedicated and redundant facilities to a primary or backup 9-1-1 PSAP that meets the appropriate grade of service.*

*"9-1-1 System" means the geographic area that has been granted an order of authority by the Commission or the Statewide 9-1-1 Administrator to use "9-1-1" as the primary emergency telephone number, including but not limited to the network, software applications, databases, CPE components and operational and management procedures required to provide 9-1-1 service.*

"*9-1-1 System Provider" means any person, corporation, limited liability company, partnership, sole proprietorship, or entity of any description that acts as a 9-1-1 system provider within the meaning of ETSA Section 2 by contracting to provide 9-1-1 network* *and database services and that has been certified by the Commission pursuant to Section 13-900 of the Public Utilities Act [220 ILCS 5/13-900].*

"Act" or "ETSA" means the Emergency Telephone System Act [50 ILCS 750].

*"Administrator" means the Statewide 9-1-1 Administrator.*

"Advisory Board" means the Statewide 9-1-1 Advisory Board.

*“Aggregator” means an entity that ingresses 9-1-1 calls of multiple traffic types or 9-1-1 calls from multiple originating service providers and combine’s them on a trunk group or groups (or equivalent egress connection arrangement to a 9-1-1 system provider’s E9-1-1/NG9-1-1 network or system), and that uses the routing information provided in the received call setup signaling to select the appropriate trunk group and proceeds to signal call setup toward the 9-1-1 system provider. “Aggregator” includes an originating service provider that provides aggregation functions for its own 9-1-1 calls. “Aggregator” also includes an aggregation network or an aggregation entity that provides aggregator services for other types of system providers, such as cloud-based services or enterprise networks as its client.*

"Aid Outside Jurisdictional Boundaries Agreement" means a written cooperative agreement entered into by all 9-1-1 Authorities with each participating agency and adjacent 9-1-1 system providing that, once an emergency unit is dispatched to a request through a 9-1-1 system, that unit shall render its services to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.

*"Answering Point" means a PSAP, SAP, Backup PSAP, Unmanned Backup PSAP, or VAP.*

*“Authorized Entity” means an answering point or participating agency other than a decommissioned PSAP.*

"Automatic Location Identification” or “ALI” *means the automatic display at the Public Safety Answering Point of the address or location of the caller’s telephone and supplementary emergency services information of the location from which a call originates.*

"Automatic Number Identification" or “ANI” *means the automatic display of the 10-digit telephone number associated with the access line from which a call originates.*

*"Backup PSAP" means an answering point that meets the appropriate standards of service and serves as an alternate to the PSAP operating independently from the PSAP, at a different location, that has the capability to direct dispatch for the PSAP or otherwise transfer emergency calls directly to an authorized entity. A backup PSAP may accept overflow calls from the PSAP or be activated in the event that the PSAP is disabled.*

"Busy Day" means a consecutive 24-hour period during which the greatest volume of 9-1-1 traffic is handled in the central office.

"Busy Hour" means the two consecutive half-hours each day during which the greatest volume of 9-1-1 traffic is handled in the central office.

*"Carrier" means a telecommunications carrier or a wireless carrier.*

"Chairperson" means the Chairperson of the Statewide 9-1-1 Advisory Board.

*"Commission" means the Illinois Commerce Commission.*

"Consolidation" means a reduction of Emergency Telephone System Boards, Joint Emergency Telephone System Boards, and PSAPs pursuant to ETSA Section 15.4a.

*“Decommissioned” means the revocation of a PSAPs authority to handle 9-1-1 calls as an answering point within the 9-1-1 Network.*

*"Department" means the Department of State Police.*

*"Direct Dispatch" means a 9-1-1 service wherein upon receipt of an emergency call, a public safety telecommunicator transmits, without delay, transfer, relay, or referral, all relevant available information to the appropriate public safety personnel or emergency responders.*

"Economically Unreasonable" means that the cost of consolidation materially outweighs the benefit to the community served and makes it illogical or impractical to consolidate.

"*Emergency Call"* or “9-1-1 Call” *means any type of request for emergency assistance through a 9 1-1 network either to the digits 9-1-1 or the emergency 24/7 10-digit telephone number for all primary public safety answering points. An emergency call is not limited to a voice telephone call. It could be a two-way video call, an interactive text, Teletypewriter (TTY), an SMS, an Instant Message, or any new mechanism for communications available in the future. An emergency call occurs when the request for emergency assistance is received by a public safety telecommunicator*.

"Emergency Telephone System Board" or "ETSB" means a board appointed by the corporate authorities of any county or municipality or a Joint ETSB established by intergovernmental agreement of two or more municipalities or counties, or a combination thereof, to provide for the management and operation of a 9-1-1 system within the scope of the duties and powers prescribed by the ETSA. The corporate authorities shall provide for the manner of appointment, provided that members of the board meet the requirements of the statute.

"*Enhanced 9-1-1" or "E9-1-1" means a telephone system that includes network switching, database and PSAP premise elements capable of providing automatic location identification data, selective routing selective transfer, fixed transfer, and a call back number, including any enhanced 9-1-1 service so designated by the Federal Communications Commission in its report and order in WC Dockets Nos. 04-36 and 05-196, or any successor proceeding.*

“ESInet” (Emergency Services IP Network) means a managed IP network that is used for emergency services communications, and which can be shared by all public safety agencies. It provides the IP transport infrastructure upon which independent application platforms and core services can be deployed, including, but not restricted to, those necessary for providing NG9-1-1 services. An ESInet may be constructed from a mix of dedicated and shared facilities. An ESInet may be interconnected at local, regional, state, federal, national and international levels to form an IP-based inter-network (network of networks). The term ESInet designates the network, not the Next Generation Core services that ride on the network.

*"Grade of Service" means P.01 for Enhanced 9-1-1 services or the NENA i3 Solution adopted standard for NG9-1-1 services.*

*"Interconnected voice over Internet protocol provider" or "Interconnected VoIP Provider" has the meaning given to that term under Section 13-235 of the Public Utilities Act.* Interconnected VoIP service is a service that: enables real-time, two-way voice communications; requires a broadband connection from the user's location; requires Internet protocol-compatible customer premises equipment; and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched network.

"NENA i3 Solution Standard" means the Detailed Functional and Interface Standard for NG9-1-1 i3 (NENA-STA-010.2-2016), published by the National Emergency Number Association, 1700 Diagonal Rd., Suite 500, Alexandria VA 22314 (www.NENA.org) (September 10, 2016). These standards are hereby incorporated by reference and do not include any later amendments or additions.

*"Network Connections" means the number of voice grade communications channels directly between a subscriber and a telecommunications carrier's public switched network, without the intervention of any other telecommunications carrier's switched network, which would be required to carry the subscriber's inter-premises traffic and which connection either (1) is capable of providing access through the public switched network to a 9-1-1 Emergency Telephone System, if one exists, or (2) if no system exists at the time a surcharge is imposed under Section 15.3, that would be capable of providing access through the public switched network to the local 9-1-1 Emergency Telephone System if one existed. Where multiple voice grade communications channels are connected to a telecommunications carrier’s public switched network through a private branch exchange (PBX) service, there shall be determined to be one network connection for each trunk line capable of transporting either the subscriber’s inter-premises traffic to the public switched network or the subscriber’s 9-1-1 calls to the public agency. Where multiple voice grade communications channels are connected to a telecommunications carrier’s public switched network through Centrex type service, the number of network connections shall be equal to the number of PBX trunk equivalents for the subscriber’s service or other multiple voice grade communication channels facility, as determined by reference to any generally applicable exchange access service tariff filed by the subscriber’s telecommunications carrier with the Commission.*

*"Network Costs" means those recurring costs that directly relate to the operation of the 9-1-1 network as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, some or all of the following: costs for interoffice trunks, selective routing charges, transfer lines and toll charges for 9-1-1 services, Automatic Location Information (ALI) database charges, independent local exchange carrier charges and non-system provider charges, carrier charges for third party database for on-site customer premise equipment, backup PSAP trunks for non-system providers, periodic database updates as provided by carrier (also known as "ALI data dump"), regional ALI storage charges, circuits for call delivery (fiber or circuit connection), NG9-1-1 costs, and all associated fees, taxes and surcharges on each invoice. "Network Costs" shall not include radio circuits or toll charges that are for other than 9-1-1 services.*

"Network Diagram" means a schematic flow chart that shows the actual 9-1-1 network pieces and flow of activities in a picture.

*"NG9-1-1 Costs" means those recurring costs that directly relate to Next Generation 9-1-1 service as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, costs for NENA i3 Core Components (Border Control Function (BCF), Emergency Call Routing Function (ECRF), Location Validation Function (LVF), Emergency Services Routing Proxy (ESRP), Policy Store/Policy Routing Functions (PSPRF) and Location Information Servers (LIS)), Statewide ESInet, software external to the PSAP (data collection, identity management, aggregation, and GIS functionality), and gateways (legacy 9-1-1 tandems or gateways or both).*

*“Next Generation 9-1-1” or "NG9-1-1" means a secure Internet Protocol-based (IP-based), open-standards system comprised of hardware, software, data, and operational policies and procedures that:*

 *A) provides standardized interfaces from emergency call and message services to support emergency communications;*

*B) processes all types of emergency calls, including voice, text, data, and multimedia information;*

*C) acquires and integrates additional emergency call data useful to call routing and handling;*

*D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities based on the location of the caller;*

*E) supports data, video, and other communications needs for coordinated incident response and management; and*

*F) interoperates with services and networks used by first responders to facilitate emergency response.*

*“Originating Service Provider” or “OSP “means the entity that provides services to end users that maybe use to originate voice or nonvoice 9-1-1 requests for assistance and who would interconnect, in any of various fashions, to the 9-1-1 system provider for purposes of delivering 9-1-1 traffic to the public safety answering points.*

"P.01" means the probability (P) expressed as a decimal fraction of an emergency call being blocked. P.01 is the grade of service reflecting the probability that one call out of 100 during the average busy hour of the average busy day will be blocked, or the number of 9-1-1 circuits or facilities from the 9-1-1 system provider's routing equipment to the primary PSAP or PSAPs that is sufficient to complete 99% of all requests for emergency service during the average busy hour of the average busy day.

"Private Business Switch Service" means a network and premise-based system including a VoIP, Centrex type service, or PBX service. “Private business switch service” does not include key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 CFR Part 68 when not used in conjunction with a VoIP, Centrex type, or PBX system. “Private business switch service” typically includes, but is not limited to, private businesses, corporations, not for profit organizations, schools, governmental units, and industries for which the telecommunications service is primarily for conducting business.

*“Private Residential Switch Service” means network and premise-based systems including a VoIP, Centrex type service, or PBX service or Key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 C.F.R. Part 68 that are directly connected to a VoIP, Centrex type service, or PBX systems equipped for switched local network connections or 9-1-1 system access to residential end users through a private telephone switch. “Private residential switch service” does not include key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 C.F.R. Part 68 when not used in conjunction with a VoIP, Centex type or PBX systems. “Private residential switch service” typically includes, but is not limited to, apartment complexes, condominiums, and campus or university environments where shared tenant* *service is provided and where the usage of the telecommunications service is primarily residential.*

*“PSAP Representative” means the manager or supervisor of a Public Safety Answering Point (PSAP) who oversees all daily operational functions and is responsible for the overall management and administration of the PSAP.*

*"Public Safety Answering Point" or "PSAP" means the primary answering location of an emergency call that meets the appropriate standards of service and is responsible for receiving and processing those calls and events according to a specified operational policy.*

*Public safety telecommunicator” means any person employed in a full-time or part-time capacity at an answering point whose duties or responsibilities include answering, receiving, or transferring an emergency call for dispatch to the appropriate emergency responder.*

*"Secondary Answering Point" or "SAP" means a location, other than a PSAP, that is able to receive the voice, data and call back number of E9-1-1 or NG9-1-1 emergency calls transferred from a PSAP and completes the call taking process by dispatching police, medical, fire, or other emergency responders.*

"Service Population" means the total population of the community served as determined by the latest complete vintage population estimates available from the U.S. Census Bureau.

"Technically Infeasible" means that consolidation is unworkable or unviable consistent with the technical standards established in 83 Ill. Adm. Code 1325.

*"Telecommunications Carrier" or "Carrier" means those entities included within the definition specified in Section 13-202 of the Public Utilities Act, [220 ILCS 5/13-202], and includes those carriers acting as resellers of telecommunications services. “Telecommunications carrier” includes telephone systems operating as mutual concerns. “Telecommunications carrier” does not include a wireless carrier.*

"Threat to Public Safety" means that consolidation would place the public in greater danger of injury than if the consolidation did not occur.

*“Unmanned backup answering point” means an answering point that serves as an alternate to the PSAP at an alternate location and is typically unmanned but can be activated and staffed if the primary PSAP is disabled.*

"Vendor" means an entity that provides some or all elements of 9-1-1, E9‑1‑1, NG9-1-1 and/or other services for which it incurs network costs for one or more 9‑1‑1 Authorities.

*"Virtual Answering Point" or "VAP" means a temporary or nonpermanent location that: is capable of receiving an emergency call; contains a fully functional worksite that is not bound to a specific location, but rather is portable and scalable, connecting public safety telecommunicators to the work process; and is capable of completing the call dispatching process.*

"Waiver" means approval for exemption from consolidation, which shall be subject to review and renewal as determined by the Administrator.

*"Wireless Carrier" means a provider of two-way cellular, broadband PCS, geographic area 800 MHz and 900 MHz Commercial Mobile Radio Service (CMRS), Wireless Communications Service (WCS), or other Commercial Mobile Radio Service (CMRS), as defined by the Federal Communications Commission, offering radio communications that may provide fixed, mobile, radio location, or satellite communication services to individuals or businesses within its assigned spectrum block and geographical area or that offers real-time, two-way voice service that is interconnected with the public switched network, including a reseller of such service.*

**Section 1324.120** General Requirements

a) 9-1-1 Authorities shall file consolidation plans, request for waivers, modification plans in compliance with this Part and the Act in order to receive authorization from the Administrator to make the requested change.

b 9-1-1 Authorities shall file all plans or waivers electronically at the link posted on the Department's website as detailed in Section 1324.200 and 1324.310.

c) A 9-1-1 system shall not be authorized to make any changes without an order from the Commission, prior to January 1, 2016, or the Administrator. Pursuant to ETSA Section 10, all orders of authority issued by the Commission shall continue in force unless rescinded by the Administrator.

**Section 1324.125 Duties**

a) The Department:

1) Has the following responsibilities under the Act:

A) Review consolidation plans to ensure technical compliance with 83 Ill. Adm. Code 1324.200; and

B) Review requests for waiver to ensure technical compliance with ETSA Section 15.4a(c) and 83 Ill. Adm. Code 1324.200; and

C) Review modification plans to ensure technical compliance with 83 Ill. Adm. Code 1324.310.

2) Pursuant to ETSA Section 10, is authorized to set technical standards for the provisioning of 9-1-1 authorities throughout the State of Illinois.

b) Pursuant to Section 13-900 of the Public Utilities Act [220 ILCS 5/13-900], the Commission is authorized to set technical standards for the provision of 9-1-1 service by telecommunication carriers and 9-1-1 system providers.

c) The Advisory Board has the responsibility under the Act to hold a public hearing on consolidation plans submitted pursuant to ETSA Section 15.4a and make a recommendation to the Administrator regarding the plan.

d) The Administrator has the responsibility under the Act to approve consolidation plans, modification plans, as submitted or as modified for the provisioning of 9-1-1 service, and grant waivers to the consolidation process pursuant to ETSA Section 15.4a(c).

SUBPART B: CONSOLIDATION AND REQUESTS FOR WAIVER

**Section 1324.200 Consolidation Plans and Requests for Waiver**

a) Counties and 9-1-1 Authorities:

1) Shall use their service population to determine whether they are required to consolidate pursuant to ETSA Section 15.4a;

2) Are responsible for submitting consolidation plans and requests for waiver. PSAPs within 9-1-1 Authorities do not have standing to submit consolidation plans or requests for waiver; and

3) May not convert PSAPs to SAPs or VAPs to avoid the requirements for consolidation in ETSA Section 15.4(a); however, a PSAP may be decommissioned leaving remaining staff to perform its non-emergency Police, Fire or EMS responsibilities. The authorized PSAPs remaining after consolidation shall direct dispatch all emergency calls and shall not transfer, refer, or relay those calls to an unauthorized entity. Nothing in this subsection (b)(3) shall be construed to mean a PSAP, SAP or VAP cannot also perform its non-emergency Police, Fire or EMS responsibilities.

b) Any county or 9-1-1 Authority required to consolidate pursuant to ETSA Section 15.4a(a) shall electronically file a consolidation plan or a request for a waiver pursuant to ETSA Section 15.4a(c) at the link posted on the Department's website.

1) Long form 9-1-1 consolidation plans must include a completed application consisting of the following information and documents:

A) General Information - Contact and 9-1-1 system information;

B) Verification - Notarized statement of truth regarding information provided in the plan;

C) Letter of Intent - A letter that is sent to the 9-1-1 system provider with a copy of the plan;

D) Plan Narrative - A detailed summary of the proposed consolidation and system's operation, including, but not limited to a detailed explanation of:

i) which PSAPs will remain operational, which ones will be decommissioned, which ones will be closed, and which remaining PSAPs will dispatch agencies that were previously dispatched by decommissioned or closed PSAPs;

ii) the 9-1-1 Authority’s boundary that the 9-1-1 system will cover as a result of the consolidation for all types of emergency calls, including voice, text, data, and multimedia information; and

iii) who the backup answering point will be for the consolidated 9-1-1 system.

E) Financial Information - A summary of the information below which includes the anticipated implementation costs and annual operating costs of the consolidated system that are directly associated with 9-1-1, as well as the anticipated revenues:

i) Identify the ETSBs that will be dissolved and consolidated, with the amount of reserves estimated to be transferred to the Joint ETSB. Any reserves are required to be transferred to the resulting Joint ETSB pursuant to ETSA Section 30(d);

ii) Identify the number of answering positions, full-time and part-time dispatchers prior to consolidation, and the proposed number after consolidation;

iii) Identify total network cost prior to consolidation and the proposed cost after consolidation;

iv) Identify network cost that the State will be responsible for paying;

v) Identify recurring and nonrecurring consolidation cost; and

vi) Identify all revenue sources for the consolidated system;

F) Communities Served - A list of all communities that are served by the 9-1-1 system;

G) Participating Agencies - A list of public safety agencies (police, fire, EMS, etc.) that are dispatched by the 9-1-1 system, including their addresses, telephone numbers and form of dispatch;

H) Adjacent 9-1-1 Authorities - A list of adjacent 9-1-1 authorities that surround the 9-1-1 Authority’s geographic boundary;

I) Originating Service Providers (OSPs) - A list of the OSPs who are known by the applicant to provide service within the jurisdiction of the 9-1-1 system;

J) Attachments (as applicable):

i) Any local ordinances that dissolve an existing ETSB.

ii) Any intergovernmental agreements (IGAs) creating a Joint ETSB or any other agreements pertinent to the 9-1-1 system consolidation. When the consolidation plan includes an entity that had previously consolidated pursuant to ETSA Section 15.4a (a), the 9-1-1 Authorities involved must agree to the modified jurisdictional boundaries as well as the payment and auditing of surcharge money as it relates to wireline surcharge monies pursuant to ETSA Section 30(b)(2)(A(i), (ii), and (iii) and wireless surcharge monies as it relates to ETSA Sections 30(b)(1)(D) and Section 30(2)(E).

iii) Any contracts with a new 9-1-1 system provider;

iv) The backup PSAP agreement that establishes backup and overflow services between 9-1-1 authorities or PSAPs within those authorities, which must detail and confirm the backup PSAP’s capability to direct dispatch or otherwise transfer emergency calls directly to all authorized entities within the 9-1-1 Authority’s boundary for whom they are serving as a backup;

v) A proprietary network diagram, which will not be posted to the website, that is provided by the 9-1-1 system provider showing a list of all known OSPs and Aggregators transporting all 9-1-1 traffic from the end user to the PSAP and all system components including ingress and egress, trunking, interconnection points, NGCS components, and routing configuration, predetermined alternate routes, text to 9-1-1 capabilities and PSAPs, SAPs, Backups and Unmanned Backups in the system; and

vi) All Call Handling and Aid Outside Jurisdictional Boundaries Agreements containing a primary and secondary means of dispatch (i.e., radio frequency/talk group, 10-digit 24x7 directly answered transfer telephone number etc.).

K) A test plan that defines testing with all OSPs and aggregators who are known, including but not limited to, the NGCS 9-1-1 database, network trunking, system overflow, system backup, default routing, pre-determined alternate routing, text to 911and transfers.

L) Wireless Zip Code Agreements between 9-1-1 Authorities governing the manner in which surcharge disbursements relating to subscribers in overlapping geographic areas (defined by zip code) are distributed as required in Part 1326.410. Include a list of the Zip Codes for the communities being consolidated. The Department will prepare an agreement based on the NG911 GIS address points database included within each zip code boundary.

3) Notwithstanding this subsection (b), any 9-1-1 Authority required to consolidate pursuant to ETSA Section 15.4a(a) that is only reducing the number of PSAPs within the existing 9-1-1 Authority in order to comply with the Act shall electronically file a short form 9-1-1 consolidation plan at the link posted on the Department's website. The short form 9-1-1 consolidation plan must include a completed application consisting of the following information and documents:

A) General Information - Contact and 9-1-1 system information;

B) Verification - Notarized statement of truth regarding information provided in the plan;

C) Letter of Intent - A letter that is sent to the 9-1-1 system provider with a copy of the plan;

D) Plan Narrative - A detailed summary of the proposed consolidation, including, but not limited to a detailed explanation of:

i) which PSAPs within the 9-1-1 system will remain operational, which ones will be decommissioned, which ones will be closed, and which remaining PSAPs will dispatch agencies that were previously dispatched by decommissioned or closed PSAPs;

ii) the 9-1-1 Authority’s boundary that the 9-1-1 system will cover as a result of the consolidation for all types of emergency calls, including voice, text, data, and multimedia information; and

iii) who the backup answering point will be for the consolidated 9-1-1 system.

E) Attachments:

1. A backup PSAP Agreement that establishes backup and overflow services between 9-1-1 authorities or PSAPs within those authorities, which must detail and confirm the backup PSAP’s capability to direct dispatch or otherwise transfer emergency calls directly to authorized entities within the 9-1-1 Authority’s boundary for whom they are serving as a backup;

ii) A proprietary network diagram, which will not be posted to the website, that is provided by the 9-1-1 system provider showing a list of all known OSPs and aggregators transporting all 9-1-1 traffic from the end user to the PSAP and all system components including ingress and egress, trunking, interconnection points, NGCS components, and routing configuration, predetermined alternate routes, text to 9-1-1 capabilities and PSAPs, SAPs, Backups and Unmanned Backups in the systems; and

iii) All Call Handling and Aid Outside Jurisdictional Boundaries Agreements pursuant to Section 1324.200, J), vi), if applicable.

F) A test plan that defines testing with all OSPs and aggregators who are known, including but not limited to, the NCGS 9-1-1 database, network trunking, system overflow, system backup, default routing, text to 911 and call transfers. For NG9-1-1 address components and functionality of the NG9-1-1 System’s implementation including but not limited to call testing, SMS (Text to 9-1-1), API Integration, measurement tools and reporting solution and voice and speech quality.

c) Pursuant to ETSA Section 15.4a, a request for waiver must include sufficient information to establish that consolidation will result in a substantial threat to public safety, is economically unreasonable, or is technically infeasible. A request for waiver shall include, at a minimum, the following:

1) The grounds on which the waiver is sought (e.g., substantial threat to public safety, economically unreasonable, and/or technically infeasible);

2) A detailed explanation of the efforts taken, if any, to comply with the statutory requirement for consolidation prior to requesting a waiver;

3) The duration of time for which a waiver is sought;

4) A five-year strategic plan, including, but not limited to, financial projections, for implementation of a consolidation plan; and

5) Any additional information regarding planned equipment purchases or replacements, as well as efforts to establish interoperability or shared resources.

d) Any 9-1-1 Authority filing confidential or proprietary documents or information as part of a consolidation plan or request for waiver may request that it be redacted and not subject to disclosure or made part of the public record. The 9-1-1 Authority shall also submit a redacted copy deleting any confidential or proprietary information or information that is a trade secret by plainly indicating on the redacted copy the information that has been deleted.

e) Upon receipt of a consolidation plan, it will be posted on the Department's website and be made available to the Commission for a technical review to ensure compliance with 83 Ill. Adm. Code 725, and the Department will notify all vendors registered that a plan has been received, posted, and submitted for technical review. The following timelines shall apply:

1. Interested parties shall have 15 days from the time the consolidation plan is posted on the Department’s website to submit written comments contesting the consolidation plan to the Department by email or mail.
2. After 20 days, or until notified otherwise by the Commission, the Department will proceed as though no separate Commission proceeding will be undertaken.
3. Within 25 days after receiving a consolidation plan and/or request for waiver, the Department will:

A) review the consolidation plan to ensure it complies with the provisions of this Section; or

B) review the request for waiver to ensure it complies with ETSA Section 15.4a(c);

C) post its review on its website; and

D) submit its findings to the Advisory Board.

f) If the Commission’s or Department’s technical review identifies non-compliance with either 83 Ill. Adm. Code 725 or 83 Ill. Adm. Code 1324, or an interested party contests the consolidation plan the Department shall notify the applicant and allow the applicant to request a 30-day extension to withdraw and resubmit a revised plan.

1. If the applicant requests an extension and submits a revised plan, the review process outlined above will begin anew.
2. If the applicant does not request an extension, the Department will appoint an Administrative Law Judge (ALJ) to hold a hearing no later than 40 days after receiving the consolidation plan.
3. The procedures for the hearing shall be as described in Article 10 of the Illinois Administrative Procedure Act [5ILCS 100/ART.10], unless otherwise specified in this subsection (2) and as ordered by the ALJ.

A) At least 10 days prior to the scheduled hearing, the Department will post the date on which the associated hearing will be held, as well as provide the email and mailing address for comments. This information shall remain posted until the hearing is held.

B) From the time the information is posted by the Department on its website until 5 days prior to the scheduled hearing, any interested party may request an opportunity to speak at the ALJ hearing regarding a plan or technical review finding by completing the form available online and submitting it to the Department by email or mail.

C) Requests to speak at the ALJ hearing received less than 5 days prior to the scheduled hearing shall not be considered.

D) Upon conclusion of the hearing, the ALJ shall make a recommendation to the Advisory Board regarding whether a proposed order for consolidation should be granted.

g) Only consolidation plans found to be non-compliant or that are contested will be scheduled for a hearing before an ALJ appointed by the Department. Regardless, no later than 60 days after the Department receives any consolidation plan and submits the above referenced findings, the Advisory Board shall hold a public hearing pursuant to ETSA Section 15.4a(b) and Section 1324.210.

h) Upon receipt of a request for waiver, the Department shall post a copy on its website, complete a technical review of the request for waiver, and submit a copy of the request for waiver and its completed technical review to the Advisory Board. No hearings before an ALJ appointed by the Department will be held regarding waivers.

**Section 1324.210 Public Hearings of the Statewide 9-1-1 Advisory Board**

a) Public hearings of the Advisory Board will be conducted at the posted date and time when a quorum of the members is present in person, by video, telephonically or by other electronic means. The hearing shall be recorded.

b) The date, time and location of the public hearing shall be posted on the Department’s website no later than 5 days before the hearing. The Advisory Board shall make reasonable efforts to hold the public hearing at a date, time, and location convenient to all parties.

c) The Chairperson shall preside over the public hearing, including closed sessions, if needed, as provided by Section 2(c) of the Open Meetings Act [5 ILCS 120/2(c)].

d) Interested parties may request an opportunity to speak at the public hearing no less than 2 days prior to the scheduled hearing. A Request Opportunity to Speak at Public Hearing Form is available on the Department’s website and must be submitted by email or mailed to the Department.

e) The Advisory Board shall make a public recommendation to approve the plan or waiver, approve the plan or waiver as modified, or reject the plan to the Administrator upon conclusion of the closed session, if any.

f) A transcript of the recorded hearing shall be provided to the applicant upon written request.

1) The cost of transcription shall be the responsibility of the applicant.

2) Fees shall not exceed the actual cost for the preparation of the transcript.

3) The record need not be transcribed unless the Advisory Board receives a written request and fee from the applicant in accordance with this Section or a request from the Administrator.

**Section 1324.220 Decisions of the Administrator**

a) The Administrator shall consider recommendations received from the Department and the Advisory Board regarding any consolidation plan and/or request for waiver it receives.

b) The Administrator shall provide a written decision to the applicant no later than 90 calendar days after the Department receives the plan and/or request for waiver.

1) Any order of authority issued by the Commission to a 9-1-1 Authority prior to January 1, 2016, shall remain in effect as if issued by the Administrator until the 9-1-1 Authority files a plan for consolidation under Section 1324.200(b) or for modification under 83 Ill. Adm. Code 1324.310, and a new order of Authority is issued by the Administrator. When appropriate, the Administrator shall issue an order of authority to operate a 9-1-1 system as detailed and described in the approved plan.

2) If the decision is inconsistent with the recommendation of the Advisory Board, the Administrator shall provide the Advisory Board and the applicant a copy of the order which shall include a written explanation regarding the deviation in his or her decision.

3) If the Administrator does not approve the plan, approve the plan as modified, or grant a waiver, prior to issuing the written decision, the Administrator shall read the record of all hearings conducted to ensure his/her decision is consistent with the record.

c) Any deadlines within this Part may be extended upon mutual agreement of the Administrator and the entity that submitted the plan or request for waiver.

d) The decision of the Administrator shall be final and subject to judicial review under the Administrative Review Law [735 ILCS 5/Art. III].

SUBPART C: MODIFICATIONS

**Section 1324.300 Types of Modifications**

a) The following types of modifications to a 9-1-1 Authority's existing 9-1-1 plan shall be filed on a long form modification application. The submission shall include the application prescribed in Section 1324.310(b) and shall be electronically submitted for approval at the link posted on the Department's website:

1) Changing geographic boundaries for wireline, wireless, and VoIP where it requires an intergovernmental agreement between 9-1-1 Authorities to modify those boundaries;

2) Changing NG9-1-1 system provider.

b) The following types of modifications to a 9-1-1 Authority's existing 9-1-1 plan shall be filed on a short form modification application. The submission shall include the application prescribed in Section 1324.310(c) and shall be electronically submitted for approval at the link posted on the Department’s website.

1) Other changes in the 9-1-1 network configuration such as moving a PSAP to a different location or facility. If the change results in increased network costs for the State, the costs must be preapproved by the Administrator pursuant to Section 1326.210 prior to submitting the modification plan;

2) Reduction of PSAPs within a 9-1-1 Authority beyond consolidation as required by Section 15.4a of the Act; and

3) Change of backup PSAP.

c) Both long form and short form modification plans require approval of the Administrator.

 **Section 1324.310 Requirements for Modification Plans**

a) Modification plans shall be filed in accordance with ETSA Section 11 and must conform to minimum standards as established pursuant to ETSA Section 10.

b) Long form modification plans must include a completed application to the Department for the modification to 9-1-1 service. The application, which can be found on the Department's website, shall include the following information and documents:

1) General Information - Contact and 9-1-1 system information;

2) Verification - Notarized statement of truth regarding information provided in the plan;

3) Letter of Intent - A letter that is sent to the 9-1-1 system provider with a copy of the plan.

4) Plan Narrative - A detailed summary of the proposed system's operation, including but not limited to, a complete explanation of the 9-1-1 Authority’s boundary that the 9-1-1 system will cover for all types of emergency calls, including voice, text, data, and multimedia information;

5) Financial Information - A summary of the anticipated implementation costs and annual operating costs of the proposed system that are directly associated with 9-1-1, as well as anticipated revenues;

6) Communities Served - A list of all communities that are served by the 9-1-1 system;

7) Participating Agencies - A list of public safety agencies (police, fire, EMS, etc.) that are dispatched by the 9-1-1 system, including their addresses, telephone numbers and form of dispatch;

8) Adjacent 9-1-1 Authorities - A list of the adjacent 9-1-1 authorities that surround the 9-1-1 Authority’s geographic boundaries;

9) Originating Service Providers (OSPs) - A list of all known OSPs to provide service within the jurisdiction of the 9-1-1 system;

10) Attachments (as applicable):

A) Any local ordinances that create an ETSB;

B) Any intergovernmental agreements (IGAs) between entities which are pertinent to the 9-1-1 system. When the plan includes an entity that had previously consolidated pursuant to ETSA Section 15.4a (a), the 9-1-1 Authorities involved must agree to the modified jurisdictional boundaries as well as the payment and auditing of surcharge received as it relates to wireline surcharge pursuant to ETSA Section 30(b)(2)(A(i), (ii), and (iii) and wireless surcharge as it relates to ETSA Sections 30(b)(1)(D) and Section 30(2)(E);

C) Any contracts with a new 9-1-1 system provider;

D) The backup PSAP Agreement that establishes backup and overflow services between 9-1-1 Authorities or PSAPs within those Authorities, which must detail and confirm the backup PSAP’s capability to direct dispatch or otherwise transfer emergency calls directly to all authorized entities within the 9-1-1 Authority’s boundary for whom they are serving as a backup;

E) A proprietary network diagram, which will not be posted to the website, provided by the 9-1-1 system provider showing a list of all known OSPs and Aggregators transporting 9-1-1 traffic from the end user to the PSAP and all system components including ingress and egress, trunking, interconnection points, NGCS components, and routing configuration, predetermined alternate routes, text to 9-1-1 capabilities and PSAPs, SAPs, Backups and Unmanned Backups in the system;

F) Any new Call Handling and Aid Outside Jurisdictional Boundaries Agreements which contain a primary and secondary means of dispatch (i.e., radio frequency/talk group, 10-digit 24x7 directly answered transfer telephone number etc.) entered into as a result of the modification.

G) Wireless Zip Code Agreements between 9-1-1 Authorities governing the manner in which surcharge disbursements relating to subscribers in overlapping geographic areas (defined by zip code) are distributed as required in Part 1326.410. Include a list of the Zip Codes for the communities being added to your system. The Department will prepare an agreement based on the NG911 GIS address points database included within each zip code boundary.

11) A test plan, which defines testing with all OSPs and aggregators who are known, including but not limited to, the NGCS 9-1-1 database, network trunking, system overflow, system backup, default routing, text to 911 and call transfers.

c) Short form modification plans must include a completed application to the Department for the modification to 9-1-1 service. The application, which can be found on the Department's website, shall include the following information and documents:

1) General Information - Contact and 9-1-1 system information;

2) Verification - Notarized statement of truth regarding information provided in the plan;

3) Letter of Intent - A letter that is sent to the 9-1-1 system provider with a copy of the plan.

4) Plan Narrative - A detailed summary of the proposed system's operation, including but not limited to, a complete explanation of the 9-1-1 Authority’s boundary that the 9-1-1 system will cover for all types of emergency calls, including voice, text, data, and multimedia information;

5) Financial Information - A summary of the anticipated implementation costs and annual operating costs of the proposed system that are directly associated with 9-1-1, as well as anticipated revenues;

6) Communities Served - A list of all communities that are served by the 9-1-1 system;

7) Originating Service Providers (OSPs) - A list of all known OSPs to provide service within the jurisdiction of the 9-1-1 system;

 8) Attachments (as applicable):

A) The backup PSAP Agreement that establishes backup and overflow services between 9-1-1 Authorities or PSAPs within those Authorities, which must detail and confirm the backup PSAP’s capability to direct dispatch or otherwise transfer emergency calls directly to all authorized entities within the 9-1-1 Authority’s boundary for whom they are serving as a backup;

B) A proprietary network diagram, which will not be posted to the website, provided by the 9-1-1 system provider showing a list of all known OSPs and Aggregators transporting 9-1-1 traffic from the end user to the PSAP and all system components including ingress and egress, trunking, interconnection points, NGCS components, and routing configuration, predetermined alternate routes, text to 9-1-1 capabilities and PSAPs, SAPs, Backups and Unmanned Backups in the system;

9) A test plan, which defines testing with all OSPs and aggregators who are known, including but not limited to, the NGCS 9-1-1 database, network trunking, system overflow, system backup, default routing, text to 911 and call transfers.

**Section 1324.320 Decisions of the Administrator**

a) Any order of authority issued by the Commission to a 9-1-1 Authority prior to January 1, 2016, shall remain in effect as if issued by the Administrator until the 9-1-1 Authority files a plan for consolidation under 83 Ill. Adm. Code 1324.200 or for modification under Section 1324.310 of this Part and a new order of authority is issued by the Administrator. The 9-1-1 Authority of a proposed or modified 9-1-1 system shall file a plan for the provisioning of 9-1-1 service with the Department for an order of authority to operate a NG9-1-1 system. The Administrator will issue an order of authority authorizing the 9-1-1 Authority to operate under the terms of its plan.

b) Pursuant to ETSA Section 10, the Department is authorized to set technical standards for the provision of 9-1-1 Authorities throughout the State of Illinois. Pursuant to the Public Utilities Act [220 ILCS 5/13-900], the Commission is authorized to set technical standards for the provision of 9-1-1 service to be provided by telecommunication carriers and 9-1-1 system providers.

c) All 9-1-1 plans must be filed electronically with the Department. Upon receipt of the plan, it will be posted on the Department's website. The Department will notify all registered vendors, perform a technical review to ensure compliance with this Part, and simultaneously submit the plan for a technical review by the Commission to ensure compliance with 83 Ill. Adm. Code 725.

d) The public will have 15 days to file written comments with the Department. After 20 days, or until notified otherwise by the Commission, the Department will proceed as though no separate Commission proceeding will be undertaken.

e) If there are no contested issues in the filing, no public hearing will be warranted.

f) If there are contested issues, the Administrator will schedule a public hearing to allow the parties who have issued written comments to appear in front of the Administrator and the applicant.

g) Once the hearing is concluded the Administrator will decide whether to issue an order of authority or to deny the plan.