



# AGENDA

## NORTH CAROLINA 911 BOARD MEETING

January 29, 2016

Banner Elk Room

3514A Bush Street

Raleigh, NC

10:00 AM – 12:15 PM

| <u>Tab</u> | <u>Topic</u>  | <u>Presenter</u> | <u>Time (min)</u> |
|------------|---|------------------|-------------------|
|            | Roll Call   | Richard Taylor   | 5                 |
| 1.         | Chairman's Opening Remarks<br>~ Recognition of Ashley Hayes, Telecommunicator with the Charlotte Mecklenburg 911 Center | Keith Werner     | 10                |
| 2.         | Ethics Awareness/Conflict of Interest Statement   | Keith Werner     | 5                 |

***In accordance with G.S. 138A-15, It is the duty of every Board member to avoid both conflicts of interest and potential conflicts of interest. Does any Board member have any known conflict of interest or potential conflict of interest with respect to any matters coming before the Board today? If so, please identify the actual or potential conflict and refrain from any undue participation in the particular matter involved.***

|    |  |              |    |
|----|--|--------------|----|
| 3. | Consent Agenda ( <i>vote required</i> )<br>(Complete Reports Located in Agenda Book On Web Site) | Keith Werner | 10 |
|    | a) Minutes of Previous Meetings  |              |    |
|    | i. December 4, 2015 Board Meeting  |              |    |
|    | ii. January 8, 2016 Board Meeting (Teleconference)   |              |    |
|    | b) PSAP Liaison Report – David Dodd  |              |    |
|    | c) Network Specialist Report - Tina Bone   |              |    |
|    | d) Network Specialist Report – Dave Corn   |              |    |
|    | e) Update On 2014/2015 Revenue Expenditure Reporting   |              |    |
|    | f) Grant Project Updates   |              |    |
|    | g) CMRS Fund Balance \$ 735,378  |              |    |
|    | 1) CMRS Disbursements \$ (859,159)   |              |    |
|    | h) PSAP Fund Balance \$ 9,639,787  |              |    |
|    | 1) PrePaid CMRS Revenue \$ 864,394   |              |    |
|    | i) Grant Fund Balance \$ 1,346,576   |              |    |
|    | 1) Grant Fund Encumbered \$ (33,982,468)   |              |    |

4. Public Comment Keith Werner

*The NC 911 Board welcomes comments from state and local government officials, first responders, finance directors, 911 directors, citizens and interested parties about any 911 issue(s) or concern(s). Your opinions are valued in terms of providing input to the NC 911 Board members. When addressing the Board, please state your name and organization for the record and speak clearly into the microphone.*

Speakers:

- |     |  |                     |    |
|-----|--|---------------------|----|
| 5.  | Executive Director Report                                | Richard Taylor      | 15 |
|     | a) Update on Rocky Mount PD Grant Appeal                 |                     |    |
|     | b) Henderson County Grant Extension Request              |                     |    |
|     | <i>(vote required)</i>                                   |                     |    |
|     | c) Reply To Draft National 911 Assessment                |                     |    |
| 6.  | Election Of Board Vice Chair for 2016                    | Keith Werner        | 10 |
|     | <i>(vote required)</i>                                   |                     |    |
| 7.  | Status of Back-up PSAP Compliance                        | Richard Taylor      | 10 |
| 8.  | Standards Committee Report                               | Laura Sykora        | 20 |
|     | a) Update On Rules Review Commission                     | Richard Bradford    |    |
|     | <i>(vote required)</i>                                   |                     |    |
| 9.  | Updating State 911 Plan                                  | Richard Taylor      | 15 |
|     | <i>(vote required)</i>                                   |                     |    |
| 10. | NG 911 Committee Report                                  | Jeff Shipp          | 20 |
|     | a) Tabled Motion for Approval of NG911                   | Dave Corn           |    |
|     | Cost Analysis  | Jim Lockard         |    |
|     | <i>(vote required)</i>                                   | Federal Engineering |    |
| 11. | 2016 Goals   | Richard Taylor      | 10 |
|     | <i>(vote required)</i>                                   |                     |    |
| 12. | Sponsorship of Telecommunicator Symposium                | David Dodd          | 5  |
|     | Class - Disaster Operations in the Communications Center |                     |    |
|     | <i>(vote required)</i>                                   |                     |    |
| 13. | Re-numbering of N.C.G.S. § 62A, Article 3                | Richard Bradford    | 5  |

Other Items

Adjourn

**Next 911 Board Meeting**

**February 26, 2016  
911 State Office  
3514A Bush Street  
Raleigh, NC**

**911 Funding Committee**

Monday, February 1, 2016  
2:00 pm  
Banner Elk Room  
3514A Bush Street  
Raleigh, NC

**911 Standards Committee**

Tuesday, February 2, 2016  
10:00 am  
Banner Elk Room  
3514A Bush Street  
Raleigh, NC

**NG911-GIS Sub-Committee**

Wednesday, February 10, 2016  
2:30 pm  
Pinehurst Room  
3514A Bush Street  
Raleigh, NC

**NG911-GIS Sub-Committee**

Wednesday, February 17, 2016  
10:30 am  
Pinehurst Room  
3514A Bush Street  
Raleigh, NC

**911 Education Committee**

Wednesday, February 17, 2016  
2:30pm  
Banner Elk Room  
3514A Bush Street  
Raleigh, NC

**NG911 Committee**

Thursday, February 18, 2016  
10:00am  
Banner Elk Room  
3514A Bush Street  
Raleigh, NC

**PSAP Funding Sub-Committee**

Friday, February 19, 2016  
10:30am  
Emerald Isle Room  
3514A Bush Street  
Raleigh, NC



# NORTH CAROLINA 911 BOARD MEETING

January 29, 2016

Banner Elk Room

3514A Bush Street

Raleigh, NC

10:00 AM – 12:15 PM

Roll Call

Richard Taylor

# Chairman's Opening Remarks

Keith Werner

# Chairman's Opening Remarks

## ~Appointment of New 911 Board Chairman

Keith Werner



Welcome Back



Chris!!

Chairman's Opening Remarks

Chris Estes

~ Recognition of Ashley Hayes,  
Telecommunicator with the Charlotte  
Mecklenburg Police 911 Center



On Sunday, November 22, 2015, at approximately 3:50 p.m., Hickory Grove Division patrol officers responded to the 8600 block of Sam Dee Road in reference to a residential breaking and entering call for service. The victim advised that she was inside her residence when she heard the suspects banging on the front door and then saw them walk around to the back of her home so she called 911.

As officers entered the residence they heard noise coming from a closet and when they opened the door they located the three suspects. All three suspects were taken in to custody. During a search of the suspects, stolen property was located on Mr. Hood and the juvenile.



Presented to  
Ashley Hayes  
of

Charlotte-Mecklenburg 9-1-1

For Outstanding Teamwork, Professionalism and  
Commitment to Public Safety Demonstrated By You  
November 22, 2015

Thank You for Striving to Make North Carolina's 911  
System Excellent  
January 29, 2016

# Ethics Awareness/Conflict of Interest Statement

Chris Estes

In accordance with G.S. 138A-15, It is the duty of every Board member to avoid both conflicts of interest and potential conflicts of interest.

Does any Board member have any known conflict of interest or potential conflict of interest with respect to any matters coming before the Board today?

If so, please identify the actual or potential conflict and refrain from any undue participation in the particular matter involved.

Consent Agenda  
*(vote required)*

Chris Estes



*a) Minutes of Previous Meetings*

*i. December 4, 2015 Board Meeting*

**North Carolina 911 Board  
MINUTES  
Stedman Education Bldg  
4401 Zoo Parkway  
Asheboro, NC  
December 4, 2015**

| <b><u>Members Present</u></b>                                 | <b><u>Staff Present</u></b> | <b><u>Guest</u></b>                   |
|---|-----------------------------|---------------------------------------|
| Jason Barbour (NCNENA) Johnston Co 911 (911 Board Vice Chair) | Tina Bone (DIT)             | Ron Adams-Southern Software           |
| Dave Bone (NCACC) Martin Co                                   | Richard Bradford (DOJ)      | Bill Boger-Charlotte Mecklenburg PD   |
| Darryl Bottoms (NCACP) Pilot Mountain PD (WebEx and phone)    | Dave Corn (DIT)             | Cliff Brown-Federal Engineering       |
| Ninnet Bowman (pending VoIP representative from TWC)          | David Dodd (DIT)            | Donovan Davis-Randolph Co 911         |
| Eric Cramer (LEC) Wilkes Communications                       | Karen Mason (DIT)           | Brian A. Drum-Catawba Co 911          |
| Rick Edwards (CMRS) Sprint                                    | Marsha Tapler (DIT)         | Hal Johnson-Randolph County Manager   |
| Andrew Grant (NCLM) Town of Cornelius                         | Richard Taylor (DIT)        | Jim Lockard-Federal Engineering       |
| Len Hagaman (Sheriff) Watauga Co                              |                             | Joel McCamley-Federal Engineering     |
| Greg Hauser (NCSFA) Charlotte Fire Department                 |                             | Sandy Smith-Randolph Co 911           |
| Rick Isherwood (CMRS) Verizon                                 |                             |                                       |
| Dinah Jeffries (NCAPCO) Orange Co Emergency Services          |                             | <b><u>WebEx Guest Attendees</u></b>   |
| Robert Smith (LEC) AT&T                                       |                             | Lee Canipe-Frontier Communications    |
| Jeff Shipp (LEC) Star Telephone                               |                             | Michael Cone-Wilson Co                |
| Jimmy Stewart (NCAREMS) Hoke Co 911                           |                             | Meghan Cook-DIT                       |
| Slayton Stewart (CMRS) Carolina West Wireless                 |                             | Del Hall-Stokes Co 911                |
| Laura Sykora (LEC) CenturyLink                                |                             | Grant Hunsucker-Montgomery Co 911     |
|   |                             | Melanie Neal-Guilford Metro 911       |
|   |                             | Lora Nock-Dare Co 911                 |
|   |                             | Erik Riklefs-Stancil Solutions, Inc.  |
|   |                             | Corinne Walser-Mecklenburg EMS Agency |
| <b><u>Members Absent</u></b>                                  | <b><u>Staff Absent</u></b>  | Brenda Womble-Wilson Co               |
|   |                             |                                       |
|   |                             |                                       |
|   |                             |                                       |

### **Chairman's Opening Remarks**

At 10:00 Vice-Chair Jason Barbour opened the meeting by recognizing Randolph County Manager Hal Johnson, who welcomed all in attendance on behalf of the Randolph County Board of Commissioners. He relayed how impressed he was with the level of experience and expertise he saw seated around the table, and stressed how much he wanted everyone associated with the 911 Board to know how much they are appreciated for the work they do. He noted that Randolph County has recently invested about \$11M for a new Emergency Services center which will include a state of the art telecommunications facility, adding that bids for construction of that center are expected to be approved on Monday by the Board of Commissioners, that they are hoping construction will begin by January-February of 2016, and how proud they are to be doing that.

Mr. Johnson then reminisced about how Randolph County has historically embraced improvements in emergency services provisioning, recalling that in 1976-77 the county took advantage of the Governor's Highway Safety Program of that time to move away from having funeral homes provide emergency response. He speculated that few people in the general public are aware of how much has been accomplished in the intervening decades to improve emergency services, including all the little battles that have been fought along the way, and once again commended the 911 Board for its work during those years. He closed his remarks by reiterating his welcome to Randolph County.

Executive Director Richard Taylor then observed that all Board members were in attendance on site with the exception of Chief Darryl Bottoms, whom he expected to participate by phone. Chief Bottoms was, indeed, online when Mr. Taylor checked with him. Mr. Taylor reminded all that he would not call roll for non-Board members online, as their login to the WebEx transmission would suffice, but he did add that about eleven or twelve people were currently being shown to have joined the meeting.

Vice-Chair Barbour then reflected upon former 911 Board Chair and State CIO Chris Estes having resigned from state government to return to the private sector, adding that as Vice-Chair he would serve as interim Chair until a new Chair is named. With that, he announced that Greg Hauser from Charlotte Fire had been approved as a new Board member, and asked Mr. Taylor to help him swear Mr. Hauser in, which they did. Vice-Chair Barbour then welcomed him aboard, and observed that 911 Board member appointee Ninneth Bowman's approval is still pending.

### **Ethics Awareness/Conflict of Interest Statement**

Vice-Chair Barbour read the ethics awareness/conflict of interest statement printed on the agenda and asked Board members to indicate if they felt they had any conflict or potential conflict of interest with any of the matters scheduled to come before the Board today. Board Member Rob Smith cited item 8, saying he would recuse himself from that vote. Board Member Laura Sykora asked Board Counsel Richard Bradford if he thought item 8 should pose conflict of interest problems for Board members representing the private sector, and he indicated he did not think so, so she said she would not recuse herself from that vote. Vice-Chair Barbour added by way of clarification that he didn't think Board members representing the public sector should similarly have problems with item 6, and asked Mr. Bradford if that was correct. Mr. Bradford responded that was correct. Vice-Chair Barbour then asked if there were any further conflicts, and hearing none, asked Mr. Taylor to proceed with the consent agenda.

### **Consent Agenda**

Mr. Taylor said that no corrections to the minutes of the October 23<sup>rd</sup> meeting had been submitted, but one clarification had been requested by Ms. Sykora. Referring to the paragraph beginning with the words "Chairman Estes added..." near the bottom of page 9, she wanted to point out that she was not specifically supporting keeping the ESINet data centers within the state; what she supports is *generically* having data centers located within the state, not just the ESINet data centers. She said she just wants to be clear as we get further down the road that this was not an endorsement specifically for locating the Next Gen system data centers in state.

Mr. Taylor next offered the financial report, first citing CMRS revenues of \$735,377 and disbursements of \$21,408 resulting in a fund balance in the CMRS fund of ~\$3.06M. Turning next to the PSAP fund, he reported prepaid income amounted to \$862,014, wireline income \$954,578, and VoIP income \$938,549. The total PSAP fund revenue for the month was \$5,698,940. Disbursements to the PSAPs totaled \$4,139,932. After adding the revenue to and subtracting the disbursements from last month's PSAP fund balance, this month's fund balance stands at \$5,920,128.

Ms. Sykora asked Mr. Taylor if there was any indication why the wireline revenue was down, saying she knew it was up in September. Board Financial Analyst Marsha Tapler replied it could be the timing of the checks coming in, observing such fluctuations happen once in a while. Mr. Taylor said Marsha stays right on top of that and normally the following month we'll see a little bit of a spike, adding that he knows if she doesn't see that spike, she's on the phone to the fiscal folks immediately to see if they may have mis-coded a check for deposit or something like that. Ms. Sykora thanked them for the explanation.

Turning to grants, Mr. Taylor reported we have gotten all the contracts in for the three new grants (Graham, Hyde, and Richmond Counties), and with that have encumbered \$35,942,118, with an unencumbered balance of ~1.3M in the grant fund.

Noting that all the other information for the consent agenda is posted online in the agenda book, Mr. Taylor offered to field any questions pertaining to that. Hearing none, Vice-Chair Barbour called for a motion to approve the consent agenda as presented. Jeff Shipp so moved, and Dinah Jeffries seconded, with the motion passing unanimously.

### **Public Comment**

Vice-Chair Barbour asked if anyone present, either in person or on the phone, wished to address the Board during the public comment portion of the meeting. Hearing no response, he asked if any WebEx participants wished to say anything. Again receiving no response (online), he moved on to the Executive Director's report.

### **Executive Director Report**

Mr. Taylor began by saying how satisfied staff was with the PSAP Managers Meeting held in Raleigh on November 19-20, noting a great deal of interaction among PSAP managers who attended. He displayed a map onscreen depicting counties that did have representation at the meeting, counties which had initially planned to send someone but had conflicts arise which prevented that, and counties which did not send anyone. All told, he said he thought 31 PSAPs did not send anyone out of the 125 which receive funding from the 911 Board, both Primary PSAPs and Secondary PSAPs. Mentioning he had shared the comments received by staff at the roundtables at yesterday's work session, he said those have become priorities for staff to work on. Mr. Taylor also thanked all of the 911 Board members who did attend the PSAP managers meeting, saying how much it meant to the PSAP managers to interact with them; to see that Board members really do care, and are not just somebody off somewhere making decisions.

Mr. Taylor next turned to the *Evaluation of Statement of Economic Interest Filed by Mr. Gregory F. Hauser* from the State Ethics Commission, observing that as always, by virtue of the nature of Board members representing entities which have a vested interest in 911, the Ethics Commission found no actual conflict of interest, although, as usual, a potential for a conflict of interest was identified, but not to such a degree as to prohibit his service on the 911 Board.

The next item in the report was the Rocky Mount Police Department Grant Appeal. Mentioning that he had spoken about it during the work session, Mr. Taylor reiterated for those who weren't in attendance that the PD has been talking with a company that possibly has a solution for them for doing their back up center. He said that after meeting with PD staff with Staff Technician Tina Bone he doesn't think there really needs to be an appeal; that good progress has been made toward solving the problem without needing a grant. He said he plans to notify them that the topic will be on the January 911 Board meeting agenda for the Board to vote on.

Mr. Taylor asked for questions or comments about the report, and hearing none, Vice-Chair Barbour invited Ms. Tapler to address the next agenda item.

### **Approval of Estimated FY17 PSAP Distributions**

Mr. Taylor displayed a spreadsheet online, and Ms. Tapler explained what the various data entries were on the spreadsheet and the calculations which were made based upon the data to determine the PSAPs' allowable 20% carryforward amount and as the projected distribution for FY 2017. Determinations were made based upon past expenditures regarding whether the distribution amount should be reduced or increased, which she also explained in detail. She mentioned that City of Fayetteville was still a work in progress due to unknown outstanding bills for a recently completed major project which must be paid during this fiscal year, postponing final calculations until those numbers are known. Mr. Taylor interjected that Fayetteville is receiving and paying invoices now attributable to that project, adding that the amount projected for them on the spreadsheet reflects no reduction from last year's distribution, so if any changes are made to the spreadsheet they will be to reduce the distribution, not increase it.

Ms. Tapler said a similar situation exists with the City of Holly Springs—it actually owes the PSAP fund. The city did receive a reconsideration request last year to not withhold its funding, as the same situation existed then as now. The city Finance Officer has sent documentation for staff to review, but it only arrived on Tuesday and Mr. Taylor has not yet been able to review it. Once again, as above, the number appearing in the spreadsheet today reflects what they would get if no changes took place; any change will result in a lower number, not a higher one. Mr. Taylor reiterated the numbers on the spreadsheet are the estimated numbers for budget purposes only, and if the Board approves it today, any changes which happen between now and December 31, when the notifications are sent, will certainly be shared by staff with the Board. Ms. Tapler concluded that based upon these numbers, the staff recommendation is for the Board to approve \$49,079,751.62.

Ms. Sykora asked if she understood correctly that between now and December 31<sup>st</sup> both Holly Springs and Fayetteville will be trued up, and it is likely that the amounts will be lower than the amounts appearing on the spreadsheet today. Mr. Taylor replied that if any change occurs, the amount will be going down, not up. Vice-Chair Barbour asked if it was fair to say that whatever amount we give them it won't go any lower once the letter is issued. Ms. Tapler replied that what it boils down to is they are asking the Board not to reduce their distribution amounts because they are finishing projects for which they have supplied documentation to Board staff, but staff has not had an opportunity to review the documentation in detail yet. Mr. Taylor added that one project is going live December 15<sup>th</sup> or 16<sup>th</sup>, and once that happens, they will be paying related invoices which they believe will justify their requests. Vice-Chair Barbour said he understood; he just wanted to be sure they weren't going to be told one thing on December 31<sup>st</sup> and come March be told something different. Mr. Taylor reassured him that is why staff will have it resolved before December 31<sup>st</sup>. He added you have to remember this is funding for FY17, so it doesn't kick in until July 1, so if they're paying those invoices now, then there would not be a need for them to carry any money forward because theoretically there would be no money left. Vice-Chair Barbour said all he wants to know is if they will have a number they can count on December 31<sup>st</sup>, as most budgets are expected to be submitted in February, and Mr. Taylor replied "Yes".

Ms. Sykora made a motion stating that the Board approve the estimated distribution according to the staff recommendation with true-ups for Fayetteville and Holly Springs to be made before the letters are sent to the PSAPs. Vice-Chair Barbour asked her to include the dollar amount, which she did: \$49,079,751.62. Dave Bone seconded the motion, and hearing no further discussion, Vice-Chair Barbour called for a vote, which passed unanimously.

Mr. Taylor reiterated that he wanted to be sure everybody understands the process. Once the letters go out, that sets the trigger for funding reconsideration requests; this is not the final figure of what will be distributed July 1, 2017. Ms. Tapler added that some of the FY16 revenue-expenditure reports are not complete yet, so this number will probably fluctuate. Mr. Taylor re-emphasized it is only an estimate.

### **Approval of 2016 Meeting Dates**

Vice-Chair Barbour noted that everyone had been provided copies of the proposed 2016 meeting dates for all the Board meetings as well as committee meetings. He commended staff for doing this, saying he thought this was the first time it has been done for all meetings to start off a new year with. He asked if anyone had questions, and hearing none, did point out that the committee meetings are scheduled for at

least one per month, noting that they may not take place that often, but at least there is a place holder to ensure they can take place when necessary. He observed that each committee chair will determine whether a meeting is necessary, and Mr. Taylor observed we will not meet for the sake of meeting.

Vice-Chair Barbour asked for a motion to approve the schedule, Sheriff Hagaman so moved, Slayton Stewart seconded, and the motion passed unanimously.

### **Update on NextGen 911 Committee**

Vice-Chair Barbour asked Jeff Shipp to present an update on the NG911 committee's work. Mr. Shipp began by thanking everyone for their time at yesterday's work session, recalling they drilled into both the Concept of Operations and the Cost Analysis for several hours and how he thought it generated great discussion. He mentioned that staff and the Federal Engineering (FE) team worked through the afternoon and into the night after the meeting concluded yesterday making some changes in response to the work session comments. He then invited Federal Engineering's Jim Lockard and 911 Board staff member Dave Corn to run through those numbers.

Mr. Taylor projected an updated copy of Table 31 from the Cost Analysis documentation presented during the Thursday work session. Mr. Lockard mentioned the original had a little different focus, so based on yesterday's work session comments they took a different look at the numbers. He said the first chart (Fund Breakdown) in the table breaks it down into the categories that they worked with Ms. Tapler to identify yesterday afternoon, noting the NG911 fund row is a year-by-year look, with some of the numbers she's presenting representing fiscal year information, whereas FE was looking at it over a calendar year period.

Mr. Lockard said the second chart (Expense Breakdown) in the table looks at it from an impact standpoint. It starts with the cumulative NG911 funds made available pursuant to HB 730 beginning in 2016, as well as a little bit allocated in 2015 when the project started. The second row in the chart represents new NG911 expenses being accrued as the project moves forward, increasing over time as each additional PSAP comes online. The third row represents costs that will be replaced as PSAPs do come online, i.e. current costs which will no longer be necessary once NG911 is in use. The fourth row represents costs impacted by NG911, which will come in much later and may not be replaced immediately with implementation of NG911 services. And the last line is the total funds that will be available just from the dedicated NG911 fund.

Mr. Lockard said that by looking at the totals for 2016, 17, and 18, it is evident that enough is being set aside to get through the transition. Where that situation changes is in 2019 and 2020, where, when the PSAPs are fully NG911, or nearly so, other adjustments may become necessary. Mr. Corn summarized that what they are essentially saying is the 10% of all incoming revenue which will be directed to the NG911 fund will pay for everything up to 2020. He added there are two assumptions within this that people need to be aware of which were not included because they are Board policy issues. The first, he pointed out, is that the PSAP fund amounts in the first chart are essentially flat. As PSAPs transition onto the network and transition into using NG911 functionality that we are providing them, we could reduce the amount of money they are receiving, meaning, for example, that if we are paying for their 911 CAMA trunks and they are on the ESINet, we could stop paying for those trunks. He said that is a decision the Board needs to make: that money could be put into grants, into an expanded eligible items list, or somewhere else entirely, but that is a Board decision. Depending upon how that is determined, the New NG911 costs represented in the second row of the Expense Breakdown chart could potentially be changed from negative numbers to positive ones.

Laura Sykora asked if PSAPs wouldn't disconnect their CAMA trunks themselves when they transition to NG911 and are on the 911 Board funded ESINet, and when Mr. Corn affirmed that, she observed then it wouldn't be a Board decision, but a PSAP decision. She agreed that there may be other things the Board could quit paying for, but felt sure the PSAPs would disconnect CAMA trunks as an evolutionary change. Mr. Lockard acceded that CAMA trunks was perhaps a poor example, but yes, the meaning was that there would be savings which could be realized by moving away from the legacy 911 network onto the ESINet.

Mr. Corn also noted that they flat lined the Grant Fund money in the Fund Breakdown chart as discussed yesterday, because the orthoimagery and ECaTS projects consume roughly \$5M, and the grant fund depicted in the chart only covers those things. He observed the Board has the option to put money into the grant fund, but the team doesn't know if the Board is going to do that, so they simplified this as much as they could.

Mr. Corn said the second assumption he needed to make everyone aware of, and which is not reflected in these numbers, is that there is federal grant money available. It was originally supposed to be available in January 2016, but Laurie Flaherty, who was here last month with the National 911 Program assessment team and also is in charge of those grants, has said that likely won't be available until the November 2016 time frame. He speculated that will be \$3M-\$8M we will apply for in a grant which will also impact the NG piece, but since it is a grant, and we don't yet have it, that money does not appear in these charts. He then asked if there were any questions, and when Sheriff Hageman asked what has to be done to apply for the grant, he replied that he didn't know. Mr. Lockard volunteered that it will be very similar to other federal grants which FE has helped clients apply for in the past, and that FE will certainly be involved in doing that for this project. The Sheriff then asked if it will be a competitive grant process. Mr. Lockard replied it will be.

Mr. Corn interjected that there are at least six or eight states that have already done NG911, or are at least ahead of us in the process. He characterized North Carolina as being somewhere in the middle of the approximately 25 states which are addressing it in some way; the remaining 25 have done nothing toward it to date. He observed that if you divide up the \$115M available among the roughly 25 states which are working on NG, he expects us to be able to get \$4M-\$5M, but there are no guarantees of anything. Mr. Taylor pointed out that on the last round of grants the National 911 Program did about four years ago, which he believed involved a total of only about \$10M altogether, there weren't but a couple of states that applied, so they received more funding than an even split would have provided. Mr. Lockard pointed out that there were several states that couldn't apply because they had misused 911 funds or allowed them to be raided by other state agencies, which is one of the rules that cannot be broken and still maintain eligibility. Ms. Sykora asked if there is any "statute of limitations" on that, since ours were raided about ten years ago, and Mr. Taylor replied we are eligible to apply now. Mr. Bradford added they would be looking at our more recent biennial reports.

Mr. Lockard asked if there were questions from the Board on the numbers, and Vice-Chair Barbour observed that any vote on this is not a vote on the numbers, just a vote on the model, which he confirmed with Mr. Bradford, because we have not gotten in any RFPs or anything like that to validate these numbers. Mr. Bradford offered that as was explained, there are some assumptions in this model which have been made, and it could probably be presented ten different ways by ten different people. He said he thinks the point here is to show the affordability that's expected, so you may find as a Board as you move forward that the costs are higher or lower than anticipated and adjustments will be made at that time. He explained it's really just projecting forward so you have some sense of assurance that it is affordable.

Mr. Shipp interjected that on another subject based upon yesterday's work session, in regards to radio interoperability, the team has made changes to that and not mentioned any specific solutions as yet. He then presented Vice-Chair Barbour on behalf of the NextGen 911 Committee with a motion in the form of a committee recommendation to adopt the Concept of Operations, which is the first report that was reviewed yesterday. Noting that since the recommendation came from committee there was no need for a second, Vice-Chair Barbour asked if there was any further discussion before the vote. Hearing none, he called the motion, which passed with Rob Smith abstaining. Mr. Shipp then similarly moved on behalf of the NextGen 911 Committee for approval of the Cost Analysis with the revised numbers that were presented in today's presentation.

Ms. Sykora asked Vice-Chair Barbour if this could be tabled until the January meeting, stating she really appreciates the new numbers and would like to spend a little bit more time with the Cost Analysis with the new table. She said she did believe this does address her concerns brought up in yesterday's discussions, but she just wants to spend a bit more time with some of the assumptions before taking action on it. Observing that it is coming from the committee in the form of a recommendation, and Ms. Sykora wishes to table it, Vice-Chair Barbour asked Mr. Bradford for guidance regarding how to proceed.

Mr. Bradford said understanding that the request to table is a lot longer under Robert's Rules of Order, he observed that the request is really to suspend until a time certain that decision, with that time certain being the next Board meeting in January. He offered that if there are questions among Board members along these lines, and they want to look at the assumptions or consider other matters, then that's fine, adding, however, that they voted on the proposed distributions to the PSAPs today which had those kinds of issues. He pointed out that it can be voted on even though there is a request to table it, if the Board so wishes, or it can be tabled until the January meeting. Vice-Chair Barbour asked how to do that operationally, and Mr. Bradford said you decide whether to honor the motion to suspend it until January. When Vice-Chair Barbour asked who decides that, Mr. Bradford said the Board does, or he can do it independently as the Board Chair. Vice-Chair Barbour immediately replied he was not inclined to do that, eliciting laughter around the room, and Mr. Bradford said the practical matter is that typically the governing body would make that decision.

Mr. Taylor asked if this will impact the next step in the project if the Board tables it until January, which he said he believed is the design step. Mr. Corn replied it will not impact the conceptual design process; there is no money involved in that step. Mr. Taylor rephrased his request, seeking assurance that "This will not slow down the project or anything like that; we can still proceed?" Mr. Corn replied that is correct.

Noting he did not want to complicate or frustrate this, Andrew Grant observed that in addition to what Ms. Sykora is mentioning, he would like to request a little bit more information in the context of the discussion they had with Ms. Tapler yesterday for FY17. He said he understands the vote would be to approve the skeleton of the Cost Analysis, not the numbers per se, but he's a little concerned about FY17 for the short term, since the Expense Breakdown chart shows being in the red as a projection. He said he also would like to request that in the Fund Breakdown chart of Table 31, where it lists the various funds, we could see whether or not we know, for example, if the PSAP fund is going to be going down as a reflection of some of these costs being replaced by NG911 as indicated in the Expense Breakdown chart; that he would like to see a five year projection of how those costs actually go down. He noted that if we're saying we may not have grant funds available for the next four or five years, whatever the time frame may be, he'd like to see that projection as well, understanding that they are just estimates. He offered that he can't reconcile in his head the two charts of Table 31, despite the fact that it all looks great on paper.

Vice-Chair Barbour agreed, saying that the grant fund showing \$5M across the spectrum represents money that is already committed, so it adds sort of a false hope to a PSAP out there that thinks there is \$5M in grant money that it can ask for. Mr. Corn confirmed that number represents money already committed, and Vice-Chair Barbour said he thinks that we should indicate that some way in the chart so that a PSAP won't look at the chart and assume the \$5M will be available for it to apply for a grant any one of those years, when in essence it should be zero after paying for ECaTS and the recurring orthoimagery project costs. Mr. Taylor speculated that proper labeling would include a row in the chart for the PSAP Grant Fund and another for the Statewide Grant Fund. Vice-Chair Barbour agreed, saying the PSAP Grant Fund amount could show zero while the Statewide Grant Fund could show \$5M. Mr. Corn said they could do that with no problem.

Vice-Chair Barbour asked Mr. Grant if he seconded Ms. Sykora's motion to table the committee recommendation, and Mr. Grant said yes, with a request for the additional information prior to the January meeting. Mr. Taylor asked for clarification of what additional information was being requested, and if it was particularly focused on the 2017 data, and Mr. Grant replied yes, for the short term. Vice-Chair Barbour acknowledged that staff and FE did not have much time to make these modifications, but speculated that if tabling the motion does not affect proceeding with the Conceptual Design, then there is not necessarily any hurry to approve the Cost Analysis.

Vice-Chair Barbour asked if there was any further discussion before voting to table the recommendation, and Dave Bone asked if there is any additional information that the Board members need to look at between now and January, observing that in looking at the table, most of Mr. Grant's information request is on there, just maybe not as apparent as he might like it to be. Mr. Grant replied that is a good way to put it, because to him it is not apparent. He acknowledged that the clarification between the PSAP Grant Fund and the Statewide Grant Fund will help, but said that he would like to see a more accurate representation of what the PSAP Fund will be across the board in the Fund Breakdown chart, because the information in the Expense Breakdown chart makes it appear the PSAP fund balance will be going down. Mr. Corn replied that's not it at all, that the Expense Breakdown chart does not necessarily reflect a



reduction in the PSAP fund, although when savings are realized as the ESINet becomes active, such as the reference made earlier to no longer having to pay for CAMA trunks, that could occur and be reflected in the PSAP fund amount, but that will be a policy decision made by the Board. It is not something the team can predict in projections because the team has no control over it.

Referring to the discussion yesterday about costs being replaced, i.e. current costs that we are now paying to PSAPS being replaced, corresponding to row a) in the Expense Breakdown chart, Mr. Grant explained that we are making those savings assumptions in that chart, but not in the Fund Breakdown one. He speculated that cost replacement should surely impact the PSAP fund in the Fund Breakdown chart as well, but he's not seeing that impact. He said what he's asking is to see it in both charts, not just one.

Mr. Lockard offered that the Expense Breakdown chart was designed to show just the impact of NG911; where costs recovered from implementation of NG911 appear, or are reallocated, in the various funds is the Board's decision. Mr. Grant acknowledged that, but he would rather they go ahead and make that assumption and reflect that. Returning to the CAMA trunks example, Vice-Chair Barbour said he doesn't think it's really a Board decision when a PSAP jumps on the ESINet; there will no longer be any CAMA trunks to pay for. Mr. Corn acknowledged that, and said the reason the team took this route was that the grant fund for PSAPs may potentially be zero, and the team assumed that the Board will take some action and move recovered costs back into the grant fund, or somewhere else, but once again, that is not presently known. He added they can easily change those numbers to reflect giving recovered cost revenue to the PSAPs when it is known.

Dave Bone said one of the things he would like to see is to provide the assumptions that are being made in a narrative form in the report as notations to the sheet. Vice-Chair Barbour said another thing that may be confusing people is that the Board just approved ~\$49M for FY17 for the PSAP fund, but the chart shows ~\$56M. Ms. Tapler said that was what Mr. Lockard was referring to earlier when he spoke about her basing her numbers on fiscal year data while the team had based its data on the calendar year. She offered that it might be easier for the Board to understand if it was fiscal year, but she believed the team didn't realize her numbers were based on fiscal year rather than calendar year. Vice-Chair Barbour suggested that the chart be converted to fiscal year versus calendar year, and he likes having the assumptions in writing. Andrew Grant said he was glad Ms. Tapler had mentioned that because he had thought the numbers were fiscal year based.

Ms. Sykora said she wanted to go back to something Mr. Grant had said when they were talking about 2017 projections totally separate from this yesterday, where a ~\$3.8M-\$4M shortfall was discussed, whereas this looks like everything is fine. She said she thinks a recognition or reconciliation of that analysis which Ms. Tapler did should be factored into this.

Vice-Chair Barbour asked for further comments, and hearing none, called the motion to table the recommendation from the NG 911 committee until the January 2016 Board meeting, which passed with Jeff Shipp in opposition and Rob Smith abstaining. Observing that it's about seven weeks until the next Board meeting, including the holidays, Mr. Taylor asked if the team could have a draft of the modified tables ready to distribute around the first of the year so that if any questions remain there will be some time to do some back and forth and make modifications if necessary before the January 29<sup>th</sup> meeting.

Mr. Bone said he did have one procedural question about the NextGen topic: how and when will that be communicated to the legislative committee, i.e. an update on NextGen? Asked if he meant the legislators, he replied yes, and Mr. Taylor said he planned to do that on Monday, as he will be on the road this afternoon.

### **Update on Rules Review Commission**

Mr. Bradford said he thinks everyone is aware that the Rules Review Commission, through its counsel, replied to the Board's request. Acknowledging he didn't know if Board members had time to read through the document, as it may seem rather lengthy, he observed that if they did read through it they probably saw that there were a lot of repeated texts, so it's not as long as it appears. He said, however, there are a few things he wants to point out. First of all, there are two parts. One is the staff opinion, as shown on the first page of the report (which Mr. Taylor had displayed onscreen). This is where, basically, the Rules

Review counsel has objected, and will then advise the Rules Review Commission (RRC) on a basis. On the opening page it is marked as a failure to comply with the APA, or Administrative Procedures Act. The second part is a request for technical change, which is the longer of the two parts.

Mr. Bradford said the technical changes include formatting requests—if you read through it you saw a lot of those—and that always happens. He said you might have read some of them and asked yourself “Couldn’t you get this right to start with?”, and the reality is maybe...but, they will find fault with anybody anytime anywhere, just about, so it’s not unusual to have those items. He added there are more than he expected, but nevertheless, we’ll deal with them. The other aspect of the technical change request, he explained, includes questions from their counsel, and there were some of those. He observed those two things are handled differently, and frequently that’s where we have a, more or less, “backroom meeting” where the counsels talk about the questions and make sure that the technical changes are acceptable to RRC counsel before getting in front of the RRC.

Returning focus to the opening page, Mr. Bradford said you see the “Failure to comply with the APA”, and what that means is that the Rules were not published properly, so that the rule for which we’re asking approval is not the same as what was published in the notice of text. He acknowledged, “Well, they’re right...it’s not”, and that’s true for several things, but there’s a reason for that. The reason for it is basically that the Standards Committee and this Board has consistently tried to present a cohesive set of Rules for our regulated public, the regulated public being all the PSAPs and local governments that have to follow the Rules. He reasoned changes have been made all along, over the course of several years, and most frequently over the past year, but if you waited until everything was perfect, or you thought it was perfect, and then filed or filed it piecemeal, it would take longer. He explained what we’ve done here is, in effect, to put together something, put it in front of the regulated public, so essentially everybody who would like to speak has had an opportunity to do so. He added that if you do that piecemeal, they don’t really get that opportunity in the same fashion because they don’t have a full set to work with.

Mr. Bradford said that since the effective date isn’t until July 1 of next year, we have plenty of time to correct this issue; this is all part of the tactical decision in trying to get through the rule making process. Rhetorically asking “Will there be changes to comply with the APA?” he replied “Yes”, saying basically what that means is we will have to republish, we’ll have another hearing, and we’ll go back in front of the RRC, while noting that he and Teresa Bank are already working on that.

Asking Mr. Taylor to scroll down to rule citation .0205, Mr. Bradford observed it is a little bit different than the first one, asking everyone to note the italicized text at the bottom of the screen. Although they are still citing failure to comply with the APA, staff is noting that while the Rule was not published, all of the requirements that are listed there were. He explained that we reorganized the Rules and used an acronym that wasn’t in the published Rules, but in substance everything is there and there is no change. He observed the RRC could approve this, but they may not. If they don’t approve it, then we’ll go back through the notice of text and the hearing and change that, but there was no substantive change.

Mr. Bradford said the next category in the staff opinion is the lack of statutory authority, and asked Mr. Taylor to scroll down to rule citation .0302-.0304, where counsel has concluded that the Board does not have authority to make these Rules. He explained these are the Rules that address the issue of cost recovery plans, and technically speaking, counsel is correct: the statute does not require CMRS providers to do this. He added the Board has done this since its inception, when it was the Wireless 911 Board. It has always done this, and Mr. Bradford said he thinks its primary rationale for it is to understand not only how the system works, but the kinds of expenses for which providers may request reimbursement, allowing the Board to understand how much money may be needed. He offered that it is a budgetary and management tool which he thinks is fairly implied, but the statute doesn’t actually require it, so they are correct. He added that part of the issue here, which he will discuss with Mr. Taylor, is how hard do you want to push this? Do we really need it? If we do, we can argue about it, but if we don’t really need it, then we could just let this go and move on, but those are basically the two choices we have for this particular set of Rules. He went on to say that if you read through the two documents from Rules Review, then you would note that there were technical changes on these Rules, too, and that he’s not going to bother with those unless there’s a desire to keep these Rules. He said if the Board wants to talk about that briefly today, we can certainly do that.

Mr. Taylor interjected that he had a couple of questions. He noted that of all the Rules which were submitted, only nine are being objected to. Also noting that the next hearing is coming up on December 17<sup>th</sup>, he asked Mr. Bradford if it is feasible, reasonable, possible that we may not be able to answer or reply to these nine, but the remaining Rules could still be heard and that process completed on the 17<sup>th</sup>. Mr. Bradford replied yes, it is, but of course where there are cross references or interactions between certain Rules and some are not addressed, then the cross referenced Rule is impacted in the approval process. Mr. Taylor then asked if Mr. Bradford thought we had such a problem with any of those nine, and Mr. Bradford replied no, not particularly. He observed there are some technical changes, and Rule .0205 on the CEMP (Comprehensive Emergency Management Plan) would be impacted, but that impact is shown, he thinks, in two other Rules where the CEMP is specifically mentioned. So that part of the other Rule might not pass, and we would have to then come back and amend that Rule later, which we can certainly do.

Mr. Taylor said that where he is going with this is that he really does not want to slow down this process to debate these nine with Rules Review; if we can move forward with the others on the 17<sup>th</sup>, can we come back in January's meeting and discuss those nine with them? Mr. Bradford said he doesn't want to say "With them", but if the question is can we continue to work on these, the answer is absolutely, and the fact that there is an objection, as here, for lack of statutory authority, doesn't stop him from arguing opposite, although he may or may not be successful. He further explained it doesn't stop him from trying to make the point that this Rule is here conceptually to address the oversight and the budgetary issues associated with providing a 911 service; that's part of what this Board does. He observed that any time you read something with a certain level of rigidity you may lose the intent and the context of that, and he thinks that's basically what's going on here. He said if they are adamant about this, there's always the potential to address it from a legislative perspective and revisit the issue that way; it really depends on how strongly the Board feels about the need for the cost recovery plans, the details that are in them, and so forth. The bottom line is that's the issue here.

Speaking to that one particular topic, Mr. Taylor asked if we take that out of Rules, it can still be a policy of the Board, can it not? Mr. Bradford replied yes, but you then cannot require it, you can only seek it. Mr. Taylor added just to give everybody some history on this particular piece, this was begun back in 1998-1999, as part of cost recovery, and what we're now doing was very common practice amongst all states doing cost recovery then. He observed it's not a real cumbersome process, but it does require some paperwork and in fact, before this came up, he and Ms. Tapler were talking about revamping the cost recovery plan for the few carriers which are still seeking it. He pointed out the statute identifies certain items for which carriers can seek reimbursement, just as it does for PSAPs, but carrier cost recovery is a little different than eligible fund use by PSAPs, because carrier expenses do not fit into neat categories. Whereas most PSAPs will incur similar expenses—CAD, 911 phone system, etc.—which are described within the statute, carrier expenses can differ based upon variables such as whether their solutions are network based or handset based, which present totally different costs or types of costs. He surmised that it does really help the Board to understand what it is we are paying for so that when an auditor comes in we can say "Yes, these are the costs we are reimbursing based upon what the statute allows us to pay for." He added some of them (cost recovery plans) are very simple now, done on a per subscriber basis, but others are much more detailed with monthly invoices of 70-80 pages. He said he would have heartburn if we were not able to continue with either the same or a similar methodology, while noting that we are among a very few states continuing to offer cost recovery, and we are only doing it with about seven carriers, but again, it is a requirement.

Sheriff Hagaman asked if we do not have a fiduciary requirement here, and Mr. Bradford replied that is part of the issue; he believes the Board does have a fiduciary responsibility here. He added the other item here is that, if you read this and looked at the second paragraph in the comment, you see that the Rules Review counsel has assumed that this is a pre-approval process, which it is not. The cost recovery plan doesn't necessarily mean that those are the items and the costs that will be reimbursed; it forecasts what they will be, but that's all. Absent that forecast, the Board loses a management tool, and while the content of the plan has never been made public to the Board because of the fact that it is considered proprietary to the providers, the knowledge is here, and it's here at the staff level, which translates into information from the staff that you receive as a Board. Mr. Bradford said he thinks it's important, which is one of the reasons he wanted to stop here and spend a little time on it. He explained all he's really seeking is to make sure Board members understand what we received from Rules Review, and if you have some direction to give to staff or to him on this particular point, he would be interested to hear it.

Vice-Chair Barbour asked "What does the Board think?" Ms. Sykora said she just regrets that the Standards Committee has a meeting the same day as the RRC. She said she would like to meet before the RRC meeting, so that the Standards Committee could maybe assist Mr. Bradford from a committee standpoint. She said she would like to attend the RRC meeting just to hear the discussion, so as Standards Committee Chair, she will be looking for a new date for the committee meeting.

Vice-Chair Barbour then asked if anyone on the Board had any feelings as to what Mr. Bradford should do. After a long silence, Mr. Taylor said that from a staff perspective and looking at having to respond to legislators, who are watching this very closely as well, he would like to take these nine and real quickly look over them with the Board, if members think that is reasonable, to give a thumbs up or thumbs down for Mr. Bradford to argue these for the 17<sup>th</sup> or put them on hold or what. Mr. Bradford said he didn't think it necessary to look at all nine. The ones that have been marked as "Failure to comply with the APA" are just a procedural issue; he'll address that...it's not a problem. He said it is only where they're marked as having the "Lack of statutory authority" that are of concern. Vice-Chair Barbour asked how many of those there are, and Mr. Bradford replied only a couple. He offered that if the Board wants to look at those, it is certainly fine with him. Mr. Taylor asked him to identify them so he could display them onscreen, and Mr. Bradford began with .0112 by saying he could dispense with it easily because there was an error in the time that was set out. It should have been 30 days and it was 45, which is a simple change, so there's nothing really to discuss on that.

Ms. Sykora interjected that if she's hearing correctly, the only one that Mr. Bradford needs Board direction on is the CMRS reimbursements. He replied that's the only one that he thinks is worth considering here, and he thinks the Rule, of course, has been a policy of the Board for a long time, and it was put in place because it did have benefit to the staff and to the Board. He added he thinks the authority is implied through the law, and the oversight that the Board is supposed to employ, and that he doesn't think Rules Review has considered it in that light. Instead, he thinks they have considered it looking at the statute and saying does the statute say, specifically, that you can request a cost recovery plan from CMRS providers. Does it say that? It does not. Ms. Sykora surmised he's saying that there's room to argue that we do, and he replied he believes so, but that doesn't mean he'll be successful. She then offered that besides the APA, that's the only one we might have to pull out of the Rules. He agreed. She then asked if we need a motion for the Board to say go for it, and he replied no. He said he just wants to make sure the Board is aware of what the RRC counsel has done and what it means in the impact and how he's going to proceed forward. Vice-Chair Barbour asked if anybody objects to Mr. Bradford making this argument for the Board, and no one spoke up. He then said let the record show that he hears no objections.

Ms. Sykora then asked Mr. Bradford, just to make sure, that except for the technical changes, except for the APA, and except for the two where they say we don't have statutory authority, those we would assume would be approved. He replied he would not assume that they'll be approved because the technical change requests and the questions will have an impact on that. He added if we can obtain the support, he would say, of Rules Review counsel for the technical change responses that we provide, then those rules *should* pass; they will be recommended by counsel to the RRC, and then it votes. He noted the commission members frequently ask questions, and they may decide that they want to hold something pending further review. They can do that, just like many, many Boards do, so that's always possible. He observed that as with anything, it's best to be prepared, so he goes as prepared as he can be to try to get the best outcome.

Mr. Bradford said he has formulated responses to almost all of the technical requests and questions, though there are a few that he wants to follow up with staff on. He related he has spoken briefly with Dave Corn and Tina Bone about those, but there are only a few of those, so he thinks we're moving forward.

He recalled he had mentioned there were questions presented in the requests for technical changes, and since Board members may not have been able to read every word of every paper, he said he would like to just give an illustration of a few of those. He said one, in particular, is whether something is a Board decision or a PSAP decision; that appears with some frequency in the comments. We're addressing that based on the Board's operations. Another is use of phrases such as "at least" or "minimum", which are deemed ambiguous by Rules Review, but at times, that kind of phrasing is really needed. He offered an example of that in .0205, where it refers to testing plans "at least" annually. He observed there may be other reasons to test a recovery plan or a backup plan or something throughout the year, but the point

here is to do it at least annually. Another example is “a minimum” of two 911 lines appearing on “at least” two devices. In that case, Rules Review counsel has assumed that a line equals a telephone device, and Mr. Bradford speculated rather tongue-in-cheek he could handle that one. He further observed they have asked in many places to define words that are in common use, such as “normally”, “remote”, “usually”, “continuously”, and observed he thinks, frankly, that’s why we have a dictionary. He said he appreciates their concern, but he doesn’t think they’re reading this in context, so in each instance where that appears in their comments, his response is basically that it has the common meaning; it does not need to be separately defined. He continued that interestingly there are some other areas where particular terms that are common in telephony or IT are used, and they didn’t question what those terms mean. He mentioned that another theme is the question, “Does your regulated public know” this thing or that thing or something like that, an example being what does “acknowledged” mean in the context of a call or what does “redundant” mean in the sense of having redundancy to respond to calls or route calls. Another is that in interplay with FCC rules, they have assumed that a CMRS provider is *not* a provider of voice communications.

Observing that people in this business might really scratch their head at stuff like this, Mr. Bradford reminded everyone that they must understand that the RRC’s expertise is in reading a statute and understanding whether a Rule fits with that statute or not. He also recalled that he thinks previously in these discussions about Rules he has told the Board that his experience is that the Rules process is one where we edify each other. He gets to explain things to them, and they get to explain things to him, and he gets to explain to them the substance of what we’re talking about and they deal with “a box” it must fit in.

Mr. Bradford continued he thinks he can explain most of these things. He said there are a few items he mentioned wanting to talk more in depth about with Dave Corn and Tina Bone, an example being they (RRC) didn’t assert but did question if routing a call is the same thing as a hunt feature. He said he can understand why they would ask, so there are a few of those that he will take up with staff. He observed that going forward, as was previously mentioned, the hearing is on December 17<sup>th</sup>, at the Office of Administrative Hearings at 10:00 AM, and he would say the agenda is rather crowded; the room will be full. He said he believes we are fourth of ten or eleven on the agenda for Rules, that he will be there, and prior to that he and Teresa Bank will do all that they can to meet with RRC counsel Amanda Reeder and see if they can come to agreement on the technical changes. That should remove those issues, and allow those rules to move forward for approval with Rules Review.

Vice-Chair Barbour asked if anyone had further questions for Mr. Bradford, and Sheriff Hageman asked just out of curiosity what are the sanctions, if any. Will they tell us to “take a hike?” Mr. Bradford replied there are no sanctions; you simply don’t get your rules in place. He said it’s not as though something bad will happen, and he thinks that on balance it’s important to remember, and he would say it’s important for him to convey to the RRC, that this process has taken a long time, but part of that is because this Board meets monthly, mostly, as do the committees. We have a significant regulated public population, which has been invited to participate, and has participated, over the course of several years, so there hasn’t been anything new here. There isn’t anything that’s unknown, really, to the regulated public. This has been made available many, many times. He said he thinks that that approach, trying to ensure that concerns from the PSAPs are being addressed, from various quadrants, has been done, observing he’s been in a lot of those meetings and he knows that from personal knowledge. He said he thinks that that’s a good thing, but it’s not something that really factors into what the Rules Review Commission does.

Hearing no further questions from Board members, Vice-Chair Barbour thanked Mr. Bradford for his report, and asked him if anyone wants to attend the meeting, do they need to let anyone know or is it just walk in and find a seat? Mr. Bradford’s reply was that it is “Festival Seating”, prompting laughter around the room; the meaning was clear. Vice-Chair Barbour asked if a judgement will be made that day, and Mr. Bradford replied a decision will likely be made that day, at least in part. Vice-Chair Barbour asked if he would let the Board know, and Mr. Bradford said, “Absolutely.”

### **Approval of 2016 Goals**

Before beginning discussion of the 2016 goals, Vice-Chair Barbour asked Mr. Taylor to review the committee appointments. Mr. Taylor said that as discussed a little bit yesterday, he is moving Dave Bone into the Vice-Chair position on the Funding Committee while retaining Sheriff Hagaman as a committee

member, at his request. Sheriff Hagaman will, however, take over the Vice-Chair position on the Standards Committee as well, so he can be, in Mr. Taylor's words, "Mentored and tutored by Laura Sykora," adding he certainly appreciates that. Referring to the document displayed onscreen, Mr. Taylor noted that the star/underscore placeholders in the document indicate positions which yet need to be filled by a Board member. The Grant Committee, Standards Committee, and NG 911 Committee all have such vacancies, and Mr. Taylor encouraged anyone who wished to volunteer to do so. Greg Hauser said he would take the NG 911 Committee slot, and Vice-Chair Barbour noted that he really didn't gain anything because he simply moved from being a PSAP community representative on that committee to a Board member representative on the same committee, eliciting laughter around the room. Mr. Taylor expressed his appreciation, and noted that now there is a vacancy on the PSAP community side of the committee.

Mr. Taylor next asked someone to volunteer for the Grant Committee and Standards Committee openings, and Ms. Sykora asked Mr. Hauser if he would consider joining the Standards Committee as well as serving on the NG 911 Committee because she foresees a close relationship developing between the two as the NextGen project moves ahead, speculating his NG expertise could well serve the Standards Committee. Mr. Hauser said that would be fine.

Mr. Taylor mentioned that the committee meetings have been scheduled in the large meeting room because he intends to begin broadcasting the committee meetings as much as possible, just as we do with the Board meetings presently, to encourage as much PSAP participation in our work as possible, as well as to allow committee members to attend remotely if necessary.

Mr. Taylor indicated he had added Ninnet Bowman to the Education Committee, since she had expressed an interest in it, while adding light heartedly she was welcome to spread herself thin by working on other committees as well, as others have done. She replied she was happy to stay with just one. He then thanked everyone for their service on the committees, and moved on to pick up where the Board had left off in the work session yesterday afternoon regarding potential 2016 goals for the Board.

Mr. Taylor thanked Karen Mason for grouping the goals together yesterday, and asked her to set up the flip chart they had used then. The entries listed on the flip chart were:

- S (QA) Program
- S cert/accred
- S EMD
- S MLTS
- C Essential Service
- ST4 CAD to CAD
- EV5 Staffing
- PE2 Education for Officials

Noting that the entries on the chart with an "S" preface would require statutory change, Mr. Taylor admonished everyone to not let that be a roadblock; they are still goals that should be worked on. Pointing out the "C" preface to the "Essential Service" goal, he reminded everyone it represents the fact that the finding in the 911 Assessment regarding essential services is being contested.

Ms. Sykora brought up that they had talked yesterday a bit about grouping, because they wanted to only end up with about four or five to work on. She said she thought they could end up with a goal of Statutory Change with four sub-parts, an Education goal with four sub-parts, and the new PSAP funding model and 911 revenue grouped together because they are funding committee items. Mr. Taylor asked if she meant the first four entries on the chart—QA Program, cert/accreditation, EMD, MLTS—should all be grouped together, and she said yes, if folks want to pursue that, she would say, "Pursue statutory changes to include..." those sub-parts. Then she asked, on the flip side, do we need to look at them based upon which committee would be assigned to handle them?

Dave Bone said that although he can appreciate trying to organize and group these, he is a little concerned about putting too much on staff's plate, and on the Board's plate. He observed all these are good things, but he thinks we might want to be careful about grouping too much because we want to make sure that we have the opportunity for success, that we might not be able to do all of these in the

next twelve months. He said he believes we ought to focus on what's realistic and what we can accomplish in the next twelve months, and Ms. Sykora conceded that was a good point.

Rob Smith said that while we're on this subject, he would like to ask for a clarification, not only for himself, but hopefully for others as well. Noting that it is the short session coming up, he asked what is the likelihood that we could introduce something new like this during the short session? Mr. Bradford replied that technically speaking under legislative rules, you can't, really, introduce new legislation. But he added that as he thinks everybody knows, generally speaking, if there's a will there's a way, so it is possible, but it's not normally done.

Saying he would have to go back to look and see, Mr. Taylor said he thinks there's at least one bill that did make crossover that would still be a viable vehicle. Mr. Bradford added that mechanism is sometimes stretched a little further than you might believe. Mr. Smith said that just to be clear, it's not that he is opposed to any of those efforts, but he was looking at going back to Mr. Bone's point—more realistic things, possibly. Mr. Taylor said that in his opinion he feels we could probably work well with at least a QA Program and Certification/Accreditation, EMD may take a little bit more work, and MLTS is definitely a long session item. He said he feels confident about accomplishing the first two during short session, and since there has been some good discussion about EMD, although he doesn't know how much work it would require, it could be a possibility. Referring back to his mentioning potentially adding Emergency Management and military representatives to the Board, he observed that would fall into the statutory category as well, which could help move the others. He added, however, he thinks certification and accreditation is more important than increasing the size of the Board.

Saying he hoped he hadn't missed something earlier, and blaming it on a senior moment if he did, Mr. Smith observed he would assume 911 revenue would also have to be in the statutory category, and Mr. Taylor concurred. He added we don't have anything concrete at this point to work with, and unless we came up with something "really spicy" that was amenable to all the stakeholders, it would be very difficult to do during short session, although it could happen because it would be a revenue bill. Mr. Bradford also observed it's an election year, and Mr. Taylor replied, "I know" with a sigh. Ms. Sykora interjected the funding model would also have to be statutory, would it not, and Mr. Bradford said "Depending on what you come up with." Mr. Taylor added that the Board has pretty much flexibility with PSAP funding and he didn't think that would be a problem.

Vice-Chair Barbour asked what was being proposed regarding certification, observing that 911 funds may already be used to pay for certification. Mr. Taylor replied the proposal is for a certification requirement, not optional certification. Ms. Sykora asked if there would be an increased expense if EMD became a requirement, or transfer of all medical calls to an EMD certified center, and Mr. Taylor said no, because we already pay for it.

Mr. Taylor then asked the Board what is most important to them. He reiterated that he would really like to work on the QA program and certification, saying those will be key to improving the level of service across the state. He said they both need to be required, not just voluntary, because although many are presently doing it voluntarily, many others will not do it unless it is mandatory.

Andrew Grant observed that when we start looking at this from a fiscal standpoint, in the context of the earlier budget discussions regarding the five year outlook in the NG911 Cost Analysis, is staff concerned that any of these goals which would require statutory change might be problematic from a funding standpoint. As an example, he asked if we require EMD, do we have enough money to pay for it, or is it "just a blip on the screen?" Mr. Taylor responded it would be just a blip, because we're already paying for it and the recommendation from the assessment was if your agency does not do EMD, the requirement would be to transfer the call to one that does. So everyone currently without EMD would not necessarily have to purchase it, but just transfer the call.

Ms. Sykora offered, however, that if the call is transferred and all the information doesn't go with it, what then? Mr. Taylor acknowledged that is a problem, and said the CAD to CAD interface would have to be in place. He said that although that would be an expense, it would come out of either the NG911 Fund or the Statewide Grant Fund.

He said he is already trying to arrange a meeting of all the CAD vendors in NC either in January or February along with the computer science folks at NC State to determine how best to accomplish CAD to CAD at as minimal a cost as possible. He related that one company wanted \$50K to provide CAD to CAD between two PSAPs presently using its software, observing that is just a ridiculous amount. He added that as we move forward with NextGen, this is an essential piece. Transferring a call requires the caller to repeat all the information already given to the first telecommunicator to the second telecommunicator, which leaves the caller confused and frustrated at having to do that all over again.

Vice-Chair Barbour interjected he has concerns about requiring transfer of EMD calls, and asked if that had been discussed yesterday. Mr. Taylor said it had not, that this stemmed from one of the recommendations in the assessment. Mr. Bone suggested that to help move things along Board members might indicate which of the goals they feel are most important by scoring them with one to five dots from a marker behind each entry on the flip chart, so markers were distributed to all, each receiving a different color.

While that was going on, Rick Edwards asked if all the education items couldn't be lumped together, and Mr. Bone interjected he was concerned about lumping all of it together because it is a lot to do in twelve months. Mr. Edwards agreed that he felt that was an over-reach for both committee and staff. Mr. Bone said he would suggest not grouping things now, but after we do the dot exercise it would show what our priorities are and then if we've got a couple of education programs that are prioritized, focus on those, not all four.

Ms. Sykora said what she's hearing is until we get CAD to CAD, EMD really is premature, so why don't we take EMD off, because we're not ready for it? And, she added, MLTS, saying we could not even consider those. She also noted that Essential Services was on the chart only because it is being challenged, so we don't need to address it otherwise anyway. Dinah Jeffries agreed with Ms. Sykora, but added she is also questioning the QA program issue discussed yesterday. She asked, since there are so many vendors, what would you base requirements on? Mr. Taylor said he thinks that is going into it a little deeply today, and that what needs to be done from a goal perspective is to look into how it can be done and what it will take to do it. He said we do want to be neutral about what program is being used, but we want to be sure at least some program is being used by every PSAP to perform QA. Ms. Jeffries asked if we will require every agency to use some sort of protocol, and Mr. Taylor replied yes, because that goes back to the standards and the standards already speak to that. Jimmy Stewart asked if we're saying all types of calls would have to be subject to QA, or just the medical, and Mr. Taylor replied all.

Going down the list on the chart, Mr. Taylor observed that although we don't pay for staffing, it is on the list because the PSAP managers group had asked the Board to provide guidance on how many people they should be staffing. He then spoke to the education piece: educating officials, educating responders, etc. He said he thinks that's a lot, and probably what he would suggest doing is to let the Education Committee decide which it can work on. He reiterated what he mentioned earlier about adding military and emergency management members to the Board requiring a statutory change, and mentioned they would be speaking more about backup plans later in the meeting.

Addressing her fellow Board members, Ms. Sykora said she would like to make a suggestion which may turn into a motion if she gets some nodding heads. Remarking that a new chair may be in place by the next Board meeting, she would suggest this be tabled until that meeting, as that new chair may have some input to offer. She also pointed out that there is no requirement that goals be set at the December meeting. Vice-Chair Barbour agreed, saying nothing will be happening between now and January anyway because everybody will be in holiday mode. Mr. Taylor disagreed, saying staff will be doing something with it; that this is how staff will plan all these committee meetings and what we need to be doing. Instead, he suggested we go ahead and vote, everybody pick their "four best items" that they like, and then come back to it in January to refine it further.

Ms. Jeffries indicated she doesn't mind picking her goals today, but she is concerned about not having more discussion about the possible military/EM board member additions. She said she's concerned that if it is chosen as a goal it will be considered a "done deal", and that she's also concerned about colleges and universities as well as NC SHP. She observed that the majority of PSAPs deal with SHP far more frequently than they do with military, and based upon discussions at an earlier meeting, there will be no reciprocation of funds from the military; we would only be giving, because whatever they get from DOD



we can't touch. Mr. Taylor responded that he only included that because the assessment encouraged engaging with other agencies and he knows the Governor has priorities for the military. He said he has had several discussions with SHP, and continues to have discussions with them, because he thinks that is one of the biggest weaknesses we have right now. Ms. Jeffries suggested substituting SHP for the military, and Mr. Taylor said he had no problem with that.

Slayton Stewart asked Mr. Taylor to create a chart showing what groupings he was proposing and eliminating the items that everyone had agreed to drop. Mr. Taylor agreed to do that, and moving to the flip chart began a list on a new sheet. The list identified three goals requiring statutory change: Quality Control, Certification, and expanding the Board. For Education, it showed four potential sub-categories which the Education Committee would decide among. Rob Smith asked if staff could provide an assessment of adding new Board members in a short session, and Mr. Taylor said sure. Mr. Smith then asked what is the likelihood of accomplishing that in the short session? Mr. Taylor replied it can be done, pointing out that the whole wireless 911 legislation was done during a short session.

Mr. Grant interjected that he shares a lot of Ms. Jeffries' concerns about adding Board members, saying he wants to make sure we're not just going to do it; that we are going to spend more time discussing it. Mr. Taylor replied yes, there will be more discussion before anything is done; these are just goals, and nothing will be done with any of them without far more discussion. Mr. Grant then said his main concern is with QA and certification, noting that he is not opposed to any of that, but he wants to be sure the process is good and inclusive. He provided the example that when the back-up PSAP legislation came through, many folks around the state got sideways, adding he would include himself in that group, because the process did not include them. He said he would like to see the QA/cert/accreditation items be referred to one of the committees that has a lot of the stakeholders on it.

Mr. Taylor affirmed that any of the work we do is done at the committee level, but added, however, that "Each one of you is a Board Member for a reason. You represent an organization." He explained that it is each Board member's responsibility to keep the organization they represent informed of what is going on at the 911 Board. He said if staff is expected to do all the reaching out to the organizations, then we don't need organization representatives on the Board—anybody would do. Acknowledging that all Board members can't participate in all the committee meetings, staff still depends upon them to be the information conduit to the organizations they represent. Mr. Grant agreed, and requested that when the committees start working on these and chewing on them they send information, whether in draft form or whatever, to the full Board, so that members may forward it to the agencies they represent. Mr. Taylor said that is what he is planning to do to ensure the process is working. He recalled how several years ago one of the things that was critiqued was that folks didn't like being reported to every Board meeting, so they quit doing reporting unless there was going to be a motion. He observed by doing that, Board members are taking themselves out of the loop, not hearing what is going on in committees. He acknowledged it is all published on the website, now, but wondered how many actually take the time to go there and read it.

Ms. Sykora said if we add Backup, NextGen, funding (both sides of it), and CAD to CAD, we're done. Mr. Bone said he wanted to be sure that as we talk about QA we keep the smaller PSAPs in mind that don't have upper level management time to deal with that, adding he's concerned about unfunded mandates. Mr. Taylor reiterated we pay for that, and one of the requests made by the PSAP managers group last year was that they wanted the Board to take that on as a statewide project where we fund something like a third party QA. Mr. Bone asked if that is done internally do we pay for staff to do it, or is it only third party. Mr. Taylor replied neither is being paid for right now, that although we pay for the software etc., we cannot pay the people costs.

Rick Isherwood said the feedback we got from the PSAP managers was that their number one concern was retention, and he doesn't see anything up there on the flip chart that's related to helping them out with that issue. He said he didn't know if that was what the "staffing" entry was about, and Mr. Taylor confirmed the EV5 Staffing entry was indeed that, so he added that to the new list, which ended up as:

- Statutory (QA,CT,BD)
- Education (X4)
- Backup (from last year's goals)
- NG 911 (from last year's goals)
- CAD to CAD

Funding (X2)  
Staffing

Ms. Sykora intimated that rather than going up and using the dot rating approach mentioned earlier, she thought the Board should go ahead and vote on the goals, because it's going to end up working on all those things anyway. Rick Edwards made a motion to go ahead and vote on these goals, and Slayton Stewart seconded. Asking for and hearing no further discussion, Vice-Chair Barbour called the motion, which passed unopposed.

**Draft Letter Regarding Back Up PSAP**

Referring to the draft letter regarding backup PSAPs circulated by the staff last night, Vice-Chair Barbour solicited any Board input as Mr. Taylor displayed it onscreen. Mr. Taylor said Mr. Bradford had made one comment suggesting a change, and Mr. Bradford elaborated by directing attention to a line near the bottom of the document stating "Please take this legislative mandate seriously." He said the reference is actually to § 62A-46(a), and his suggestion was to be a little bit more specific, essentially something to the effect that the Board does not wish to use sanctions under that statute, the idea being not to use the word penalty, to indicate that there is some pejorative measure that the Board may take. Ms. Sykora asked if he meant to insert that in the second sentence, "The Board would like to avoid imposing sanctions...", Mr. Bradford interjected "punitive sanctions", and possibly move the "Please take this legislative mandate seriously" down to right before the section saying we're ready to help them out. Mr. Bradford replied no, he didn't intend to move it, and Ms. Sykora said she meant that was her suggestion.

Mr. Bone observed a couple of slight grammatical or editing suggestions, and asked if there was a possibility of including a contact name or number if it does not appear on the stationery. He said his PSAP manager had shared a backup plan approval form with him that David Dodd had sent awhile back that might help fill in some of the details in helping managers understand what is expected in a backup plan. He added perhaps a brief synopsis of some of the plans that have been submitted and approved would be helpful as well. He also suggested as an outreach option offering to meet with the managers one on one at the "winter conference" at the end of January or first of February (NCACC and the League of Municipalities). He alluded to both Mr. Taylor and Ms. Tapler mentioning regional meetings yesterday with finance officers/PSAP managers, and saying he doesn't know what their timetable is with that, suggested that might be a good opportunity to get people together to stimulate collaborative effort among some of the counties and cities. He said he didn't know if that needed to be included in the letter, but that he would suggest it might be a good way to help generate discussion.

Mr. Taylor replied they have the dates for the regional meetings, and he would encourage Board members to share that with their representative organizations. Mr. Bone said he would like to see that as an agenda item for those meetings. Rob Smith asked if this letter is only being sent to PSAPs for which we do not already have an approved plan, and Mr. Taylor replied it was. Saying perhaps this was a miniscule thing, he suggested insertion of a statement saying "As of the date of this letter we have not received a backup plan from your PSAP," just to make it very clear this is not a form letter being sent out to everybody and the assumption on their part being "Oh, we've done that—somebody told me that we've done that," but instead that they understand it is directed specifically to them and needs to be addressed.

Ms. Sykora recalled that someone had mentioned yesterday including a date they must respond by, so that if we haven't heard from them by that date, we can send a second letter to include their legislators as well. Mr. Grant said he would also like to see a copy of the letter directed to the finance director for the jurisdiction, observing that when they see funding is going to be affected, it gets their attention.

Vice-Chair Barbour asked who should sign the letter, and Ms. Sykora said she liked the idea of him signing it, not only as Vice-Chair but also as a PSAP representative. Mr. Isherwood asked if the "Please take this legislative mandate seriously" was being deleted, and Vice-Chair Barbour and Ms. Sykora both said no, just to move it down to just before the sentences stating staff is ready to assist them. Mr. Isherwood asked if saying "Please" was really appropriate, and Ms. Jeffries said she thought it was with this letter. She said we want to convey that this is a reminder; that we are offering help and we are giving them an opportunity to comply, but if a second letter becomes necessary, she doesn't think it needs to say "please" or "thank you" or anything like that. Mr. Isherwood said he understands that, but was thinking that we are up against a time deadline and there are a lot of PSAPs that have not yet complied, so we're already past the little "be nice" period.

Ninnet Bowman asked what we are expecting them to respond to this letter with. Mr. Taylor replied we are asking them to respond with a plan, or at least a request to help them put together a plan. He said that if someone has been working on one and has made substantial progress, that's great, but here we are talking about folks who haven't made any response at all, so we're looking for them to contact us and say, "Hey, help us get started," or, "We've got one, but we've just never given it to you," or the like. He said there could be a number of replies, but the ultimate goal is a plan. She then said we should make that clear in the letter, and if we're going to give them a date that we're saying to respond by, if we did it prior to July 1<sup>st</sup> and asked them for an entire plan, is that fair? She said we have to be clear what we expect them to respond to this particular letter with.

Mr. Taylor suggested following the final sentence of the letter with "Please respond by February 15<sup>th</sup> what your status is on your plan and how we can assist you in preparing a backup plan if you don't have one started." Vice-Chair Barbour said he would prefer January 15<sup>th</sup>, so that by the next Board meeting we will know who has and who has not responded. Rick Edwards asked how quickly it can be sent out, and Vice-Chair Barbour replied next week. He said that before he sends it out he will send an email copy to everybody just to make sure we've captured all of the suggested changes, and based on that, could someone offer a motion that as soon as those changes are made staff is authorized to proceed. Sheriff Hagaman so moved, Dinah Jeffries seconded, and the motion passed without objection.

### **Other Items**

Vice-Chair Barbour asked if there were any other items to come before the Board, but none were offered.

### **Adjourn**

Jeff Shipp made a motion to adjourn, and Vice-Chair Barbour adjourned the meeting at 12:30

*a) Minutes of Previous Meetings*

*ii. January 8, 2016 Board Meeting  
(Teleconference)*

**North Carolina 911 Board**  
**MINUTES**  
**Special Called Meeting**  
**WebEx/Teleconference**  
**January 8, 2016**

| <u>Members Present</u>                                  | <u>Staff Present</u>   | <u>Guest</u>                   |
|---|------------------------|--------------------------------|
| Jason Barbour (NCNENA)<br>Johnston Co 911               | Tina Bone (DIT)        | Stephanie Connor, Surry Co 911 |
| Darryl Bottoms (NCACP) Pilot<br>Mountain PD             | Richard Bradford (DOJ) | Philip Penny, NC NENA          |
| Ninnet Bowman (pending VoIP<br>representative from TWC) | Dave Corn (DIT)        | Corrine Walser, MEDIC          |
| Rick Edwards (CMRS) Sprint                              | David Dodd (DIT)       |                                |
| Len Hagaman (Sheriff) Watauga<br>Co                     | Karen Mason (DIT)      |                                |
| Greg Hauser (NCSFA) Charlotte<br>Fire Department        | Marsha Tapler (DIT)    |                                |
| Rick Isherwood (CMRS) Verizon                           | Richard Taylor (DIT)   |                                |
| Dinah Jeffries (NCAPCO)<br>Orange Co Emergency Services |                        |                                |
| Robert Smith (LEC) AT&T                                 |                        |                                |
| Jimmy Stewart (NCAREMS)<br>Hoke Co 911                  |                        |                                |
| Slayton Stewart (CMRS) Carolina<br>West Wireless        |                        |                                |
| Laura Sykora (LEC) CenturyLink                          |                        |                                |
| Keith Werner, State CIO                                 |                        |                                |
|   |                        |                                |
|   |                        |                                |
| <u>Members Absent</u>                                   | <u>Staff Absent</u>    |                                |
| Dave Bone (NCACC) Martin Co                             |                        |                                |
| Eric Cramer (LEC) Wilkes<br>Communications              |                        |                                |
| Andrew Grant (NCLM) Town of<br>Cornelius                |                        |                                |
| Jeff Shipp (LEC) Star Telephone                         |                        |                                |
|   |                        |                                |

### **Chairman's Opening Remarks**

Keith Werner, the newly appointed Chief Information Officer for the State of North Carolina called the meeting to order at 10:36 am. He asked Richard Taylor to call the roll which he did and noted that a quorum of the 911 Board was present. Keith then welcomed everyone and expressed his pleasure in serving as the new Chairman.

### **Ethics Awareness/Conflict of Interest Statement**

Chairman Werner read the ethics awareness/conflict of interest statement printed on the agenda and asked Board members to indicate if they felt they had any conflict or potential conflict of interest with any matter scheduled to come before the Board today. None were noted.

### **Recommendation from Standards Committee**

Chairman Werner then recognized Laura Sykora, Chair of the Standards Committee to present the recommendations from her committee. Laura called upon Richard Bradford to review the status of the proposed rules. Mr. Bradford stated that the Rules Review Commission staff had several objections to several of the proposed rules mostly on procedural matters relating to modifying several rules after they had been published. Mr. Bradford requested that the Rules Review Commission hear the remaining proposed rules at the December meeting, they denied his request. As a result the modified rules will be published with a notice of text, a notice will be placed on the 911 Board's website indicating when the public hearing will be held for those rules and later in the month (January) will appear again before the RRC for the proposed rules that are excluded from the modified rules. He stated the there is no real harm done as the effective date still remains the same.

Laura Sykora then reviewed the proposed rule change that relates to the procedures for doing PSAP assessments. A copy of the proposal had been distributed to the Board members earlier. There were no questions from members.

Since this is a committee recommendation no motion was required so Chairman Werner called for the vote which was unanimous.

### **Adjourn**

Chairman Werner then thanked everyone for their participation and stated that he looked forward to meeting everyone at the January 29, 2016 Board meeting. Meeting was adjourned at 10:49 am.

**PSAP FUND REVENUE/DISTRIBUTION  
(20% /80% PLAN)**

|                          | July-15        | August-15      | September-15   | October-15   | November-15    | December-15    | January-16     | February-16    | March-16       |
|--------------------------|----------------|----------------|----------------|--------------|----------------|----------------|----------------|----------------|----------------|
| <b>CMRS Revenue</b>      | 755,329.89     | 825,442.67     | 690,604.43     | 735,377.74   | 761,553.47     | 726,073.96     | -              | -              | -              |
| <b>Interest</b>          | 587.16         | 864.28         | 1,271.87       | 1,516.12     | 1,692.66       | 2,121.08       | -              | -              | -              |
| <b>CMRS Disbursement</b> | (263,884.10)   | (225,238.68)   | (219,778.40)   | (21,408.02)  | (379,473.69)   | (859,158.81)   | -              | -              | -              |
| <b>GRANT Allocation</b>  |                |                |                |              |                |                |                |                |                |
| <b>CMRS Prev Balance</b> | 1,326,272.78   | 1,818,305.73   | 2,419,374.00   | 2,891,471.90 | 3,606,957.74   | 3,990,730.18   | 3,859,766.41   | 3,859,766.41   | 3,859,766.41   |
| <b>CMRS Fund Balance</b> | \$1,818,305.73 | \$2,419,374.00 | \$2,891,471.90 | 3,606,957.74 | \$3,990,730.18 | \$3,859,766.41 | \$3,859,766.41 | \$3,859,766.41 | \$3,859,766.41 |

|               | Revenue         |                 |                 |                  |             |                 | GRANT Allocation | Monthly Expenditure | Fund Balance     |
|---------------|-----------------|-----------------|-----------------|------------------|-------------|-----------------|------------------|---------------------|------------------|
|               | PSAP 80%        | Wireline        | VOIP            | Prepaid Wireless | Interest    | Total           |                  |                     | \$ 16,312,532.95 |
| <b>Jul-15</b> | \$ 3,021,319.56 | \$ 1,135,511.24 | \$ 1,003,072.05 | \$ 1,349,460.80  | \$ 7,221.78 | \$ 6,516,585.43 |                  | (4,299,386.18)      | 18,529,732.20    |
| <b>Aug-15</b> | 3,301,770.69    | 1,193,516.67    | 1,484,185.43    | 829,155.61       | 8,807.60    | 6,817,436.00    |                  | (4,130,307.15)      | 21,216,861.05    |
| <b>Sep-15</b> | 2,762,417.73    | 1,232,962.11    | 938,447.56      | 923,432.19       | 11,153.79   | 5,868,413.38    | (18,618,895.26)  | (4,105,258.87)      | 4,361,120.30     |
| <b>Oct-15</b> | 2,941,510.96    | 954,578.04      | 938,549.82      | 862,014.38       | 2,286.71    | 5,698,939.91    |                  | (4,139,932.30)      | 5,920,127.91     |
| <b>Nov-15</b> | 3,046,213.89    | 1,322,098.40    | 988,899.15      | 750,843.61       | 2,778.18    | 6,110,833.23    |                  | (4,146,495.24)      | 7,884,465.90     |
| <b>Dec-15</b> | 2,904,295.86    | 1,145,867.47    | 983,068.59      | 864,393.73       | 4,190.61    | 5,901,816.26    |                  | (4,146,495.24)      | 9,639,786.92     |
| <b>Jan-16</b> | -               | -               | -               | -                | -           | -               |                  | (4,146,495.24)      | 5,493,291.68     |
| <b>Feb-16</b> | -               | -               | -               | -                | -           | -               |                  | (4,146,495.24)      | 1,346,796.44     |
| <b>Mar-16</b> | -               | -               | -               | -                | -           | -               |                  | (4,146,495.24)      | (2,799,698.80)   |
| <b>Apr-16</b> | -               | -               | -               | -                | -           | -               |                  | (4,146,495.24)      | (6,946,194.04)   |
| <b>May-16</b> | -               | -               | -               | -                | -           | -               |                  | (4,146,495.24)      | (11,092,689.28)  |
| <b>Jun-16</b> | -               | -               | -               | -                | -           | -               |                  | (4,146,495.24)      | (15,239,184.52)  |

**CASH BASIS REPORTING**

**PSAP Grant-Statewide 911 Projects Fund**

|   |                          |                              | Grant Completion (+/- ) | Total Disbursed FY 2011 - FY2014 | Jul-15           | Aug-15           | Sep-15           | Oct-15           | Nov-15           | Dec-15           | Remaining Grant Balance |
|---|--------------------------|------------------------------|-------------------------|----------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------------|
| Fund Balance                              |                          |                              |                         |                                  | \$22,137,701.90  | \$21,126,286.12  | \$20,092,880.40  | \$37,817,348.33  | \$37,281,087.71  | \$35,942,548.89  |                         |
| Grant Award FY2012                        | FY2012 Grant Award Total | Completed Grant Disbursement |                         |                                  |                  |                  |                  |                  |                  |                  |                         |
| Burke County                              | 7,280,630.00             |                              |                         | -6,951,958.20                    |                  |                  |                  |                  |                  |                  | 328,671.80              |
| Rockingham County                         | 7,826,000.00             |                              |                         | -6,801,027.57                    | -234,248.42      | -22,830.01       | -73,280.35       |                  | -13,335.60       |                  | 681,278.05              |
| Grant Award FY2013                        | FY2013 Grant Award Total | Completed Grant Disbursement |                         |                                  |                  |                  |                  |                  |                  |                  |                         |
| Brunswick County                          | 2,100,000.00             |                              |                         | -1,374,083.13                    | -237,562.83      | -278,300.57      |                  |                  |                  |                  | 210,053.47              |
| Lenoir County                             | 7,400,000.00             |                              |                         | -6,595,558.27                    |                  |                  |                  |                  | -320,277.98      |                  | 484,163.75              |
| Grant Award FY2014                        | FY2014 Grant Award Total | Completed Grant Disbursement |                         |                                  |                  |                  |                  |                  |                  |                  |                         |
| Anson County G2014-01                     | 949,000.00               |                              |                         | -797,434.36                      |                  |                  |                  |                  |                  |                  | 151,565.64              |
| Bladen County G2014-02                    | 300,000.00               |                              |                         | -175,515.31                      | -200,670.00      |                  | 76,185.31        |                  |                  |                  | 0.00                    |
| Gates Co. Central G2014-03                | 149,000.00               |                              |                         | -149,000.00                      |                  |                  |                  |                  |                  |                  | 0.00                    |
| Henderson County G2014-04                 | 3,600,000.00             |                              |                         | -3,371,610.72                    | -36,699.43       |                  | -8,703.25        |                  |                  |                  | 182,986.60              |
| Hertford County G2014-05                  | 4,250,000.00             |                              |                         | -379,594.45                      | -154,292.07      | -208,144.44      |                  |                  | -371,314.76      | -140,385.29      | 2,996,268.99            |
| Orange County G2014-06                    | 625,828.00               |                              |                         | -538,141.28                      | -16,237.50       |                  |                  |                  |                  |                  | 71,449.22               |
| Swain County G2014-07                     | 610,000.00               |                              |                         | -568,446.02                      | -28,799.45       |                  |                  |                  |                  |                  | 12,754.53               |
| Grant Award FY2015                        | FY2015 Grant Award Total | Completed Grant Disbursement |                         |                                  |                  |                  |                  |                  |                  |                  |                         |
| Caldwell County G2015-001                 | 1,022,399.00             |                              |                         | 0.00                             |                  |                  | -244,209.74      |                  | -105,091.55      | -10,000.00       | 663,097.71              |
| Dare County G2015-002                     | 7,002,795.00             |                              |                         | -160,785.33                      |                  | -19,887.62       | -59,518.40       |                  | -22,844.81       | -127,089.45      | 6,612,669.39            |
| Haywood County G2015-003                  | 2,694,827.00             |                              |                         | -131,738.80                      | -20,923.96       | -62,153.96       | -537,863.81      |                  | -12,621.46       | -12,621.46       | 1,916,903.55            |
| Swain-Jackson Co G2015-004                | 859,681.00               |                              |                         | -763,309.04                      |                  |                  |                  |                  | -16,997.01       |                  | 79,374.95               |
| Grant Award FY2016                        | FY2015 Grant Award Total | Completed Grant Disbursement |                         |                                  |                  |                  |                  |                  |                  |                  |                         |
| Graham County G2016-01                    | 3,401,528.00             |                              |                         | 0.00                             |                  |                  |                  |                  |                  |                  | 3,401,528.00            |
| Hyde County G2016-02                      | 1,266,887.00             |                              |                         | 0.00                             |                  |                  |                  |                  |                  |                  | 1,266,887.00            |
| Richmond County G2016-03                  | 6,357,537.00             |                              |                         | 0.00                             |                  |                  |                  |                  |                  |                  | 6,357,537.00            |
| STATEWIDE PROJECTS:                       |                          |                              |                         |                                  |                  |                  |                  |                  |                  |                  |                         |
| E-CATS                                    | 3,000,000.00             |                              |                         | -2,440,646.07                    | -57,600.00       | -59,854.12       | -57,600.00       | -57,600.00       | -57,600.00       | -57,600.00       | 211,499.81              |
| E-CATS II                                 | 2,000,000.00             |                              |                         | 0.00                             |                  |                  |                  |                  |                  |                  | 2,000,000.00            |
| Interpretive Services                     | 1,155,000.00             |                              |                         | 0.00                             |                  |                  |                  |                  |                  |                  | 1,155,000.00            |
| Ortho Project III Image 14                | 3,987,667.00             |                              |                         | -3,421,187.39                    | -11,272.84       | -29,087.40       |                  | -2,165.79        |                  |                  | 523,953.58              |
| Ortho Project III Image 15                | 3,719,332.00             |                              |                         | -1,517,972.83                    | -22,909.95       | -363,189.40      |                  | -496,324.00      | -435,950.80      | -284,911.87      | 598,073.15              |
| Ortho Project III Image 16                | 4,076,752.00             |                              |                         | 0.00                             |                  |                  |                  |                  |                  |                  | 4,076,752.00            |
| Approved Transfer from PSAP Fund Interest |                          |                              |                         |                                  | 9,800.67         | 10,041.80        | 18,618,895.26    | 19,829.17        | 17,495.15        | 19,103.53        |                         |
| Total Ending Fund Balance                 |                          |                              |                         |                                  | \$ 21,126,286.12 | \$ 20,092,880.40 | \$ 37,817,348.33 | \$ 37,281,087.71 | \$ 35,942,548.89 | \$ 35,329,044.35 | \$ 33,982,468.19        |
|   |                          |                              |                         |                                  |                  |                  |                  |                  |                  |                  | \$ 1,346,576.16         |



Consent Agenda  
*(vote required)*

Chris Estes



The NC 911 Board welcomes comments from state and local government officials, first responders, finance directors, 911 directors, citizens and interested parties about any 911 issue(s) or concern(s). Your opinions are valued in terms of providing input to the NC 911 Board members. When addressing the Board, please state your name and organization for the record and speak clearly into the microphone.

**Speakers:**

# Executive Director Report

Richard Taylor

## a) Update on Rocky Mount PD Grant Appeal

## Taylor, Richard

---

**From:** Linda Jones <linda.jones@rockymountnc.gov>  
**Sent:** Wednesday, January 27, 2016 9:56 AM  
**To:** Taylor, Richard  
**Cc:** Allen Moore; James Moore  
**Subject:** Fwd: Appeal Vote Notification  
**Attachments:** 01262016 Notification Letter to Chief Moore.pdf

Mr Taylor,

Please accept this email as notification that we are withdrawing our appeal of the 911 Boards' decision in regards to the grant application from Rocky Mount Police Department. My apologies for the delay in this notification.

I also want to thank you and Mrs Tina Bone for working with us to determine our best backup solution. We are finalizing our proposed backup plan and application for reconsideration, and will be submitting those documents very soon.

With warmest regards,

*Linda K Jones*  
*Support Services Division Manager*  
*Rocky Mount Police Department*  
*PH: (252) 972-1453*  
*FX: (252) 972-1452*  
*CL: (252) 343-3190*

----- Forwarded message -----

From: **James Moore** <[james.moore@rockymountnc.gov](mailto:james.moore@rockymountnc.gov)>  
Date: Tue, Jan 26, 2016 at 9:48 PM  
Subject: Fwd: Appeal Vote Notification  
To: Linda Jones <[Linda.Jones@rockymountnc.gov](mailto:Linda.Jones@rockymountnc.gov)>

FYI.

----- Forwarded message -----

From: **Taylor, Richard** <[richard.taylor@nc.gov](mailto:richard.taylor@nc.gov)>  
Date: Tue, Jan 26, 2016 at 5:23 PM  
Subject: Appeal Vote Notification  
To: "[james.moore@rockymountnc.gov](mailto:james.moore@rockymountnc.gov)" <[james.moore@rockymountnc.gov](mailto:james.moore@rockymountnc.gov)>

Good Afternoon Chief Moore,

I don't have your email address and took a guess that it followed the same format as the other Rocky Mount email addresses that I have on file. I have sent an email to Allen Moore with the attached letter and asked him to forward it to you as well just in case I guessed wrong.

I would like to have the 911 Board vote on Rocky Mount's appeal this Friday and wanted to notify you in the event you should you have any further comments or concerns.

If you have any questions please do not hesitate to contact me.

Thanks,

**Richard Taylor**

Executive Director, North Carolina 911 Board

NC Department of Information Technology

[919-754-6624](tel:919-754-6624)

[richard.taylor@nc.gov](mailto:richard.taylor@nc.gov)

[nc911.nc.gov](http://nc911.nc.gov)



*Email correspondence to and from this address is subject to the*

*North Carolina Public Records Law and may be disclosed to third parties.*

--

Executive Director Report

Richard Taylor

b) Henderson County Grant Extension  
Request  
*(vote required)*

**From:** [Lisha Corn Stanley](#)  
**To:** [Taylor, Richard](#)  
**Cc:** [Marcus Jones](#)  
**Subject:** Grant Extension Request  
**Date:** Friday, January 15, 2016 9:39:36 AM

---

*Sheriff Charles S. McDonald*

HENDERSON COUNTY SHERIFF'S OFFICE  
100 North Grove Street  
Hendersonville, NC 28792

January 15, 2016

Dear Mr. Taylor,

Henderson County would like to request an extension of the term period for the PSAP Relocation Grant that was awarded to Henderson County in FY 14. We would like to request to extend the grant period to end on June 30, 2016.

As you know, we have been working closely with both Intrado and AT&T to finalize a 911 route diversity plan and receive final quotes. We already have the 2<sup>nd</sup> entrance in place at our facility, so construction costs should be minimal. AT&T is providing quotes for three different levels of diversity; POP only, central office & access. As soon as AT&T provides the quotes, we will be able to determine which level will best suits our needs. Due to internal changes at both AT&T and Intrado, this part of our project has taken much longer than anticipated. It seems that we finally have all of the right people on board at both AT&T and Intrado to finalize the project.

We are not requesting any additional funding to complete this project.

Thank you for your consideration in this matter.

Sincerely,

Lisha Stanley

[Lisha Stanley](#)  
[Director of Communications](#)  
[Henderson County Sheriff's Office](#)  
[100 N. Grove Street](#)  
[Hendersonville, NC 28792](#)  
[Phone: 828-694-3127](#)  
[Lstanley@hendersoncountync.org](mailto:Lstanley@hendersoncountync.org)



Executive Director Report

Richard Taylor

c) Reply To Draft National 911 Assessment



# North Carolina 911 Board

Keith Werner, Chair

Jason Barbour, Vice Chair

January 19, 2016

Dear Gustave,

Thank you for the opportunity to respond to the draft 911 State Assessment Report that was provided to us in November. It has been a very interesting experience from several different viewpoints: the research involved in the initial reply to each of the guidelines, the presentations from the stakeholders coupled with the questions from the assessors and then the draft product that was produced. Quite honestly I feel, and our staff agrees, that the flow between each of the mentioned elements seemed, at best, inconsistent.

As this document will undoubtedly be read by people who are critical of the North Carolina 911 Board's actions regarding 911 in North Carolina we feel it is imperative that the findings of this report accurately reflect the functional state of 911 in North Carolina, which may not necessarily correspond to the National 911 Program's preferred ideal state of 911 from a statutory or governance or operational perspective. In other words, to borrow a tired cliché from the legal profession, we feel we meet the spirit of many of the guidelines which garnered either a Minimum Criteria or a binary 'At this time, North Carolina does not meet this criteria' rating, and do not want those ratings to potentially be misunderstood as meaning the function is either not being performed or is being ignored by the Board, regardless of whether or not there is a statutory directive to perform it.

Our staff has met and reviewed each of the guidelines and the responses from the assessment team. There are several ratings where we disagree with the findings and provide our comments below:

**SR2: The state has a designated State 911 coordinator**

In the guideline it reads "If this function is not the responsibility of a State agency, the State should designate a responsible party". The North Carolina General Assembly has designated a state agency, the North Carolina 911 Board in this capacity. As stated in our original response, "NCGS § 62A-42 establishes the powers and duties of the NC911 Board". Based upon the language describing an Advanced rating, the North Carolina 911 Board meets this criteria. While the Superior rating also includes "adequate staffing to support all aspects of the state's role and functions", where is adequate staffing defined? Then, in the **Assessor Recommendations** it ends with "No recommendation to change". Also stated is "Presumably the Board could change that decision". If the Board did do that, the statute still has a state agency designated as the responsible party. So taking the entire rating and comments, there is no value to what is stated.

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**SR12: The statutory environment fosters the adoption of technical and operational consensus standards for the statewide system**

There is a very distinct difference between “rules” and “standards”. Under North Carolina law, the word “standard” and “rule” are often synonymous but this is not universal. Use of “standard” in the guidelines clearly demonstrates a meaning other than rule. Rules have the force of law. This guideline confuses the two. Therefore, all references to standards or rules in the document should be reviewed and edited in a manner consistent with the law of the jurisdiction under assessment. The Advanced Criteria reads “The state has adopted and maintains current comprehensive standards”. The state has adopted and maintains a set of comprehensive standards, that is the basis for the majority of the rules going through the rulemaking process.

**SR13: A mechanism is in place for periodic reviews of statutes and regulations.**

The Superior level reads “The formally appointed group or process receives input from stakeholders, meets and drafts legislation, when appropriate”. The assessor comments state “it appears that pragmatically the above required report to the Joint Legislative Commission effectively provides an opportunity to do that. And, as the need arises, the Board will identify necessary amendments to statutes and rules, and work to address them through either the General Assembly, and/or by Board action”. So the formally appointed group, the NC 911 Board, receives input from stakeholders, the individual 911 Board members. The recommendation states “a more formal process for such review would be benefit (in terms of periodic time frame, conduct of the review, and follow-up)”. The periodic time frame is 2 years, the preparation of the report is conducting the review and the follow up is the report itself. The assessors agree that the Superior process is in place, but again the ranking doesn’t match the comments.

**SR16: The statutory environment provides for a comprehensive quality assurance (QA) program for the 911 system**

It appears that the assessors and /or the guidelines do not distinguish between a single 911 system and multiple (119 in the case of North Carolina) 911 systems. Once next generation 911 is fully deployed then it will very possibly be a single 911 system. What is more puzzling are the comments made by the assessors, “Not sure a recommendation to modify the 911 Board’s statute to specifically address QA would be all that beneficial”. If that statement is correctly understood, then this guideline should not be applicable.

**SR18: The statutory environment provides for training**

The title of the guideline does not match the criteria. As stated in our original response “NCGS § 62A-42(a)(4) empowers the 911 Board to “establish policies and procedures to fund advisory services and training for PSAPs” and “§ 62A-46(c)(2) provides for use of 911 funds to pay for eligible training”. However, the guidance and the rankings all speak to “standards”.

**SR27: The statutory environment identifies 911 as an essential government service for states that are able to make the distinction**

This is probably an omission error on our part from the initial reply. There is no service provided by any state agency designated at the state level as an “essential government service” by statute. However, the **Rationale** states “When 911 is defined as an essential service, funds dedicated to the provision of 911 should not be diverted elsewhere”. **§ 62A-44(d) (911 Fund)** reads “Nature of Revenue. - The General Assembly finds that distributions of revenue from the 911 Fund are not State expenditures for the purpose of Section 5(3) of Article III of the North Carolina Constitution. Therefore, the Governor may not reduce or withhold revenue in the 911 Fund. (2007-383, s. 1(a);

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2008-134, s. 1(a); 2010-158, s. 5; 2011-122, s. 4; 2011-291, s. 2.17.)". So if the purpose here is to protect 911 fund raids, North Carolina has that provision. Furthermore, the **Recommendation** states "The Board should ensure the funds are not used for purposes other than what the statute authorized". The 911 Board has a pretty extensive annual revenue and expenditure review of all PSAPs receiving 911 funds that does just that. Kevin Leonard, the Executive Director of the NC Association of County Commissioners even mentioned that process in his presentation.

**GV1: The State has a comprehensive statewide 911 plan**

The Recommendations state "To move to "advanced" criteria, the NC 911 Board should take deliberate steps to ensure that the 911 plan aligns with other state plans to avoid being a standalone document." The Guideline and the assessor's recommendation assume that other state agencies are required to have a "state plan", but in North Carolina I don't believe such a requirement exists.

**GV7: The State provides a statewide governance model for resource sharing and agreements between jurisdictions**

The guideline implies a centralized 911 governance structure. That is not consistent with the authority granted to the Board by the NC General Assembly, nor is it consistent with the general governance and police powers arising from the State's constitution or other statutory authority. The assessor's comments include the statement "A potential source to use to grow a statewide governance model may be through the NC 911 Board's grant program. Financial reward may incentivize PSAPs to move in this direction." This has clearly been done since the grant program began in 2011 as indicated by the number of consolidation grants and the orthography project. This guidance should be under "operational" not governance.

**OP2: The state is pursuing full implementation of emergency medical dispatch (EMD)**

The **Recommendation** states "Since funding is already available EMD could be expedited by transferring calls to an EMD enabled PSAP". While I understand the thought process I don't understand the practicality and the reality of the recommendation.

**OP6: State-level guidance exists for public safety's use of social media**

The **Recommendation** states "The Board should require each PSAP to document policy regarding use of social media for communications". This falls under the existing Public Records statute.

**OP7: Statewide support and coordination exist for managing/operating emergency notification systems (ENS)**

The rating for this guideline is "Does not meet the minimum criteria". The North Carolina Office of Emergency Management operates the statewide notification system and is under their authority. Procedures for 911 centers to request alerts are established within that state agency. The criteria for Superior is "A statewide body assists in unifying and coordinating the consistent use of alerts and warnings throughout the state". North Carolina clearly meets the Superior rating.

**SC4: The state has a procedure that ensures confidentiality of information to the extent permitted and/or required by law**

As stated in the guidance HIPAA and at the state level, the confidentiality statute governs this guideline. Also, the local government is required to comply with HIPAA privacy rules as well as the NC Public Records Act independently of the NC 911 Board.

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**SC7: PSAP facilities and system facilities are planned, designed and constructed according to accepted site selection standards and best practices.**

The North Carolina 911 Board clearly meets this guideline at the Superior level. The proposed rules reflect that any construction with a 911 center that has received funding from the 911 Board has a clear set of extensive guidelines that must be followed. The recent construction of PSAPs in Burke & Rockingham County paid for with 911 grant funds were required to follow the established construction requirements.

It is obvious that the NAGWG had a specific 'national' or 'all state' applicable model in mind based on the guidelines, but the guidance documents provided by the National 911 Office do not share that model. While we understand that the guidelines were crafted to be as generic as possible to "fit" each state program, each state program has its own differences so maybe there should be a "N/A (non-applicable)" rating to fit cases where it could apply.

Also it would be helpful if there was a list of definitions provided since so many words or terms can be used interchangeably in the 911 community. The consistent use of words throughout the document would be greatly appreciated.

If you would like to discuss further, please let me know. I do hope you and the assessment team will consider our comments.

Sincerely,



**Richard Taylor**

Executive Director, North Carolina 911 Board  
NC Department of Information Technology

919-754-6624

[richard.taylor@nc.gov](mailto:richard.taylor@nc.gov)

[nc911.nc.gov](http://nc911.nc.gov)



# Election Of Board Vice Chair for 2016

Chris Estes

*(vote required)*

**Section 6 excerpt of the**  
**Bylaws of the**  
**North Carolina 911 Board**

**Section 6: Chair.** The 911 Board Chair shall be the State Chief Information Officer or designee as provided by G.S. §62A-41(4). The Board shall select a vice-chair annually from the appointed members by simple majority vote. The vice-chair term of office shall be one year.

These Bylaws were approved at a meeting of the 911 Board North Carolina on July 16, 2010.

By: \_\_\_\_The North Carolina 911 Board

# Status of Back-up PSAP Compliance

Richard Taylor



| PSAP                                    | Approved BackUp Plan | Person Contacted | Response   | Response from City/County Manager   |
|---|----------------------|------------------|--|---|
| Alamance County Central Communications  |                      | Dexter Brower    | working on it  |   |
| Alexander County E9-1-1 Communications  |                      | Greg Foster      | Has worked on it, but doesn't have approval from management to go forward. | 1/25/2016 letter, Have a committee working but requested David Dodd to come and assist    |
| Alleghany County E911                   |                      | Pat Irwin        |  | 1/19/2016 Don Adams called, stated they would "make the deadline"; he would send a letter |
| Anson County Emergency Communications   |                      | Holly Mullis     |  |   |
| Ashe County Communications Center       |                      | Phil Howell      |  |   |
| Avery County Communications Center      |                      | Jamey Johnson    | working on it  |   |
| Beaufort County Communications Center   |                      | Vic Williams     | working on it  |   |
| Bertie County Communications            |                      | JW Stalls        | Working on it.   |   |
| Bladen Central                          | ✓                    |                  |  |   |
| Brunswick County Central Communications |                      | Todd Coring      | working on it  |   |

|  |   |                 |                                    |  |
|--|---|-----------------|------------------------------------|--|
| Buncombe County Emerg. Communications              | ✓ |                 |                                    |  |
| Burke County Consolidated 911 Communications       | ✓ |                 |                                    |  |
| Cabarrus County Sheriff Communications             | ✓ |                 |                                    |  |
| Caldwell County Sheriff's Office/E-911 Comm Center | ✓ |                 |                                    |  |
| Carteret County Emergency Services                 | ✓ |                 |                                    |  |
| Caswell County 911 Communications                  |   | Harvey Rudd     |                                    |  |
| Catawba Co Communications Center                   |   | Brian Drum      | working on it                      |  |
| Chatham County Emergency Operations                | ✓ |                 |                                    |  |
| Cherokee County                                    |   | Janice Costello | waiting for approval by her folks. |  |
| Chowan Central Communications                      |   | Cordell Palmer  | working on it                      |  |
| Clay County Dispatch                               |   | Dena Jenkins    | waiting for approval               |  |
| Cleveland County 911 Communications                |   | Lorie Poston    | working on it                      |  |
| Kings Mountain Communications                      | ✓ |                 |                                    |  |
| Shelby Police Communications                       | ✓ |                 |                                    |  |

|  |   |                         |                                       |  |
|--|---|-------------------------|---------------------------------------|--|
| Columbus Central Communications        |   | Valecia Pike/Kay Worley |                                       |  |
| New Bern Emergency Communications      |   | Rick Youngs             | waiting for approval                  |  |
| Craven County Emergency Communications |   | Stanley Kite            | waiting for approval<br>with New Bern |  |
| Havelock Police Department             | ✓ |                         |                                       |  |
| Cumberland County 9-1-1                |   | Randy Beaman            | working on it                         |  |
| Fayetteville Communications            |   | Lisa Reid               | working on it                         |  |
| Currituck Communications               |   | Liz Hodgins             | working on it                         |  |
| Dare Central Communications            |   | Trey Piland             | working on it                         |  |
| Davidson County 911                    |   | Terry Bailey            |                                       |  |
| Davie County 911 Communications        |   | Rodney Pierce           |                                       |  |
| Duplin County Communications           | ✓ |                         |                                       |  |
| Durham Emergency Communications        | ✓ |                         |                                       |  |
| Edgecombe County 911                   |   | Mike Catagnus           | working on it                         |  |
| Tarboro Police Communications          |   | Sgt. Jesse Webb         | working on it                         |  |

|                                       |   |                                 |                                  |  |
|---------------------------------------|---|---------------------------------|----------------------------------|--|
| Forsyth County 911 Communications     |   | Herb Swaim                      | waiting for approval             |  |
| Winston Salem Police Department       |   | Rebecca Boles                   |                                  | 1/15/2016 letter, plan expected to be completed early March 2016 |
| Franklin County Communications Center |   | Christy Shearin                 |                                  |  |
| Gaston County 911 Communications      | ✓ |                                 |                                  |  |
| Mount Holly Police Department         |   | Kelly Hoyle                     |                                  |  |
| GatesCounty Central Communications    |   | Herman Weis                     | I'm assisting him with his plan. |  |
| Graham County 911                     |   | Misty Hembree                   |                                  |  |
| Granville County Emergency Services   |   | Stacey Tapp                     | working on it                    |  |
| Greene County Communications Center   |   | Sharon Marshburn/Barry Anderson |                                  |  |
| Guilford Metro                        | ✓ |                                 |                                  |  |
| High Point Communications             | ✓ |                                 |                                  |  |
| Halifax County Central Communications |   | Heather Joyner                  | working on it                    |  |
| Harnett County Communications Center  | ✓ |                                 |                                  |  |

|   |   |               |   |  |
|---|---|---------------|---|--|
| Haywood County 911                        |   | Chanda Morgan | working on it                                   |  |
| Henderson County Sheriff Communications   |   | Lisha Stanly  | working on it                                   |  |
| Hertford County Emergency Services        |   | David Brown   | working on it                                   |  |
| Ahoskie Police Department                 |   |               |   |  |
| Murfreesboro Police Dept                  |   |               |   |  |
| Hoke County Emergency Communications      | ✓ |               |   |  |
| Hyde County Emergency Mangement           |   |               | asked Trey Piland for consolidation information |  |
| Iredell County Emergency Communications   | ✓ |               |   |  |
| Jackson County Emergency Management       |   | Wanda Hall    | MCP is working on it                            |  |
| Johnston County 911 Communications        | ✓ |               |   |  |
| Sanford Police Dept Communications Center | ✓ |               |   |  |
| Lenoir-Jones Central Communications       |   | Paige Johnson |   |  |
| Lincoln County Communications Center      |   | Rick Ellis    |   |  |
| Macon County Communications               | ✓ |               |   |  |

|  |   |                   |  |  |
|--|---|-------------------|--|--|
| Madison County 911                           |   | Teresa Ole        |  |  |
| Martin County Communications Center          |   | Jason Seward      |  |  |
| McDowell County 911 Center                   |   | Amberlie Bluff    |  |  |
| Charlotte-Mecklenburg Police Communications  | ✓ |                   |  |  |
| Cornelius-Huntersville Police Communications | ✓ |                   |  |  |
| Pineville Police Department                  | ✓ |                   |  |  |
| Mitchell County Central Communications       |   | Stephanie Wiseman | working on it.                                     |  |
| Montgomery County 911 Communications         |   | Grant Hunsucker   | working on it                                      |  |
| Moore County Emergency Services              |   | Kris Sheffield    | working on it                                      |  |
| Nash County Central Communications           | ✓ |                   |  |  |
| Rocky Mount Central Communications           |   | Allen Moore       | I'm assisting him with his plan.                   |  |
| New Hanover County Public Safety Comm Center |   | Debora Cottle     | working on it                                      |  |
| Northampton County Communications            |   | Tammie Piland     | working on it with Halifax.                        |  |
| Onslow County 911                            |   |                   | working on it...may be going in with Jacksonville. |  |

|  |   |                  |                                    |  |
|--|---|------------------|------------------------------------|--|
| City of Jacksonville                   | ✓ |                  | sent back to Chris with questions. |  |
| Orange County Emergency Communications |   | Dinah Jeffries   | working on it                      |  |
| Pamlico County Emergency Management    |   | Sgt. Mike Whaley |                                    | 1/25/2016 letter, plan should be complied by mid-March 2016                            |
| Pasquotank/Camden E9-1-1               |   | Tobie McPherson  |                                    |  |
| Pender County 911                      |   | Missy Ezzell     |                                    |  |
| Perquimans County Communication        |   | Jonathon Nixon   | working on it                      |  |
| Person County Emergency Communications | ✓ |                  |                                    |  |
| Pitt County Communications             |   | Sam Tyson        | working on it                      |  |
| Polk County Communications             |   | James McGuinn    | working on it                      |  |
| Randolph County 911                    |   | Donovan Davis    | working on it                      |  |
| Richmond County Emergency Center       | ✓ |                  |                                    |  |
| Robeson E-911 Communications Center    |   | Jimmy Williamson |                                    | 1/27/2016 email, meeting with Lumberton  |
| Lumberton Communications Center        |   | Bill French      | working on it                      | 1/20/2016 letter, have met with the county on possible joint solution, no decision yet |
| Rockingham County 911 Communications   |   | Phillip Penny    |                                    |  |

|   |   |                            |   |  |
|---|---|----------------------------|---|--|
| Rowan County Telecommunications             |   | Allen Cress                |   | 1/25/2016 letter, plan has been received but asking for 1 year extension |
| Rutherford County Communications            |   | Tammy Aldridge             |   | 1/26/2016 email, need an additional 2 weeks to determine location        |
| Sampson County 911 Communications           |   | Ronald Bass/Roberta Parker | working on it                                   |  |
| Scotland County Emergency Communications    | ✓ |                            |   |  |
| Stanly County 9-1-1                         | ✓ |                            |   |  |
| Stokes County Emergency Communications      |   | Del Hall                   | working on it                                   |  |
| Surry County 911 Communications             | ✓ |                            |   |  |
| Eastern Band of Cherokee Indians            |   | Ray Stamper                |   |  |
| Swain County 911                            |   | David Breedlove            | MCP is working on it                            |  |
| Transylvania County 911 Center              |   | Kevin Shook                |   |  |
| Tyrrell County Sheriffs Dept. E911 Dispatch |   |                            | asked Trey Piland for consolidation information |  |
| Union County Communications/E911            | ✓ |                            |   |  |
| Henderson-Vance 911 Center                  | ✓ |                            |   |  |



|   |   |                |                |  |
|---|---|----------------|----------------|--|
| Raleigh-Wake County Emergency Comm Center | ✓ |                |                |  |
| Cary Police Department                    | ✓ |                |                |  |
| Holly Springs Police PSAP                 |   | Kristin Byrd   |                |  |
| Warren County E-911 Communications        |   | Vanecia Harris | working on it. |  |
| Washington County Communication Center    |   | Delisa Johnson |                |  |
| Watauga County E911                       | ✓ |                |                |  |
| Beech Mountain                            |   | David Davis    | working on it  |  |
| Boone Police Department 911               |   |                | working on it. |  |
| Wayne County Central 911                  |   | Bryan Taylor   |                | 1/25/2016 letter, has am operational PSAP but doesn't meet proximty requirements, hired an architect to assist |
| Wilkes County Emergency Communications    |   | Ricky Minton   |                |  |
| Wilson County Emergency Communications    | ✓ |                |                |  |
| Yadkin County Sheriff's Office            |   |                |                |  |
| Yancey County E-911                       |   | Bill Davis     |                |  |

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|                    |    |
|--------------------|----|
| Total Backup Plans |    |
| Approved           | 37 |

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|                 |   |
|-----------------|---|
| Total Responses |   |
| Received        | 9 |

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Standards Committee Report

Laura Sykora

Richard Bradford

- a) Update On Rules Review Commission  
*(vote required)*

## Rules Status Summary

41 Rules were filed

14 Rules are procedural, including declaratory rulings, hearings

16 Rules address PSAP operations

6 Rules address CMRS providers, Prepaid CMRS service

5 Rules address Grants

| Section              | RRC Action                       | Action  | Status   |
|----------------------|----------------------------------|---|--|
| 100, Procedural      | Objection to .0105, .0106, .0107 | See recommended changes   | Pending Board vote to approve changes to rules |
|                      | Objection to .0111 - .0114       | Re-filed revised rules to conform with RRC staff and rulemaking process | Pending public hearing scheduled for 2/26/16   |
| 200, PSAP Operations | Approved                         | No further action needed. Rules will be effective 7/1/16                |  |
| 300, CMRS            | Objection to .0302, .0303, .0304 | See recommended changes.  | Pending Board vote to approve changes to rules |
| 400, Grants          | Approved                         | No further action needed. Rules will be effective 7/1/16                |  |
|                      |                                  |   |  |

911 Board rules changes to address objections by RRC

|  |  |
|--|--|
| <p>.0105 Service Provider Failure to Comply With Rules</p>                   | <p>RRC objected to (c), as ambiguous. RRC staff based its opinion on the Board exercising discretion without providing guidance as to when action would be taken or what factors would be considered. RRC discussion focused on the last phrase of the last sentence: “For purposes of this Rule, a “reasonable solution” shall be defined as one that complies with applicable law, these Rules, or the FCC Order within 30 days <i>or upon such other conditions as the Board may find reasonable.</i>”</p> <p>Change advised: Submit change to RRC to remove (c), because the Board may choose to take any of the intended actions if jurisdiction exists, and (d) provides suspension of cost recovery funds per GS 143B-1408 (formerly GS 62A-48).</p> <p>*Note change alternative below in .0106 for comparison.</p> |
| <p>.0106 PSAP Failure to Comply with Rules</p>                               | <p>RRC objected to (d) which states that the Board “may” suspend disbursements whereas the statute provides: “If a communications service provider or PSAP does not cease making unauthorized expenditures or refuses to refund improperly spent money, the 911 Board must suspend funding to the provider or PSAP until corrective action is taken.”</p> <p>Change advised: Submit change to RRC to remove (d). Alternatively, submit change to RRC as follows: “(d) If 911 Fund disbursements are suspended, allocated disbursements shall be retained by the Board until the PSAP complies with applicable law, these Rules or the FCC Order.”</p> <p>*Note change alternative above in .0105 for comparison.</p>   |
| <p>.0107 Review 911 Funds Expenditures, Disbursements and Reimbursements</p> | <p>RRC staff opinion concluded that the Board lacks statutory authority for (c), requiring records from CMRS providers.</p> <p>Change advised: Submit change to RRC to revise (c) retaining the first sentence, striking the second, third and fourth sentences; i.e. reading as “ CMRS providers . . . accounting principles. If any audit or review indicates . . . the 911 Fund.”</p> <p>*See below for text.</p>   |
| <p>.0302</p>   | <p>RRC objected based on a conclusion that the Board lacks statutory authority for this Rule, requiring a cost recovery plan from CMRS providers.</p> <p>Change advised: abandon .0302, change .0304.</p>  |

|       |  |
|-------|--|
| .0303 | <p>RRC objected based on a conclusion that the Board lacks statutory authority to require a cost recovery plan from CMRS providers in .0302 and therefore .0303 is moot.</p> <p>Change advised: abandon .0303, change .0304.</p>   |
| .0304 | <p>RRC objected based on a conclusion that the Board lacks statutory authority to require a cost recovery plan from CMRS providers in .0302 and therefore .0304 is moot.</p> <p>Change advised: modify (a) and (b) to remove references to a “plan”, modify (a) to replace comportment with a plan with commercially reasonable, replace (c) with a definition of commercially reasonable. See below for text recommendations.</p> |

The text of the foregoing Rules with recommended changes appear on the pages below. The text shown reflects final text, with technical changes, as filed with the Rules Review Commission on 17 December 2015.

- Underlined text was added to show additions based on technical changes.
- Strikethroughs were used to show deleted text based on technical changes.
- Double strikethroughs show deletions as recommended in the table above.
- Highlighted text shows additions as recommended in the table above.

09 NCAC 06C .0105 was published as 09 NCAC 06C .0104(a) through (e) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0105 with changes, as follows:

9 NCAC 6C .0104 .0105 SERVICE PROVIDER FAILURE TO COMPLY WITH RULES

(a) If the Board determines that a ~~Service Provider~~ service provider does not appear to have complied with N.C. General Statutes Chapter 62A, these ~~rules~~ Rules, or the requirements of the ~~FCC Report and Order~~ Order, 94-102 ("Report and Order") a certified, return receipt letter shall be mailed to the company representative known to the Board. The letter shall request justification or an explanation from the service provider for the apparent non-compliance. The service provider shall have 15 calendar days to respond to the letter.

(b) Board staff shall ~~initially assess the service provider's response and send a~~ report to the Board. The Board shall review the staff's report. If it appears to the Board that the service provider has failed to comply with applicable law, these ~~rules~~ Rules, or the FCC Order, the Board shall notify the service provider to that effect and to the consequences arising from such failure, and shall provide an opportunity for the service provider to appear before the Board.

~~(c) If after notice to the service provider, and appearance before the Board or service provider's failure to appear, the Board determines that the service provider has offered no reasonable solution, the Board may, at its discretion file a complaint with the FCC, the N.C. Utilities Commission or other regulatory body exercising jurisdiction over the service provider, provider if necessary to achieve a reasonable solution. For the purposes of this Rule, a reasonable solution "reasonable solution" shall be defined as one that complies with applicable law, these rules Rules, or the FCC Order within thirty 30 days or upon such other conditions as the Board may find reasonable.~~

(d) If the non-compliant service provider is a CMRS service provider eligible for reimbursement pursuant to G.S. 62A-45, all reimbursements shall be suspended until compliance with applicable law, these ~~rules~~ Rules, or the FCC Order has been completed.

(e) If after notice and hearing, the Board determines that the service provider's failure was caused by one or more primary PSAPs, ~~rules~~ Rule .0106 and procedures regarding PSAP compliance shall be followed.

*History Note: Authority G.S. 62A-42; 62A-48; Part 20 of Title 47 of the Code of Federal Regulations; Eff. July 1, 2016.*

09 NCAC 06C .0106 was published as 09 NCAC 06C .0104(a) through (e) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0106 with changes, as follows:

09 NCAC 06C .0104 .0106 PSAP FAILURE TO COMPLY WITH RULES

~~(b)~~ (a) If the Board determines that a Primary PSAP does not appear to have complied with N.C. General Statutes Chap. Chapter 62A, these rules Rules, or the requirements of FCC ~~Report and Order~~ Order, 942-102 a certified, return receipt letter shall be mailed to the PSAP representative known to the Board. The letter shall request justification or an explanation from the Primary PSAP for the apparent non-compliance. The Primary PSAP shall have ~~fifteen~~ 15 calendar days to respond to the letter.

~~(1)-(b)~~ Board staff shall ~~initially assess the Primary PSAP's response and send a report to the Board~~. The Board shall review the staff's report. If it appears to the Board that the PSAP has failed to comply with applicable law, these ~~rules~~ Rules, or the FCC Order, the Board shall notify the PSAP to that effect and to the consequences arising from such failure, and shall provide an opportunity for the PSAP to appear before the Board.

~~(2)-(c)~~ If after notice to the Primary PSAP, and appearance before the Board or the PSAP's failure to appear, the Board determines that the PSAP has offered no reasonable solution, the Board may, at its discretion file a complaint with any other regulatory body exercising jurisdiction over the ~~PSAP~~. PSAP, if necessary to achieve a reasonable solution. A ~~reasonable solution~~ "reasonable solution" shall be defined as one that ~~will comply~~ complies with applicable law, these ~~rules~~ Rules, or the FCC Order within ~~thirty~~ 30 days or upon such other conditions as the Board may find reasonable.

~~(3) (d) If the non-compliant Primary PSAP receives 911 Fund disbursements, such disbursements may be suspended by the 911 Board until compliance with applicable law, these rules Rules, or the FCC Order has been completed.~~

~~(4) (e) If after notice and hearing, the Board determines that the Primary PSAP is not at fault, the Board shall take additional action investigate to determine the cause of failure, failure and take action to achieve a reasonable solution.~~

~~(e) If through the review process the Board determines that a PSAP or CMRS Service Provider is not adhering to an approved plan or is not using funds in the manner prescribed in these rules or G.S. 62A, the Board may, after notice and hearing, suspend distributions or reimbursements until satisfactory evidence of compliance is provided to the Board.~~

*History Note: Authority G.S. 62A-46; 62A-48;*

*Eff. July 1, 2016.*



09 NCAC 06C .0107 was published as 09 NCAC 06C .0105 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0107 with changes, as follows:

09 NCAC 06C .0105 .0107            REVIEW   911   FUNDS   EXPENDITURES,   DISBURSEMENTS   AND  
REIMBURSEMENTS

(a) PSAPs shall maintain detailed books and records of 911 Funds received and use of such funds in accordance with the Local Government Budget and Fiscal Control Act G.S. 159-7 et seq. ~~and generally accepted accounting principles.~~ PSAPs shall maintain these books and records to support Fund distributions, ~~reviews~~ reviews, or audits, in accordance with the funding formula adopted by the Board pursuant to G.S. 62A-46(a)(3). All books and records shall be available for review by the Board or its representatives, or audit by other governmental entities with such authority. If any review or audit indicates excess distributions to a PSAP, the Board shall adjust future or final distributions otherwise due. If no distributions are due and owed to a PSAP, or if the excess distribution exceeds the amount otherwise due during that fiscal year, the PSAP shall refund all amounts due to the 911 Fund as requested by the Board.

(b) PSAPs shall provide copies of any audit reports to the Board if such audit reports include receipts or expenditures for 911 systems.

(c) CMRS service providers ~~shall maintain detailed books and records consistent with subject to G.S. 147-64.7 shall maintain records~~ related to service charges remitted, and records necessary to support requested reimbursements in accordance with applicable law and generally accepted accounting principles. ~~CMRS service providers shall maintain these books and records for a minimum of 5 five years. All books and records shall be available for review or audit by the Board Board, or its representatives or audit by and other governmental entities with such authority. authority upon reasonable notice and during normal business hours. CMRS service providers shall cooperate fully with any such review or audit.~~ If any audit by the State Auditor or review pursuant to Rule .0304 indicates ~~overpayment excess~~ distributions to a CMRS service provider, or subcontractor, the Board shall adjust future or final ~~payment distributions~~ otherwise due. If no distributions are due and owed to a CMRS service provider, or if the ~~overpayment excess~~ distribution exceeds the amount otherwise due during that fiscal year, the CMRS service provider ~~shall immediately~~ refund all amounts that may be due to the 911 ~~Fund without delay.~~ Fund.

*History Note:*     Authority G.S. 62A-42(a)(5); 62A-46(d), 62A-46(d); 62A-46(e), 62A-46(e); 62A-48, 62A-48; 62A-50;

*Eff. July 1, 2016.*

09 NCAC 06C .0304 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

09 NCAC 06C .0304 CMRS SERVICE PROVIDER REIMBURSEMENT

(a) Sworn invoices ~~must~~ shall be attested to by ~~an authorized agent of~~ a person having authority to represent the CMRS ~~Service Provider~~ service provider. Only costs ~~which comport with an approved Plan~~ that are commercially reasonable are eligible for cost recovery. CMRS service provider may present costs as the actual incurred costs of the CMRS ~~Service Provider~~ service provider, an estimate of the incurred costs, or the approved rate per subscriber multiplied by the actual subscriber count. If estimated costs are used, the CMRS ~~Service Provider~~ service provider ~~must~~ shall annually true up its costs to ensure that over-recovery does not occur. CMRS ~~Service Provider~~ service providers shall maintain records consistent with Generally Accepted Accounting Principles as applied by the provider to demonstrate that costs were actually incurred as ~~invoiced~~ submitted for reimbursement. Internal costs (engineering time, facilities, proportionate share of software, etc.) shall be supported by reasonable documentation. All costs are subject to audit by the Board.

(b) As used in this Rule, commercially reasonable shall mean the cost that takes into account the facts and circumstances at the time the cost is incurred. The Board shall determine whether costs are commercially reasonable pursuant to Chapter 25 of the General Statutes.

~~(b) A CMRS Service Provider service provider may be reimbursed for actual one-time costs incurred for their selected E911 Enhanced 911 solution prior to the Board's approval of a CMRS Service Provider's service provider's Cost Recovery Plan cost recovery plan upon authorization of the Board's Chair Chairperson and Executive Director. As a condition of such reimbursement, the CMRS Service Provider service provider shall sign an agreement stating that if a mistake in reimbursement is made, the CMRS Service Provider service provider will shall refund any amounts determined by the board Board to be mistakenly distributed.~~

~~(c) CMRS Service Providers service providers shall not be reimbursed in excess of actual and approved costs.~~

*History note: Authority G.S. 62A-45;*

*Eff. July 1, 2016.*

09 NCAC 06C .0101 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**TITLE 09, CHAPTER 06, SUBCHAPTER C**

**911 BOARD**

**SECTION .0100 – FORMS, DEFINITIONS, ADMINISTRATION**

**09 NCAC 06C .0101      FORMS**

(a) The 911 Board shall prescribe forms by or for use by Public Safety Answering Points (PSAPs), service providers, and any other parties as may be needed to ensure uniformity in the operation of these Rules and policies adopted by the Board.

(b) All forms referenced in this Subchapter are published on the Board's website at <https://www.nc911.nc.gov> and may be accessed free of charge.

*History Note:      Authority: G.S. 62A-42;  
                             Eff. July 1, 2016.*

09 NCAC 06C .0102 was published in 09 NCAC 06C .0107 and 09 NCAC 06C .0306 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0102 with changes, as follows:

**09 NCAC 06C .0102      PHYSICAL ADDRESS OF 911 BOARD**

(a) The physical and mailing address of the 911 Board is:

911 Board

c/o NC Department of Information Technology

3700 Wake Forest Road

Raleigh, NC 27609

(b) Contact information for staff is located on the Board's website at <https://www.nc911.nc.gov>.

History Note:      Authority: G.S. 62A-42;

Eff. July 1, 2016.

09 NCAC 06C .0103 was published in 09 NCAC 06C .0102 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0103 with changes, as follows:

**09 NCAC 06C .~~0102~~ .0103                      DEFINITIONS**

In addition to the terms defined in N.C.G.S. 62A-40, the following terms have the following definition when used in this Subchapter:

- a(1) “Addressing” means the local government’s assigning of a numerical address and street name (the street name may be numerical) to all locations within a local government's geographical service area for the purpose of providing Enhanced 911 service.
- b(11) “~~Appropriate~~ Designated Public Safety Answering Point (PSAP)” means a Primary PSAP determined pursuant to the FCC Order or a Board approved Back-up PSAP.
- c(2) “Back-up PSAP” means a facility equipped with automatic number identification, automatic location identification ~~displays~~ displays, and all other features ~~common to~~ of a primary PSAPs PSAP that it serves. ~~A Back-up~~ back-up PSAP shall receive 911 calls only when they are transferred from the primary PSAP or on an alternate routing basis when calls cannot be completed to the primary PSAP. ~~A Back-up~~ back-up PSAP facility may be ~~unattended, is~~ unattended when not in use, remote from the Public Safety Answering ~~Point~~ Point, and used to house equipment necessary for the functioning of an emergency communications system.
- d(3) “Circuit” means the conductor or radio channel and associated equipment used to perform a specific function in connection with a 911 call system.
- e(4) “CMRS” means a commercial mobile radio service.
- f(5) “CMRS Non-recurring cost (NRC)” means one-time costs incurred by CMRS service providers for initial connection to selective routers and the wireless systems service provider (third party vendor non-recurring) cost.
- g(6) “Communications System” means a combination of links or networks that serve a general function such as a system made up of command, tactical, logistical, and administrative networks supporting the operations of an individual PSAP.
- h(7) “Comprehensive Emergency Management Plan (CEMP)” means a disaster recovery plan that conforms to guidelines established by the ~~Public Safety Answering Point~~ PSAP and is designed to address natural, technological, and man-made disasters.
- i(8) “Computer-Aided Dispatch (CAD)” means a combination of hardware and software that provides data entry, makes resource recommendations, and notifies and tracks those resources before, during, and after 911 calls, and preserves records of those calls and status changes for later analysis by a PSAP or the Board.
- j(9) “Computer-Aided Dispatch (CAD) Terminal” means an electronic device that combines a keyboard and a display screen to allow the exchange of information between a telecommunicator and one or more computers in the ~~system/network~~ system or network.

- 1 ~~k~~(10) “Control Console” means a wall-mounted or desktop panel or cabinet containing controls to operate  
2 communications equipment.
- 3 ~~l~~ “Coordinated Universal Time” means ~~a coordinated time scale, maintained by the Bureau~~  
4 ~~International des Poids et Mesures (BIPM), which forms the basis of a coordinated dissemination~~  
5 ~~of standard frequencies and time signals.~~
- 6 ~~m~~(12) “Dispatch Circuit” means a circuit over which a signal is transmitted from the ~~Public Safety~~  
7 ~~Answering Point PSAP~~ to an Emergency Response Facility (ERF) or Emergency Response Unit  
8 (ERU) to notify the Emergency Response Unit to respond to an emergency.
- 9 ~~n~~(13) “Emergency 911 Call Processing/Dispatching” means a process by which a 911 call answered at the  
10 PSAP is transmitted to Emergency Response Facilities (ERFs) or to Emergency Response Units  
11 (ERUs) in the field.
- 12 ~~o~~(14) “Emergency Response Facility (ERF)” means a structure or a portion of a structure that houses  
13 PSAP equipment and personnel for receiving and dispatching 911 calls.
- 14 ~~p~~(15) “Emergency Response Unit (ERU)” means a first responder, such as a police vehicle, a fire truck,  
15 ~~and~~ or an ambulance. It also includes personnel who respond to fire, medical, law enforcement, or  
16 other emergency situations for the preservation of life and safety.
- 17 (16) “FCC Order” means the Order in FCC Docket 94-102 adopted by the Federal Communications  
18 Commission on December 1, 1997, and subsequent Orders, decisions, consent decrees, rules, and  
19 regulations including 47 C.F.R. 20.18 which are incorporated by reference in these rules. The FCC  
20 Order and regulations may be obtained free of charge from the FCC website:  
21 <http://transition.fcc.gov/pshs/services/911-services/>, [http://www.fcc.gov/encyclopedia/9-1-1-and-](http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services)  
22 [e9-1-1-services](http://www.fcc.gov/encyclopedia/rules-regulations-title-47) and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.
- 23 ~~q~~(17) “Geographic Information Systems (GIS)” means computer programs linking features ~~commonly~~  
24 ~~seen on maps, such as roads, town boundaries, water bodies, with related information not usually~~  
25 ~~presented on maps, such as~~ including type of road surface, population, type of agriculture, type of  
26 vegetation, or water quality information.
- 27 ~~r~~(18) “GIS Base Map” means a map comprising streets and centerlines used in a Geographic Information  
28 System.
- 29 ~~s~~(19) ~~“Local Exchange Carrier” or “LEC” has the same meaning as set forth in G.S. 62A-40.~~
- 30 ~~t~~(19) “Logging Voice Recorder” means a device that records voice conversations and automatically logs  
31 the time and date of such conversations; normally, a multichannel device that keeps a semi-  
32 permanent record of operations.
- 33 ~~u~~(20) “Notification” means the time at which a 911 call is received and acknowledged at a PSAP.
- 34 ~~v~~(21) “Operations Room” means the room in the PSAP where 911 calls are received and processed and  
35 communications with emergency response personnel are conducted.
- 36 ~~w~~(22) “Phase I Wireless Enhanced 911 Service” has the same meaning as provided in the FCC Order and  
37 FCC regulations. The FCC Order and regulations may be obtained free of charge from the FCC

website: <http://transition.fcc.gov/pshs/services/911-services/>, <http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services> and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.

~~xx~~(23) “Phase II Wireless Enhanced 911 Service” has the same meaning as provided in the FCC Order and FCC ~~regulations~~, regulations, as defined in Item (16) of this Rule.

~~yy~~(24) “Place of Primary Use” has the same meaning as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. § 124(8), if applicable; and otherwise sourcing shall be determined pursuant to G.S. 105-164.3 or G.S. 105-164.4B.

~~zz~~(27) “Public Safety Agency” means an organization that provides law enforcement, emergency medical, fire, rescue, communications, or related support services.

~~aa~~(28) “Public Safety Answering Point (PSAP)” means the public safety agency that receives incoming 911 calls.

~~bb~~(25) “PSAP Nonrecurring Costs” means non-repetitive charges incurred by a Primary PSAP to pay for equipment or services ~~which that~~ do not occur on a fixed schedule. Examples include computer equipment that has become functionally outdated, software upgrades, or repair costs that are not covered by any maintenance agreement.

~~cc~~(26) “PSAP Recurring Costs” means repetitive charges incurred by a primary PSAP, such as database management, lease of access lines, lease of equipment, network access fees, and applicable maintenance costs.

~~dd~~ “Security Vestibule” means ~~a compartment provided with two or more doors where the intended purpose is to prevent continuous and unobstructed passage by allowing the release of only one door at a time.~~

~~ee~~(29) “Standard” shall refer to and include such standards, policies, and procedures adopted by the Board pursuant to authority found in Article 3 of Chapter 62A of the N.C. General Statutes.

(30) “Standard Operating Procedures (SOPs)” means written organizational directives that establish or prescribe specific operational or administrative methods that are to be followed ~~routinely~~ for the performance of designated operations or actions.

~~ff~~(31) “Selective Routing” or “Tandem Routing” means routing a 911 call to the ~~appropriate~~ designated PSAP based upon the caller’s location.

~~gg~~(32) “Stored Emergency Power Supply System (SEPSS)” means a system consisting of a ~~UPS~~ Uninterruptible Power Supply, or a motor generator, powered by a stored electrical energy source, together with a transfer switch designed to monitor preferred and alternate load power source and provide desired switching of the load, and all necessary control equipment to make the system functional.

~~hh~~(33) “Sworn Invoice” means an invoice prepared by a CMRS service provider’s vendor that describes the goods or services and identifies the costs that the CMRS service provider submits for cost recovery pursuant to an approved cost recovery plan, and that is accompanied by an affidavit that ~~substantially~~ complies with a form provided by the Board.

1        ~~ii~~(34) “911 Line/Trunk” means a telephone line/trunk which is dedicated to providing a caller with access  
2        to the ~~appropriate~~ designated PSAP by dialing the digits 911.

3        ~~jj~~(35) “Service provider” means an entity that provides voice communications service, including resellers  
4        of such service.

5        ~~kk~~ “TDD/TTY” means a device that is used in conjunction with a telephone to communicate with persons  
6        who are deaf, who are hard of hearing, or who have speech impairments, by typing and reading text.

7        ~~ll~~(36) “Telecommunicator” means any person engaged in or employed as a ~~full-time~~ full-time or ~~part-time~~  
8        part-time 911 communications center call ~~take~~, taker, whether called by that or another term, such  
9        as emergency communications specialist or emergency dispatcher.

10       ~~mm~~(37) “Uninterruptible Power Supply (UPS)” means a system designed to provide power, without delay  
11       or transients, during any period when the primary power source is incapable of performing.

12       ~~nn~~(38) “Voice Communication Channel” means a single path for communication by spoken word that is  
13       distinct from other parallel paths.

14  
15       *History Note:*       *Authority G.S. 62A-42; 47 C.F.R. 20.18;*  
16                              *Eff. July 1, 2016.*  
17



09 NCAC 06C .0104 was published as 09 NCAC 06C .0104(f) of the Rule in 29:24 NCR 2766-2783, and is adopted with changes, as follows:

**09 NCAC 06C .0104      FAILURE TO COMPLY WITH RULES**

(f) ~~If through the review process~~ the Board determines that a PSAP or CMRS ~~Service Provider~~ service provider is not adhering to an approved plan or is not using funds in the manner prescribed in these ~~rules~~ Rules or G.S. 62A, the Board may, after notice and hearing, ~~suspend~~ take action authorized by G.S. 62A affecting distributions or reimbursements until satisfactory evidence of compliance is provided to the Board. ~~A CMRS Service Provider is not eligible to receive or expend 911 Fund monies until such time as the Board determines that the Service Provider is in compliance with an approved plan and 911 Fund usage limitations.~~

*History Note:      Authority G.S .62A-42; ~~62A-46~~, 62A-46; 62A-48;  
                                 Eff. July 1, 2016.*

09 NCAC 06C .0105 was published as 09 NCAC 06C .0104(a) through (e) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0105 with changes, as follows:

**9 NCAC 6C .0104 .0105 SERVICE PROVIDER FAILURE TO COMPLY WITH RULES**

(a) If the Board determines that a ~~Service Provider~~ service provider does not appear to have complied with N.C. General Statutes Chapter 62A, these ~~rules~~ Rules, or the requirements of the FCC ~~Report and Order~~ Order, 94-102 (~~"Report and Order"~~) a certified, return receipt letter shall be mailed to the company representative known to the Board. The letter shall request justification or an explanation from the service provider for the apparent non-compliance. The service provider shall have 15 calendar days to respond to the letter.

(b) Board staff shall ~~initially assess the service provider's response and send a~~ report to the Board. The Board shall review the staff's report. If it appears to the Board that the service provider has failed to comply with applicable law, these ~~rules~~ Rules, or the FCC Order, the Board shall notify the service provider to that effect and to the consequences arising from such failure, and shall provide an opportunity for the service provider to appear before the Board.

(c) If after notice to the service provider, and appearance before the Board or service provider's failure to appear, the Board determines that the service provider has offered no reasonable solution, the Board may, ~~at~~ in its discretion file a complaint with the FCC, the N.C. Utilities Commission or other regulatory body exercising jurisdiction over the service ~~provider~~. provider if necessary to achieve a reasonable solution. For the purposes of this Rule, a reasonable solution "reasonable solution" shall be defined as one that complies with applicable law, these ~~rules~~ Rules, or the FCC Order within ~~thirty~~ 30 days or upon such other conditions as the Board may find reasonable.

(d) If the non-compliant service provider is a CMRS service provider eligible for reimbursement pursuant to G.S. 62A-45, all reimbursements shall be suspended until compliance with applicable law, these ~~rules~~ Rules, or the FCC Order has been completed.

(e) If after notice and hearing, the Board determines that the service provider's failure was caused by one or more primary PSAPs, ~~rules~~ Rule .0106 and procedures regarding PSAP compliance shall be followed.

*History Note: Authority G.S. 62A-42; 62A-48; Part 20 of Title 47 of the Code of Federal Regulations; Eff. July 1, 2016.*

09 NCAC 06C .0106 was published as 09 NCAC 06C .0104(a) through (e) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0106 with changes, as follows:

**09 NCAC 06C .0104 .0106                      PSAP FAILURE TO COMPLY WITH RULES**

~~(b)~~ (a) If the Board determines that a Primary PSAP does not appear to have complied with N.C. General Statutes ~~Chap. Chapter~~ 62A, these ~~rules~~ Rules, or the requirements of FCC ~~Report and Order~~ Order, 942-102 a certified, return receipt letter shall be mailed to the PSAP representative known to the Board. The letter shall request justification or an explanation from the Primary PSAP for the apparent non-compliance. The Primary PSAP shall have ~~fifteen~~ 15 calendar days to respond to the letter.

~~(b)~~ (b) Board staff shall ~~initially assess the Primary PSAP's response and send a report to the Board.~~ The Board shall review the staff's report. If it appears to the Board that the PSAP has failed to comply with applicable law, these ~~rules~~ Rules, or the FCC Order, the Board shall notify the PSAP to that effect and to the consequences arising from such failure, and shall provide an opportunity for the PSAP to appear before the Board.

~~(c)~~ (c) If after notice to the Primary PSAP, and appearance before the Board or the PSAP's failure to appear, the Board determines that the PSAP has offered no reasonable solution, the Board may, at its discretion file a complaint with any other regulatory body exercising jurisdiction over the ~~PSAP.~~ PSAP, if necessary to achieve a reasonable solution. A ~~reasonable solution~~ "reasonable solution" shall be defined as one that ~~will comply~~ complies with applicable law, these ~~rules~~ Rules, or the FCC Order within ~~thirty~~ 30 days or upon such other conditions as the Board may find reasonable.

~~(d)~~ (d) If the non-compliant Primary PSAP receives 911 Fund disbursements, such disbursements may be suspended by the 911 Board until compliance with applicable law, these ~~rules~~ Rules, or the FCC Order has been completed.

~~(e)~~ (e) If after notice and hearing, the Board determines that the Primary PSAP is not at fault, the Board shall ~~take additional action~~ investigate to determine the cause of failure. ~~failure and take action to achieve a reasonable solution.~~

~~(e)~~ If through the review process the Board determines that a PSAP or CMRS Service Provider is not adhering to an approved plan or is not using funds in the manner prescribed in these rules or G.S. 62A, the Board may, after notice and hearing, suspend distributions or reimbursements until satisfactory evidence of compliance is provided to the Board.

*History Note:     Authority G.S .62A-46; 62A-48;*  
*Eff. July 1, 2016.*

09 NCAC 06C .0107 was published as 09 NCAC 06C .0105 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0107 with changes, as follows:

**09 NCAC 06C .0107                      REVIEW 911 FUNDS EXPENDITURES, DISBURSEMENTS AND REIMBURSEMENTS**

(a) PSAPs shall maintain ~~detailed~~ books and records of 911 Funds received and use of such funds in accordance with the Local Government Budget and Fiscal Control Act G.S. 159-7 et seq. ~~and generally accepted accounting principles.~~ PSAPs shall maintain these books and records to support Fund distributions, ~~reviews~~ reviews, or audits, in accordance with the funding formula adopted by the Board pursuant to G.S. 62A-46(a)(3). All books and records shall be available for review by the Board or its representatives, or audit by other governmental entities with such authority. If any review or audit indicates excess distributions to a PSAP, the Board shall adjust future or final distributions otherwise due. If no distributions are due and owed to a PSAP, or if the excess distribution exceeds the amount otherwise due during that fiscal year, the PSAP shall refund all amounts due to the 911 Fund as requested by the Board.

(b) PSAPs shall provide copies of any audit reports to the Board if such audit reports include receipts or expenditures for 911 systems.

(c) CMRS service providers ~~shall maintain detailed books and records consistent with~~ subject to G.S. 147-64.7 shall maintain records related to service charges remitted, and records necessary to support requested reimbursements in accordance with applicable law and generally accepted accounting principles. CMRS service providers shall maintain these ~~books and~~ records for a ~~minimum of 5~~ five years. All ~~books and~~ records shall be available for review ~~or audit~~ by the ~~Board~~ Board, ~~or its representatives or audit by~~ and other governmental entities with such ~~authority.~~ authority upon reasonable notice and during normal business hours. CMRS service providers shall cooperate ~~fully~~ with any such review or audit. If any audit or review indicates ~~overpayment~~ excess distributions to a CMRS service provider, or subcontractor, the Board shall adjust future or final ~~payment~~ distributions otherwise due. If no distributions are due and owed to a CMRS service provider, or if the ~~overpayment~~ excess distribution exceeds the amount otherwise due during that fiscal year, the CMRS service provider ~~shall immediately~~ shall refund all amounts that may be due to the 911 ~~Fund without delay.~~ Fund.

*History Note:*     *Authority G.S. 62A-42(a)(5); ~~62A-46(d); 62A-46(d); 62A-46(e); 62A-46(e); 62A-48; 62A-48; 62A-50;~~*  
                               *Eff. July 1, 2016.*

09 NCAC 06C .0108 was published as 09 NCAC 06C .0106 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0108 with changes, as follows:

**09 NCAC 06C .0106 .0108            WAIVER OF RULES**

Upon ~~consideration~~ receipt of a written request to waive a rule, ~~and and after publishing notice of any waiver request,~~  
the ~~The~~ Board ~~may~~ shall consider the request and may waive any rule in this ~~Chapter~~ Chapter, ~~after receiving a written~~  
~~request.~~ The factors ~~which~~ the Board shall use in determining whether to grant a waiver are:

- (a) Whether the requested waiver is consistent with Article 3 of Chapter 62A or other North Carolina Statutes;
- (b) Whether any applicable Rule should be ~~modified;~~ amended;
- (c) Costs to the 911 Fund if the waiver is granted;
- (d) Costs to the party requesting a waiver if the waiver is not granted;
- (e) Whether granting the waiver is consistent with the statewide 911 plan;
- (f) The benefit to the public;
- (g) Whether granting the waiver is consistent with the requirements and intent of the FCC Order;
- (h) Prior, concurrent, or similar waiver requests; and
- (i) Whether the waiver is supported or opposed by PSAPs or service providers.

*History Note: Authority G.S. 62A-42; 150B-19(6);  
Eff. July, 1, 2016.*

09 NCAC 06C .0109 was published as 09 NCAC 06C .0107 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0109 with changes, as follows:

**09 NCAC 06C ~~.0107~~ .0109                    HEARINGS**

(a) ~~A PSAP or service provider~~ The following, if aggrieved pursuant to G.S. 62A in connection with any action by the Board, may request a hearing before the Board:

(1)        A PSAP; or

(2)        A service provider.

(b) A request for a hearing shall be made in writing to the Executive Director of the Board and shall be filed within 30 calendar days after the aggrieved party knows or should have known of the facts giving rise to the request. A request for hearing is considered filed when physically received by the Executive Director. Requests filed after the 30 calendar day period shall not be considered. To expedite handling of requests, the envelope shall be labeled "911 Funds Request for Hearing." The written request shall include the following:

(1)        The name and address of the party;

(2)        The action of the Board;

(3)        A statement of reasons for the hearing; and

(4)        Supporting exhibits, evidence, or documents necessary to substantiate the party's complaint.

~~(5)~~ Requests for hearing shall be sent to the Executive Director at the address listed in .0102 of this Section.

~~Executive Director, 911 Board~~

~~c/o NC Office of Information Technology Services~~

~~P.O. Box 17209~~

~~Raleigh, NC 27609~~

(c) Following review of the information set forth in Paragraph (b) of this Rule, if the Board determines it needs additional information, it shall request the information from the aggrieved party. Any additional information requested by the Board shall be submitted at the address listed in .0102 of this Section within the time periods established by this Paragraph in order to expedite consideration of the request. Failure of the aggrieved party to comply ~~expeditiously~~ with a request for information by the Board within 60 days shall result in resolution of the request without consideration of that information.

(d) A decision on a request shall be made by the Board ~~as expeditiously as possible~~ within 120 days after receiving all relevant requested information.

*History Note:*     *Authority G.S. 62A-42; 62A-48;*

*Eff. July 1, 2016.*

09 NCAC 06C .0110 was published as 09 NCAC 06C .0108 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0110 with changes, as follows:

**09 NCAC 06C .~~0108~~ .0110                      DECLARATORY RULINGS**

(a) Any request for a determination regarding the application of a ~~relevant~~ rule, ~~statute~~ statute, or ~~rule order~~ established by the 911 Board to a specific factual situation shall be directed to the Board Chair or Executive Director at the address in Rule .0102 of this Section. The request for a ruling shall follow Rules ~~.0108~~ .0109 through ~~.0112~~ .0114 of this Section. A declaratory ruling proceeding may include written submissions, an oral hearing, or other procedure as may be appropriate in the circumstances of the particular ~~request as determined by the Board.~~ request.

(b) Declaratory rulings pursuant to G.S. 150B-4 shall be issued by the Board only on the validity of a rule or on the applicability of a ~~relevant~~ statute, ~~rule~~ rule, or order of the Board to stipulated facts. A declaratory ruling shall not be issued on a matter requiring an evidentiary proceeding.

~~(c) As used in Rules .0108 through .0112 "standard" shall refer to and include such standards adopted by the Board pursuant to authority found in Article 3 of Chapter 62A of the N.C. General Statutes.~~

~~(d) (c) As a~~ A person ~~aggrieved~~, aggrieved ~~the petitioner shall~~ must possess such an interest in the question to be ruled on that the petitioner's need to have such a ruling in order to comply with statutory requirements, ~~these~~ Rules, or standards shall be apparent from the petition and shall be explained therein.

*History Note:     Authority G.S. ~~62A-4~~; 62A-42(a)(4); 62A-46(e)(5); 150B-4;  
                             Eff. July 1, 2016.*

09 NCAC 06C .0111 is adopted.

**09 NCAC 06C .0111 REQUESTS FOR DECLARATORY RULINGS**

(a) Requests for a declaratory ruling shall be in writing and dated.

(b) The request shall contain:

(1) The petitioner's name, address, and telephone number;

(2) The rule, statute, or order referred to;

(3) A statement of facts supporting the petitioner's request for a declaratory ruling;

(4) A statement of the manner in which the petitioner is aggrieved by the rule, statute, or standard, or its potential application to the petitioner;

(c) After review of the information required in (b) of this Rule, the Board may request the following additional information:

(1) A statement of any legal authorities that support the interpretation of the given the statute or rule by the petitioner;

(2) A statement of the practices or procedures likely to be affected by the requested declaratory ruling and the persons likely to be affected by the ruling;

(3) A draft of the declaratory ruling sought by the petitioner, if a specified outcome is sought by the petitioner; and

(4) A statement of whether the petitioner desires to present oral argument.

History Note: Authority G.S. 62A-42; 150B-4;

Eff. July 1, 2016.



09 NCAC 06C .0112 is adopted.

**09 NCAC 06C .0112      RESPONSE TO A REQUEST FOR A DECLARATORY RULING**

(a) The Board shall consider the request within 30 days of receipt. The Board shall issue a ruling except:

- (1) When the Board finds that the person making the request is not a "person aggrieved," as defined in G.S. 150B-2(6);
- (2) When the petition does not provide the information required in Rule .0111, the question is presented in such a manner that the Board cannot determine what the question is, or that the Board cannot respond with a specific ruling that shall be binding on all parties;
- (3) When the Board has made a determination in a similar contested case, or where the factual context being raised for a declaratory ruling was specifically considered upon the adoption of the rule or directive being questioned, as evidenced by the rulemaking record; or
- (4) Where the subject matter of the request is involved in pending litigation or contested case in any state or federal court in North Carolina.

(b) The Board shall, not later than the 30th day after receiving such a request, deposit in the United States mail, postage prepaid, a written statement addressed to the person making the request and setting forth the ruling on the merits of the request for a declaratory ruling, or setting forth the reason the ruling was not made, as the case may be. The Board may gather additional information, may give notice to other persons and may permit such other persons to submit information or arguments under such conditions as are set forth in any notice given to the requesting party.

*History Note: Authority G.S. 62A-42; 150B-4;  
Eff. July 1, 2016.*

09 NCAC 06C .0113 is adopted.

**09 NCAC 06C .0113 DURATION OF A DECLARATORY RULING**

For purposes of this Section, a declaratory ruling shall be deemed to be in effect until:

- (1) The portion of the statute, rule, or order interpreted by the declaratory ruling is amended or repealed;
- (2) The Board changes the declaratory ruling prospectively; or
- (3) Any court sets aside the ruling.

History Note: Authority G.S. 62A-42; 150B-4(a);  
Eff. July 1, 2016.

09 NCAC 06C .0114 is adopted.

**09 NCAC 06C .0114      RECORD OF RULING**

A record of all declaratory ruling proceedings shall be maintained at the Board's office and shall be available for public inspection during business hours.

History Note:      Authority G.S. 62A-42; 150B-4;  
Eff. July 1, 2016.

09 NCAC 06C .0201 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**SECTION .0200 – PUBLIC SAFETY ANSWERING POINTS (PSAPS)**

**09 NCAC 06C .0201 PSAP ELIGIBILITY**

(a) Before receiving distributions from the 911 Fund, a primary PSAP ~~must~~ shall meet the following criteria and ~~certify to confirm the same in writing to the Board:~~

(1) The PSAP is separately identified in its governing agency's budget and in any audit conducted under the Local Government Budget and Fiscal Control Act.

(2) The PSAP meets the definition of primary PSAP under G.S. ~~62A-40(16)~~. 62A-40. Callers ~~must~~ shall be able to reach the PSAP by placing a call using only the digits 911. The PSAP ~~must~~ shall operate an Enhanced 911 system.

~~(3)~~ (b) The PSAP equipment vendor or a ~~Service Provider~~ service provider operating in the PSAP's jurisdiction ~~must~~ shall also certify that the PSAP is capable of receiving and dispatching Phase I wireless ~~enhanced~~ Enhanced 911 service. If neither an equipment vendor nor a ~~Service Provider~~ service provider is available, a city or county may use certification from a technology specialist ~~satisfactory to the Board to meet this requirement.~~ who demonstrates compliance with FCC regulation 47 C.F.R. 20.18.

~~(4)~~ (c) The PSAP shall provide ~~Provide~~ copies of all documentation evidencing agreements with other PSAPs governing the manner in which 911 Funds are used in overlapping geographic service areas, as identified by zip code or other identifier such as telephone exchange or township.

*History Note: Authority G.S. 62A-46;*

*Eff. July 1, 2016.*

09 NCAC 06C .0202 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0202 PSAP ELIGIBLE EXPENSES**

(a) Expenses that are solely incurred to enable a PSAP to receive and utilize the voice and data elements necessary for wireline 911 and wireless Phase I or Phase II compliance may be fully paid from a PSAP's 911 Fund ~~distributions.~~ distributions if approved by the Board. A PSAP may submit a request for approval for an expense by identifying the expense item together with an explanation of the necessity of the expense item to the Executive Director. Eligible lease, purchase, and maintenance expenses for emergency telephone equipment include 911 telephone equipment/system costs.

(1) Eligible costs for necessary computer hardware include Computer Aided Dispatch (CAD) workstation computers, servers, and ancillary equipment; GIS workstation computers, servers, and ancillary equipment; and voice logging recorder ~~computers.~~ computers;

(2) Eligible costs for necessary computer software include software used in conjunction with the computer hardware to provide callers with access to the PSAP by dialing ~~911.~~ 911;

(3) Database provisioning includes creation of the automatic location identification (ALI) database and the GIS base map ~~database.~~ database;

(4) GIS base map eligible expenses include mapped street centerlines, together with costs for creation and maintenance of the base ~~map.~~ map;

(5) Nonrecurring costs of establishing a wireless Enhanced 911 system include emergency generator or uninterruptible power supplies, and telecommunicator furniture necessary for 911 system ~~operation.~~ operation; and

(6) Rates associated with local telephone companies' charges related to the operation of the 911 system include monthly charges for delivery of 911 calls, automatic number identification (ANI), ALI, and monthly charges for telephone interpreter services.

(b) Eligible lease, purchase, and maintenance expenses for emergency telephone equipment include 911 telephone equipment/system costs.

The 911 Board ~~may create~~ shall publish on its website <https://www.nc911.nc.gov/> and periodically revise a list of approved eligible expenditures.

(c) Ineligible costs include:

(1) Basic termination charges incurred due to the disconnection of telephone equipment to be replaced with 911 equipment;

(2) Capital outlay expenditures, such as buildings, remodeling, communication ~~towers~~ towers, and equipment not directly related to providing the user of a voice communications service connection access to a PSAP by dialing the digits 911;

(3) Mobile or base station radios, pagers, or other devices used for response to, rather than receipt of, 911 calls, including mobile data terminals (MDT) and automatic vehicle location (AVL) systems used in response vehicles;

- (4) Seven-digit transfer-to-lines;
- (5) Private line circuit costs;
- (6) Directory listings; and
- (7) Maintenance costs for radio equipment or other miscellaneous equipment not ~~necessary~~ necessary,  
as determined by the Board and the affected PSAP, to provide the user of a voice communications  
service connection access to a PSAP by dialing the digits 911.

*History Note: Authority ~~G.S. 62A-46~~; G.S. 62A-46(c);  
Eff. July 1, 2016.*

09 NCAC 06C .0203 is adopted as published in in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0203      EFFECT OF 911 FUND DISTRIBUTION TERMINATIONS AND SUSPENSIONS**

(a) A primary PSAP operated by or for a local government that is not identified or included in its governing agency's budget or in any audit conducted pursuant to the Local Government Budget and Fiscal Control Act shall not be eligible for distributions from the 911 Fund.

(b) 911 Fund distributions that lapse due to termination of a primary PSAP shall be re-allocated by the Board.

(c) 911 Fund distributions that are suspended shall be maintained by the Board until such time as the PSAP entitled to such distributions complies with the requirements of applicable statutes, these ~~rules~~, Rules, and the Board's standards, policies policies, and procedures.

(d) Primary PSAPs that cease independent operation due to consolidation with other such PSAPs, or that are consolidated with newly formed PSAPs, shall give notice to the Board. ~~Distributions for such PSAPs shall be allocated to the consolidated PSAP upon the Board's approval of such distributions.~~ 911 Fund distributions for such PSAPs that cease operations shall revert to the 911 Fund for distribution under G.S. 62A-46.

*History Note:      Authority G.S. 62A-46; 62A-48;  
                            Eff. July 1, 2016.*

09 NCAC 06C .0204 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0204 PSAP REPORTING**

(a) ~~Any PSAP receiving or requesting 911 Fund distributions must submit~~ PSAPs shall submit the following to the Board ~~a copy of its governing agency's approved budget to the Board detailing the revenues and expenditures associated with the operation of its 911 system by December 1~~ September 1 of each ~~year-year~~ year; ~~or as requested by the Board.~~

(1) A copy of the PSAP's governing agency's approved budget;

(2) A report detailing the revenues and expenditures associated with the operation of its 911 system;

(3) Additional information if requested by the Board including installation schedules, installation expenses, anticipated 911 system changes, other system related costs, expenses and other information deemed necessary by the Board or by the PSAP to ensure funding in compliance with G.S. 62A-46(e).

(b) If a PSAP fails to report its revenues and ~~expenditures~~ expenditures, ~~by January 30th of each year or as requested by the Board,~~ the Board ~~will give notice to~~ shall inform the PSAP's governing ~~agency by certified mail.~~ agency. The notice shall also inform the governing agency that failure to provide the requested information within 15 days ~~will~~ shall be cause for suspension of monthly PSAP fund distributions until the information is received. The notice ~~will~~ shall further inform the governing agency that continuing failure to provide the information ~~will~~ shall result in a report to the North Carolina Local Government Commission of the PSAP's failure.

(c) ~~If after~~ After 60 days from ~~January 30<sup>th</sup>~~ September 1 of each year or the date requested by the Board or the date requested by the Board under (a) ~~above the financial information is still not received,~~ the Board ~~will~~ shall submit ~~written notice to~~ inform the North Carolina Local Government Commission in writing of the PSAP's failure to respond to the requested information. A copy of the notice to the North Carolina Local Government Commission ~~will~~ shall also be sent to the PSAP manager and the governing agency.

(d) ~~Each PSAP shall submit an annual report to the Board on or before December 1 of each calendar year, or as requested by the Board, detailing all revenues and expenditures associated with 911 systems during the immediately preceding fiscal year. The report shall be on a form provided by the Board and shall include information including installation schedules, installation expenses, anticipated 911 system changes, other system related costs and other information deemed necessary by the Board or by the PSAP.~~

(~~e~~) (d) Each county or municipality shall submit a list of PSAPs operating within its jurisdiction each year; or, if none are known, a statement to that effect.

*History Note: Authority G.S. 62A-4; 62A-46; 62A-49;*

*Eff. July 1, 2016.*



09 NCAC 06C .0205 was published as 09 NCAC 0208(4)(c) and 09 NCAC .0209(d) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0205 with changes, as follows:

**09 NCAC 06C .0205      COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)**

(a) Each PSAP shall have a written Comprehensive Emergency Management Plan (CEMP) that includes:

(1)      An emergency fire plan;

(2)      A damage control plan; and

(3)      A back-up PSAP plan that includes alternate 911 call routing conforming to 47 C.F.R. 20.18 and G.S. 62A-49.

(b) The PSAP shall test the plans in Paragraph (a) of this Rule and the CEMP at least once annually.

History Note:      Authority G.S. 62A-42; 62A-46; 47 C.F.R. 20.18;

Eff. July 1, 2016.

09 NCAC 06C .0206 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

09 NCAC 06C .0206 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0206 BACK-UP PSAPS**

(a) Each Primary PSAP shall establish a back-up PSAP or have an arrangement for back-up provided by another PSAP. Agencies may also pool resources and create regional back-up centers. Alternate methods for receiving and processing 911 calls may include interlocal agreements among one or more PSAPs for sharing physical resources, entail a use of portable equipment which that may be temporarily implemented wherever appropriate secure network connectivity is accessible, construction and maintenance of a back-up PSAP facility that would only be utilized when the Primary PSAP is inoperable, or other alternative solution.

(b) Back-up Plan. There shall be a local management approved, written, dated, and annually tested back-up PSAP plan.

(c) The Board shall disburse 911 Funds for back-up PSAPs to the extent eligible expenses are incurred for such PSAPs, and provided:

(1) A back-up PSAP plan is submitted to the 911 Board. The plan shall include start-up costs, projected recurring expenses, and any local agreements which may exist, or which are anticipated, that provide for the back-up PSAP.

(2) Any back-up PSAP plan revisions have been provided to the 911 Board staff.

(d) The back-up PSAP shall be capable, when staffed, of performing the emergency functions performed at the primary PSAP.

(e) The back-up PSAP shall be separated geographically from the primary PSAP at a distance that ensures the survivability of the alternate center.

(f) Each PSAP shall develop a formal written plan to maintain and operate the back-up PSAP or, if back-up is provided by another PSAP, a formal written plan that defines the duties and responsibilities of the alternate PSAP.

(1) The plan shall include the ability to reroute incoming 911 call traffic to the back-up center and to process and dispatch 911 calls at that center.

(2) The plan shall be included in the Comprehensive Emergency Management Plan (CEMP).

(g) The PSAP shall be capable of operation long enough to enable the transfer of operations to the back-up PSAP in the event of an emergency in the PSAP or in the building that houses the PSAP.

~~Note: Alternate methods for receiving and processing 911 calls may include interlocal agreements among one or more PSAPs for sharing physical resources, entail a use of portable equipment which that could be temporarily implemented wherever appropriate network connectivity is accessible, construction and maintenance of a back-up PSAP facility that would only be utilized when the Primary PSAP is inoperable, or other alternative solution.~~

*History Note: Authority G.S. 62A-42(a);  
Eff. July 1, 2016.*

09 NCAC 06C .0207 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0207 PSAP OPERATIONS AND MANAGEMENT**

(a) Personnel:

(1) ~~PSAP All~~ equipment and systems shall be under the ~~control oversight~~ of ~~a-an~~ responsible employee or employees of the ~~PSAP served by the systems.~~ PSAP.

(2) The PSAP Emergency services dispatching entities shall have trained and qualified technical assistance available for trouble analysis and repair by in-house personnel or by authorized outside contract maintenance services. Where maintenance is provided by an organization or person other than an employee of the PSAP, written records of all installation, maintenance, test, and extension of the system shall be forwarded to the responsible employee of the PSAP. Maintenance performed by an organization or person other than an employee of the PSAP shall be by written contract that contains a guarantee of performance.

~~(3) Where maintenance is provided by an organization or person other than an employee of the PSAP complete written records of all installation, maintenance, test, and extension of the system shall be forwarded to the responsible employee of the PSAP.~~

~~(4) Maintenance performed by an organization or person other than an employee of the PSAP shall be by written contract that contains a guarantee of performance.~~

~~(5) The PSAP shall have a written local management approved access control plan.~~

~~(6)~~ (3) Maintenance personnel other than an employee of the PSAP shall be approved by the PSAP pursuant to the approved its access control controls plan as ~~offering~~ presenting no threat to the security of the facility or the employees and equipment within it.

~~(7)~~ (4) All equipment shall be accessible to the PSAP for the purpose of maintenance.

~~(8) At least one supervisor or lead with Telecommunicator certification shall be available to respond immediately at all times 24 hours per day, 7 days per week, 52 weeks per year.~~

(5) When a device monitoring the 911 system for integrity indicates that trouble has occurred, the telecommunicator shall act as follows:

(A) Take appropriate steps as provided in the PSAP manual or operating procedures to repair the fault.

(B) If the telecommunicator determines repair is not possible, isolate the fault and notify the official responsible for maintenance.

~~(b) Telecommunicator Qualifications and Training.~~

~~(1) Telecommunicators and Supervisors shall be certified in the knowledge, skills, and abilities related to their job function.~~

~~(2) Telecommunicators and Supervisors shall have knowledge of the function of all communications equipment and systems in the PSAP.~~

~~(3) Telecommunicators and Supervisors shall know the rules and regulations that relate to equipment use, including those of the Federal Communications Commission that pertain to emergency service radio use.~~

~~(4) Telecommunicators and Supervisors shall be capable of operating and testing the communications equipment they are assigned to operate.~~

~~(5) Telecommunicators and Supervisors shall receive training to maintain the skill level appropriate to their positions.~~

~~(6) Telecommunicators and Supervisors shall be trained in TDD/TTY procedures, with training provided at a minimum of once per year as part of the Annual Training.~~

~~(c) Staffing.~~

~~(1) There shall be sufficient Telecommunicators available to effect the prompt receipt and processing of emergency 911 calls needed to meet the requirements as specified herein.~~

~~(2) After January 1, 2013 a minimum of two (2) Telecommunicators must be available at all times 24 hours per day, 7 days per week, 52 weeks per year to immediately receive and process emergency 911 calls.~~

~~(3) Where communications systems, computer systems, staff, or facilities are used for both emergency and non-emergency functions, the non-emergency use shall not degrade or delay emergency use of those resources.~~

~~(A) A PSAP shall handle emergency 911 calls for service and dispatching in preference to nonemergency activities.~~

~~(B) The PSAP and emergency response agencies shall develop written standard operating procedures that identify when a dedicated Telecommunicator is required to be assigned to an emergency incident.~~

~~(4) Telecommunicators shall not be assigned any duties prohibiting them from immediately receiving and processing emergency 911 calls for service in accordance with the time frame specified in the Operating Procedures.~~

~~(d) Operating Procedures.~~

~~(1) Ninety (90) percent of emergency 911 calls received on emergency lines shall be answered within ten (10) seconds, and ninety five (95) percent of emergency 911 calls received on emergency lines shall be answered within twenty (20) seconds. Compliance with (d).1 shall be evaluated monthly using data from the previous month.~~

~~(2) The PSAP is required to provide pre-arrival medical protocols as set forth by the North Carolina Office of Emergency Services, Health and Human Services in the initial call reception or by the responsible EMS provider on behalf of the primary answering point.~~

~~(3) For law enforcement purposes, the PSAP shall determine time frames allowed for completion of dispatch.~~

1 ~~(4) When emergency 911 calls need to be transferred to another PSAP, the Telecommunicator will~~  
2 ~~transfer the call without delay. The Telecommunicator will advise the caller: "Please do not hang~~  
3 ~~up; I am connecting you with (name of the agency)." The Telecommunicator should stay on the line~~  
4 ~~until the connection is complete and verified.~~

5 ~~(5) The PSAP shall transfer calls for services as follows:~~

6 ~~(A) The call for service shall be transferred directly to the Telecommunicator.~~

7 ~~(B) The transferring agency shall remain on the line until it is certain that the transfer is effected.~~

8 ~~(C) The transfer procedure shall be used on emergency 911 calls.~~

9 ~~(6) All calls for service, including requests for additional resources, shall be transmitted to the identified~~  
10 ~~Emergency Response Units over the required dispatch systems.~~

11 ~~(7) An indication of the status of all Emergency Response Units shall be available to~~  
12 ~~Telecommunicators at all times.~~

13 ~~(8) Records of the dispatch of Emergency Response Units to call for services shall be maintained and~~  
14 ~~shall identify the following:~~

15 ~~(A) Unit designation for each Emergency Response Unit (ERU) dispatched~~

16 ~~(B) Time of dispatch acknowledgment by each ERU responding~~

17 ~~(C) Enroute time of each ERU~~

18 ~~(D) Time of arrival of each ERU at the scene~~

19 ~~(E) Time of patient contact, if applicable~~

20 ~~(F) Time each ERU is returned to service~~

21 ~~(9) All emergency response agencies shall use common terminology and integrated incident~~  
22 ~~communications.~~

23 ~~(10) When the device monitoring the system for integrity indicates that trouble has occurred, the~~  
24 ~~Telecommunicator shall act as follows:~~

25 ~~(A) Take appropriate steps to repair the fault.~~

26 ~~(B) Isolate the fault and notify the official responsible for maintenance if repair is not possible.~~

27 ~~(11) Standard operating procedures shall include but not be limited to the following:~~

28 ~~(A) All standardized procedures that the Telecommunicator is expected to perform without direct~~  
29 ~~supervision.~~

30 ~~(B) Implementation plan that meets the requirements of a formal plan to maintain and operate the backup~~  
31 ~~PSAP.~~

32 ~~(C) Procedures related to the CEMP.~~

33 ~~(D) Emergency response personnel emergencies.~~

34 ~~(E) Activation of an emergency distress function.~~

35 ~~(F) Assignment of incident radio communications plan.~~

36 ~~(G) Time limit for acknowledgment by units that have been dispatched.~~

(12) ~~Every PSAP shall have a comprehensive regional emergency communications plan as part of the CEMP.~~

(A) ~~The emergency communications plan shall provide for real time communications between organizations responding to the same emergency incident.~~

(B) ~~This emergency communications plan shall be exercised at least once a year.~~

(C) ~~In the event that an ERU has not acknowledged its dispatch/response within the time limits established by the PSAP, the Telecommunicator shall perform one or more of the following:~~

(i) ~~Attempt to contact the ERU(s) by radio~~

(ii) ~~Re-dispatch the ERU (s) using the primary dispatch system~~

(iii) ~~Dispatch the ERU(s) using the secondary dispatch system~~

(iv) ~~Initiate two-way communication with the ERU's supervisor~~

(13) ~~The PSAP shall develop and implement standard operating procedures for responding to and processing TDD/TTY calls.~~

(14) ~~Calls received as an open line or "silent call" shall be queried as a TDD/TTY call if no acknowledgment is received by voice.~~

~~(e)~~ (b) Time.

(1) The clock for the main recordkeeping device in the PSAP shall be synchronized to ~~Coordinated Universal Time~~ with all timekeeping devices in the 911 system.

(2) All timekeeping devices in the PSAP shall be maintained within  $\pm 5$  seconds of the main recordkeeping device clock.

~~(f)~~ (c) Recording.

(1) PSAPs shall have a logging voice recorder with one channel for each of the following:

(A) ~~Each transmitted~~ Transmitted or received emergency radio channel or talk ~~group~~ group;

(B) ~~Each voice~~ Voice dispatch call for service ~~circuit~~ circuit; and

(C) ~~Each~~ Telecommunicator telephone that receives emergency 911 calls for service.

(2) Each Telecommunicator ~~position~~ workstation shall have the ability to ~~instantly~~ recall telephone and radio recordings from that ~~position~~ workstation without delay.

(3) ~~Emergency~~ 911 calls that are transmitted over the required dispatch circuit(s) shall be automatically recorded, including the dates and times of transmission.

~~(g)~~ (d) Quality Assurance/Improvement.

(1) PSAPs shall establish a quality assurance/improvement ~~program~~ process to ensure the consistency and effectiveness of ~~emergency~~ 911 call ~~processing~~ taking.

(2) Statistical analysis of ~~emergency~~ 911 call ~~taking and dispatch performance measurements~~ shall be completed monthly and compiled over a one ~~(1)~~ year ~~period~~ period and retained as operational records under Rule ~~:0215~~ .0215 of this Section.

History Note: Authority G.S. ~~62A-42(a)(4)~~, 62A-42(a)(4); ~~62A-46(3)~~, 62A-46(e); ~~62A-46(a)(3)~~;

1                    *Eff. July 1, 2016.*  
2

09 NCAC 06C .0208 was published in 09 NCAC 06C .0207(c) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0208 with changes, as follows:

**09 NCAC 06C .0207 .0208 TELECOMMUNICATOR QUALIFICATIONS, TRAINING AND STAFFING**

~~(a) Staffing.~~

~~(1) (a)~~ There shall be sufficient ~~Telecommunicators~~ telecommunicators available to ~~effect the prompt receipt and processing of emergency~~ complete the call taking process for 911 calls ~~needed to meet the requirements as specified herein.~~

~~(2)~~ After January 1, 2013 a minimum of two ~~(2) Telecommunicators must be available at all times 24 hours per day, 7 days per week, 52 weeks per year to immediately receive and process emergency 911 calls.~~

~~(3) (b)~~ Where communications systems, computer systems, staff, or facilities are used for both emergency and non-emergency functions, the non-emergency use shall not ~~degrade or~~ delay ~~emergency~~ use of those ~~resources.~~ resources for 911 operations.

~~(A) (c)~~ A PSAP shall handle emergency 911 calls for service and completing the call taking process ~~dispatching in preference to~~ shall have priority above nonemergency activities.

~~(B) (d)~~ The PSAP and emergency response agencies shall develop written standard operating procedures that identify when a dedicated Telecommunicator is required to be assigned to an emergency incident. The PSAP shall provide standard operating procedures to its telecommunicators.

~~(4) (e)~~ Telecommunicators shall not be assigned any duties prohibiting them from ~~immediately~~ receiving and processing emergency 911 calls for service and completing the call taking process in accordance with the time frame specified in Rule 06C.0209(a) of this Section and the PSAP standard Operating Procedures. ~~operating procedures.~~

*History Note: Authority G.S. 62A-42(a)(4);  
Eff. July 1, 2016.*



09 NCAC 06C .0209 was published in 09 NCAC 06C .0207(d) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0209 with changes, as follows:

**09 NCAC 06C .0209      PSAP 911 CALL OPERATING PROCEDURES**

~~(d) Operating Procedures.~~

~~(1) (a)~~ Ninety ~~(90)~~ percent of ~~emergency~~ 911 calls received on emergency lines shall be answered within ~~ten (10)~~ 10 seconds, and ~~ninety-five (95)~~ 95 percent of ~~emergency~~ 911 calls received on emergency lines shall be answered within ~~twenty (20)~~ 20 seconds. ~~Compliance with this Paragraph. The PSAP and the Board shall be evaluated~~ evaluate call answering times monthly by using data from the previous month.

~~(2)~~ The PSAP is required to provide pre-arrival medical protocols as set forth by the North Carolina Office of Emergency Services, Health and Human Services in the initial call reception or by the responsible EMS provider on behalf of the primary answering point.

~~(3)~~ For law enforcement purposes, the PSAP shall determine time frames allowed for completion of dispatch.

~~(4) (b)~~ When ~~emergency~~ 911 calls need to be transferred to another PSAP, the ~~Telecommunicator~~ telecommunicator ~~will~~ shall transfer the call without delay. The Telecommunicator ~~will~~ shall advise the caller: "Please do not hang up; I am connecting you with (name of the agency)." caller of the transfer. The ~~Telecommunicator~~ telecommunicator ~~should stay on the line until~~ shall maintain the call connection until it is certain that the transfer is complete and verified. ~~verified by the agency receiving the call transfer.~~

~~(5)~~ The PSAP shall transfer calls for services as follows:

~~(A)~~ The call for service shall be transferred directly to the Telecommunicator.

~~(B)~~ The transferring agency shall remain on the line until it is certain that the transfer is effected.

~~(C)~~ The transfer procedure shall be used on emergency 911 calls.

~~(6)~~ All calls for service, including requests for additional resources, shall be transmitted to the identified Emergency Response Units over the required dispatch systems.

~~(7) (c)~~ An indication of the status of all Emergency Response Units shall be available to Telecommunicators at all times.

~~(8)~~ Records of the dispatch of Emergency Response Units to call for services shall be maintained and shall identify the following:

~~(A)~~ Unit designation for each Emergency Response Unit (ERU) dispatched

~~(B)~~ Time of dispatch acknowledgment by each ERU responding

~~(C)~~ Enroute time of each ERU

~~(D)~~ Time of arrival of each ERU at the scene

~~(E)~~ Time of patient contact, if applicable

- 1                   ~~(F) — Time each ERU is returned to service~~
- 2                   ~~(9) — All emergency response agencies shall use common terminology and integrated incident~~
- 3                   ~~communications.~~
- 4                   ~~(10) — When the device monitoring the system for integrity indicates that trouble has occurred, the~~
- 5                   ~~Telecommunicator shall act as follows:~~
- 6                   ~~(A) — Take appropriate steps to repair the fault.~~
- 7                   ~~(B) — Isolate the fault and notify the official responsible for maintenance if repair is not possible.~~
- 8                   ~~(11) (d) The PSAP shall establish and maintain Standard standard operating procedures shall include but not~~
- 9                   ~~be limited to the following: including:~~
- 10                  ~~(A) (1) All standardized procedures~~ The procedures shall specify that the ~~Telecommunicator~~
- 11                  ~~telecommunicator is expected to perform without direct supervision.~~ supervision;
- 12                  ~~(2) The procedures shall specify operations, facilities, and communications systems that~~
- 13                  ~~receive 911 calls from the public;~~
- 14                  ~~(B) (3) Implementation~~ An implementation plan that meets the requirements of a formal plan to
- 15                  ~~maintain and operate the backup PSAP.~~ for testing and fail-over operation to a back-up
- 16                  ~~PSAP pursuant to Rule .0206 of this Section;~~
- 17                  ~~(C) (4) Procedures related to the CEMP.~~ CEMP required in Rule .0205 of this Section;
- 18                  ~~(D) (5) Emergency response personnel emergencies.~~ emergencies;
- 19                  ~~(E) (6) Activation of an emergency distress function.~~ function;
- 20                  ~~(F) (7) Assignment of incident radio communications plan.~~ plan;
- 21                  ~~(G) (8) Time limit for acknowledgment by units that have been dispatched.~~ dispatched;
- 22                  ~~(9) Responding to and processing TDD /TTY calls or other calls from hearing impaired callers;~~
- 23                  ~~(10) Providing requirements for dispatching of appropriate emergency response personnel;~~
- 24                  ~~(11) A policy that limits access to the PSAP to authorized personnel;~~
- 25                  ~~(12) Procedures for answering open-line or "silent calls"; and~~
- 26                  ~~(13) Maintaining training records for each employee required by the PSAP.~~
- 27                  ~~(12) — Every PSAP shall have a comprehensive regional emergency communications plan as part of the~~
- 28                  ~~CEMP.~~
- 29                  ~~(A) — The emergency communications plan shall provide for real time communications between~~
- 30                  ~~organizations responding to the same emergency incident.~~
- 31                  ~~(B) — This emergency communications plan shall be exercised at least once a year.~~
- 32                  ~~(C) — In the event that an ERU has not acknowledged its dispatch/response within the time limits~~
- 33                  ~~established by the PSAP, the Telecommunicator shall perform one or more of the~~
- 34                  ~~following:~~
- 35                   ~~(i) — Attempt to contact the ERU(s) by radio~~
- 36                   ~~(ii) — Re-dispatch the ERU (s) using the primary dispatch system~~
- 37                   ~~(iii) — Dispatch the ERU(s) using the secondary dispatch system~~

1                   ~~(iv) Initiate two-way communication with the ERU's supervisor.~~

2           ~~(13) The PSAP shall develop and implement standard operating procedures for responding to and~~  
3           ~~processing TDD /TTY calls.~~

4           ~~(14) Calls received as an open line or "silent call" shall be queried as a TDD/TTY call if no~~  
5           ~~acknowledgment is received by voice.~~

6  
7   *History Note: Authority G.S. 62A-42(a)(4);*  
8                   *Eff. July 1, 2016.*  
9

09 NCAC 06C .0210 was published as 09 NCAC 06C .0208 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0210 with changes, as follows:

**09 NCAC 06C .0208 .0210                      PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES**

**~~(a) General.~~**

~~(1) Any Primary PSAP, Backup PSAP, and Secondary PSAP that receives 911 Funds from the NC 911 Board shall comply with all NC 911 Board Rules.~~

~~(2) (a) All 911 system equipment, software, and services used in the daily operation of the PSAP shall be kept in working order at all times. implemented and maintained to ensure continuity of 911 call taking.~~

~~(3) The PSAP shall be provided with an alternate means of communication that is compatible with the alternate means of communication provided at the Emergency Response Facilities (ERFs).~~

~~(A) The alternate means of communication shall be readily available to the telecommunicator in the event of failure of the primary communications system.~~

~~(B) Telecommunicators shall be trained and capable of using the alternate means of communication in the event of failure of the primary communications system.~~

~~(4) Each PSAP shall maintain a Backup PSAP or have an arrangement for backup provided by another PSAP. Agencies may also pool resources and create regional backup centers.~~

~~(A) The Backup PSAP shall be capable, when staffed, of performing the emergency functions performed at the primary PSAP.~~

~~(B) The Backup PSAP shall be separated geographically from the primary PSAP at a distance that ensures the survivability of the alternate center.~~

~~(C) Each PSAP shall develop a formal written plan to maintain and operate the Backup PSAP or if backup is provided by another PSAP a formal written plan that defines the duties and responsibilities of the alternate PSAP.~~

~~(i) The plan shall include the ability to reroute incoming emergency 911 call traffic to the backup center and to process and dispatch emergency 911 calls at that center.~~

~~(ii) The plan shall be included in the Comprehensive Emergency Management Plan (CEMP).~~

~~(5) The PSAP shall be capable of continuous operation long enough to enable the transfer of operations to the Backup PSAP in the event of an emergency in the PSAP or in the building that houses the PSAP.~~

~~(6) (1) Systems that are essential to the operation of the PSAP shall be designed to accommodate peak workloads.~~

~~(7) (2) PSAPs shall be designed to accommodate the staffing level necessary to operate the center as required by the Rules set herein. accommodate peak workloads.~~

1 ~~(8) The design of the PSAP shall be based on the number of personnel needed to handle peak workloads~~  
2 ~~as required by the Rules set herein.~~

3 ~~(9) Each PSAP shall have a written Comprehensive Emergency Management Plan (CEMP).~~

4 ~~(10) Emergency Fire Plan. There shall be a local management approved, written, dated, and annually~~  
5 ~~tested emergency fire plan that is part of the CEMP.~~

6 ~~(11) Damage Control Plan. There shall be a local management approved, written, dated, and annually~~  
7 ~~tested damage control plan that is part of the CEMP.~~

8 ~~(12) Backup Plan. There shall be a local management approved, written, dated, and annually tested~~  
9 ~~backup PSAP plan that is part of the CEMP and approved by the NC 911 Board.~~

10 ~~(13) Penetrations into the PSAP shall be limited to those necessary for the operation of the center.~~

11 (b) ~~Power.~~ Primary and secondary power sources shall be determined by the PSAP including the following provisions:

12 (1) ~~At least two independent and reliable power sources shall be provided, sources, one primary and~~  
13 ~~one secondary; secondary, shall be provided. each Each of which~~ shall be of adequate capacity for  
14 operation of the PSAP.

15 (2) Power sources shall be monitored for integrity, with annunciation provided in the operations room.

16 (3) Primary Power Source. One of the following shall supply primary power:

17 (A) A feed from a commercial utility distribution system;

18 (B) An engine-driven generator installation or equivalent designed for continuous operation,  
19 ~~where with~~ a person specifically trained in its operation ~~is on duty at all times; or~~

20 (C) An engine-driven generator installation or equivalent arranged for cogeneration with  
21 commercial light and power, ~~where with~~ a person specifically trained in its operation ~~is on~~  
22 ~~duty or available at all times.~~

23 (4) Secondary Power Source.

24 (A) The secondary power source shall consist of one or more standby engine-driven generators.  
25 The PSAP shall ensure that a person specifically trained in its operation is on duty or  
26 available at all times.

27 (B) Upon failure of primary power, transfer to the standby source shall be automatic.

28 ~~(10)~~ (5) Engine-driven generators shall be sized to supply power for the operation of all functions of the  
29 PSAP.

30 (A) When installed indoors, engine-driven generators shall be located in a ventilated and  
31 secured area that is separated from the PSAP by fire barriers having a fire resistance rating  
32 of at least two hours.

33 (B) When installed outdoors, engine-driven generators shall be located in a secure enclosure.

34 (C) The area that houses an engine-driven generator shall not be used for storage other than  
35 spare parts or equipment related to the generator system.

36 (D) Fuel to operate the engine-driven generator for a minimum of 24 hours at full load shall be  
37 available on site.

- 1 (E) Equipment essential to the operation of the generator shall be supplied with standby power  
2 from the generator.
- 3 (F) Generators shall not use the public water supply for engine cooling.
- 4 ~~(5)~~ (6) A Stored Emergency Power Supply System (SEPSS) shall be provided for telecommunications  
5 equipment, two-way radio systems, computer systems, and other electronic equipment determined  
6 to be essential to the operation of the PSAP.
- 7 (A) The SEPSS shall be of a class that is able to maintain essential operations long enough to  
8 implement the formal Comprehensive Emergency Management Plan.
- 9 (B) The instrumentation required to monitor power shall be remotely annunciated in the  
10 operations room.
- 11 ~~(6)~~ (7) Power circuits shall include their associated motors, generators, rectifiers, transformers, fuses, and  
12 controlling devices.
- 13 ~~(7)~~ (8) The power circuit disconnecting means shall be installed so that it is accessible only to authorized  
14 personnel.
- 15 ~~(8)~~ (9) Surge Arresters otherwise known as Transient Voltage Surge Suppression (TVSS) shall be provided  
16 for protection of telecommunications equipment, two-way radio systems, computers, and other  
17 electronic equipment ~~determined to be~~ essential to the operation of the PSAP.
- 18 ~~(9)~~ (10) Isolated Grounding System. Telecommunications equipment, two-way radio systems, computers,  
19 and other electronic equipment ~~determined to be~~ essential to the operation of the PSAP shall be  
20 connected to an isolated grounding system.
- 21 (11) Uninterruptible Power Supply (UPS) and Battery Systems. A UPS and battery system shall be  
22 installed in accordance with local, State, and the ~~Federal~~ federal safety regulations and be sufficient  
23 to prevent power surges from damaging equipment in the PSAP as well as provide power for all  
24 essential 911 Emergency Center operations until the backup power source can be fully activated.
- 25 (A) Each UPS shall be provided with a bypass switch that maintains the power connection  
26 during switch over and that is capable of isolating all UPS components while allowing  
27 power to flow from the source to the load.
- 28 (B) The following UPS conditions shall be annunciated in the operations room:  
29 (i)——Source power failure, overvoltage, and under-voltage;  
30 (ii)——High and low battery voltage; and  
31 (iii)——UPS in bypass mode.
- 32 (C) The UPS and Battery Systems shall be capable of providing power for the PSAP when the  
33 Primary Power Source is not functioning but the duration of the outage is not sufficient to  
34 activate the Secondary Power Source.

35  
36 *History Note:* Authority G.S. 62A-42;  
37 *Eff. July 1, 2016.*

09 NCAC 06C .0211 was published as 09 NCAC 06C .0209 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0211 with changes, as follows:

**09 NCAC 06C .0211            TELEPHONES**

~~(a) Telephone Receiving Equipment. The provisions of this Rule shall apply to facilities and equipment that receive emergency 911 calls transmitted by means of any voice communications service.~~

~~(b) (a) Equipment and Operations.~~

(1) PSAPS shall be equipped with Telephone telephone lines and telephone devices ~~shall be provided~~ as follows:

(A) A minimum of two 911 ~~emergency~~ telephone lines and 911 ~~emergency~~ telephone devices shall be assigned exclusively for receipt of ~~emergency~~ 911 calls. These lines shall appear on at least two telephone devices within the PSAP.

(B) Additional 911 ~~emergency~~ telephone lines and 911 ~~emergency~~ telephone devices shall be provided as ~~required~~ necessary for the volume of calls ~~handled~~. handled by the PSAP.

(C) Additional telephone lines shall be provided for the normal business (non-emergency) use as needed.

(D) At least one outgoing-only line and telephone device shall be provided.

(2) 911 ~~emergency~~ lines and 911 ~~emergency~~ telephone devices ~~will~~ shall be answered prior to non-emergency telephone lines and non-emergency telephone devices.

(3) When all 911 ~~emergency~~ telephone lines and 911 ~~emergency~~ telephone devices are in use, ~~emergency~~ 911 calls shall ~~hunt~~ be routed to other predetermined telephone lines and telephone devices that shall be monitored for integrity, and that are approved by the PSAP.

(4) Calls to the business number shall not hunt to the designated emergency lines.

(5) ~~When a PSAP receives an emergency 911 call for a location or an agency that is not in its jurisdiction, When transferring a 911 call pursuant to Rule .0209(b) of this Section, the PSAP shall transfer the call directly data to the responsible designated PSAP. PSAP when possible. When possible the call data will be transferred with the emergency 911 call. If the call transfer method is not possible, call information data shall be relayed by the telecommunicator. The telecommunicator shall remain on the line until it is certain that the transfer has been made and the originating telecommunicator verifies the transfer has been successfully completed by hearing both parties speaking to each other.~~

(6) All ~~911 emergency~~ 911 calls shall be recorded.

~~(c) (b)~~ Circuits/Trunks.

(1) ~~At PSAPS shall have~~ at least two 911 call delivery paths with diverse routes arranged so that no single incident interrupts both ~~routes shall be provided to each PSAP.~~ routes.

1           (2)     Where multiple PSAPs that serve a jurisdiction are not located in a common facility, at least two  
2                   circuits with diverse routes, arranged so that no singular incident interrupts both routes, shall be  
3                   provided between PSAPs.

4           (3)     The PSAP shall have sufficient 911 ~~emergency~~ trunk capacity to receive 99.9 percent of all calls  
5                   during the busiest hour of the average week of the busiest month of the year.

6   ~~(d) 911 Emergency Number Alternative Routing.~~

7           ~~(1)     PSAPs shall maintain a written plan as part of the Comprehensive Emergency Management Plan~~  
8           ~~(CEMP) for rerouting incoming calls on 911 emergency lines when the center is unable to accept~~  
9           ~~such calls.~~

10          ~~(2)     The PSAP shall practice this plan at least once annually.~~

11          ~~(3)     Where overflow calls to 911 emergency telephone lines and emergency telephone devices are routed~~  
12           ~~to alternative telephone lines and alternative telephone devices within the PSAP, the alternative~~  
13           ~~telephone lines and alternative telephone devices shall be monitored for integrity and recorded as~~  
14           ~~required by these Rules, and by the Board's standards, policies and procedures.~~

15  
16   *History Note:*    *Authority G.S. 62A-42;*  
17                    *Eff. July 1, 2016.*  
18



09 NCAC 06C .0212 was published as 09 NCAC 06C .0210 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0212 with changes, as follows:

**09 NCAC 06C ~~.0210~~ .0212                      DISPATCHING SYSTEMS**

**~~(a) Fundamental Requirements of Emergency 911 call Dispatching Systems.~~**

~~(1) (a)~~ An emergency A 911 call dispatching system shall be designed, installed, operated, and maintained to provide for the receipt and retransmission of calls.

~~(2) (b)~~ Telecommunicators who receive ~~emergency~~ 911 calls shall have redundant means within the PSAP premises to dispatch calls.

~~(3) (c)~~ The failure of any system component ~~of~~ or one dispatching means shall not affect the operation of ~~the alternative~~ another dispatching means and vice versa. means.

**~~(b) Primary dispatch paths and devices upon which transmission and receipt of emergency 911 calls depend shall be monitored constantly for integrity to provide prompt warning of trouble that impacts operation.~~**

~~(1) —~~ Trouble signals shall actuate an audible device and a visual signal located at a constantly attended location.

~~(2) —~~ The audible alert trouble signals from the fault and failure monitoring mechanism shall be distinct from the audible alert emergency alarm signals.

~~(3) —~~ The audible trouble signal shall be permitted to be common to several monitored circuits and devices.

~~(4) —~~ A switch for silencing the audible trouble signal shall be permitted if the visual signal continues to operate until the silencing switch is restored to the designated normal position.

~~(5) —~~ Where dispatch systems use computer diagnostic software, monitoring of the primary dispatch circuit components shall be routed to a dedicated terminal(s) that meets the following requirements:

~~(A) —~~ It shall be located within the communications center; and

~~(B) —~~ It shall not be used for routine dispatch activities.

**~~(c) The radio communications system shall be monitored in the following ways:~~**

~~(1) —~~ Monitoring for integrity shall detect faults and failures in the radio communications system; and

~~(2) —~~ Detected faults and failures in the radio communications system shall cause audible or visual indications to be provided within the PSAP.

*History Note: Authority G.S. 62A-42;*

*Eff. July 1, 2016.*

09 NCAC 06C .0213 was published as 09 NCAC 06C .0211 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0213 with changes, as follows:

**09 NCAC 06C .0211 .0213                      COMPUTER AIDED DISPATCHING (CAD) SYSTEMS**

~~(a) General.~~

~~(1)~~ PSAPs shall use ~~Computer-aided~~ computer-aided dispatching (CAD) systems. ~~These systems shall conform to the Rules in this Section.~~

~~(2)~~ The CAD system shall contain all hardware and software components necessary for interface with the 911 system.

(1) The CAD system shall include data entry; resource recommendations, notification, and tracking; store records relating to all 911 calls and all other calls for service and status changes; and track those resources before, during, and after emergency calls, preserving records of those 911 calls and status changes for later analysis by the PSAP.

~~(g) Backup.~~

~~(1) (2)~~ The CAD system shall include a data backup system, utilizing either removable media or independent disk storage arrays dedicated to the backup ~~task.~~ task and additional equipment as needed, as determined by the PSAP.

~~(h) Redundancy.~~

~~(1) (3)~~ The failure of any single component shall not disable the entire system.

(A) The CAD system shall provide automatic switchover in case of failure of the required system component(s).

(B) Manual intervention by telecommunicators or others shall not be required.

(C) Notwithstanding automatic switchover, the CAD system shall provide the capability to manually initiate switchover.

(D) CAD ~~Systems~~ systems that utilize server and workstation configuration shall accomplish automatic switchover by having a duplicate server available with access to all the data necessary and required to restart at the point where the primary server stopped.

(E) CAD ~~Systems~~ systems that utilize distributed processing, with workstations in the operations room also providing the call processing functions, shall be considered to meet the requirements of automatic switchover, as long as all such workstations are ~~continually~~ continuously sharing data and all data necessary to pick up at the point where the failed workstation stopped are available to all other designated dispatch workstations.

~~(2) — Monitoring for Integrity.~~

~~(A) (4)~~ The system shall continuously monitor the CAD interfaces for equipment failures, device exceptions, and time-outs.

1           ~~(B)~~     ~~The system shall, upon~~ Upon detection of faults or failures, the system shall send an  
2                     appropriate message consisting of visual and audible ~~indications.~~ indications to personnel  
3                     designated by the PSAP.

4           ~~(3)~~     ~~The system shall provide~~ A a log of system messages and ~~transactions.~~ transactions shall be  
5                     generated and maintained as determined by the PSAP.

6           ~~(4)~~     ~~A spare display screen, pointing device, and keyboard shall be available in the PSAP for immediate~~  
7                     ~~change-out.~~

8   ~~(b) Secondary Method.~~

9           ~~(1) (b)~~   ~~A PSAPS shall maintain a secondary CAD method shall be provided and shall be available for use~~  
10                    in the event of a failure of the CAD system.

11 ~~(c) Security.~~

12           ~~(1)~~     ~~CAD systems shall utilize different levels of security to restrict unauthorized access to sensitive and~~  
13                     ~~critical information, programs, and operating system functions.~~

14           ~~(2)~~     ~~The PSAP shall have the ability to control user and supervisor access to the various security levels.~~

15           ~~(3)~~     ~~Physical access to the CAD system hardware shall be limited to authorized personnel as determined~~  
16                     ~~by the PSAP.~~

17           ~~(4) (c)~~   Operation of the CAD system software shall be limited to authorized personnel by log-on/password  
18                     control, workstation limitations, or other means as required by the PSAP.

19           ~~(5) (d)~~   The PSAP shall provide network isolation necessary to preserve bandwidth capacity for the efficient  
20                     operation of the CAD system and processing of ~~emergency~~ 911 calls.

21           ~~(A)~~     ~~The CAD system shall provide measures to prevent denial of service attacks and any other~~  
22                     ~~undesired access to the CAD portion of the network.~~

23           ~~(B)~~     ~~The CAD system shall employ antivirus software where necessary to protect the system~~  
24                     ~~from infection.~~

25 ~~(d) Emergency 911 call Data Exchange.~~

26           ~~(1) (e)~~   The CAD system ~~should~~ shall have the capability to allow ~~emergency~~ 911 call data exchange  
27                     between the CAD system and other CAD ~~systems.~~ systems, and between the CAD system and other  
28                     systems.

29           ~~(2)~~     ~~The CAD system should have the capability to allow data exchange between the CAD system and~~  
30                     ~~other systems.~~

31 ~~(e) CAD Capabilities.~~

32           ~~(1)~~     ~~The installation of a CAD system in emergency service dispatching shall not negate the~~  
33                     ~~requirements for a secondary dispatch circuit.~~

34           ~~(2)~~     ~~The PSAP shall provide software that is for or part of the CAD system that will provide data entry;~~  
35                     ~~resource recommendations, notification, and tracking; store records relating to all emergency 911~~  
36                     ~~calls and all other calls for service and status changes; and track those resources before, during, and~~

1 after emergency calls, preserving records of those emergency 911 calls and status changes for later  
2 analysis.

3 (A) ~~The PSAP shall put in place safeguards to preserve the operation, sustainability, and~~  
4 ~~maintainability of all elements of the CAD system in the event of the demise or default of~~  
5 ~~the CAD supplier.~~

6 (B) ~~The system applications shall function under the overall control of a standard operating~~  
7 ~~system that includes support functions and features as required by the PSAP.~~

8 (f) ~~Computer Aided Dispatch (CAD) CAD Performance:~~ configurations shall include:

9 (1) ~~The CAD system shall recommend~~ Recommending units for assignment to calls.

10 (A) ~~The CAD system shall ensure~~ Ensuring that the optimum response units are selected.

11 (B) ~~The CAD system shall allow~~ Allowing the telecommunicator to override the CAD  
12 recommendation for unit assignment.

13 (C) The CAD system shall have the ability to prioritize all system processes so that emergency  
14 operations take precedence.

15 (2) ~~The CAD system shall detect~~ Detecting and reporting errors, faults or failures.

16 (A) ~~The CAD system shall automatically perform all required reconfiguration as a result of~~  
17 ~~errors, faults or failures.~~

18 (B) ~~The CAD system shall queue a notification message to the supervisor and any designated~~  
19 ~~telecommunicator positions.~~

20 (3) ~~Under all conditions, the CAD system response time shall not exceed 2 seconds, measured from the~~  
21 ~~time a telecommunicator completes a keyboard entry to the time of full display of the system~~  
22 ~~response at any position where a response is required.~~

23 (4) ~~The CAD system shall be available and fully functional 99.95 percent of the time, excluding planned~~  
24 ~~maintenance.~~

25 (5) (3) The CAD system shall include automatic power-fail recovery capability.

26  
27 *History Note: Authority G.S. 62A-42;*  
28 *Eff. July 1, 2016.*  
29

09 NCAC 06C .0214 was published as 09 NCAC 06C .0212 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0214 with changes, as follows:

**09 NCAC 06C .0212 .0214            TESTING**

**(a) ~~General.~~**

(1) Tests and inspections of all systems necessary for receiving 911 calls and completing the call taking process shall be made at the ~~regular intervals,~~ intervals specified in a PSAP standard operating procedures conforming to Rules .0207, .0209, and .0210 of this Section.

~~(2) (b)~~ All equipment shall be restored to operating condition after each test or ~~emergency~~ 911 call for which the equipment functioned.

~~(3) (c)~~ When tests ~~indicate that trouble has occurred~~ detect failure or poor performance anywhere on the system, ~~one of the following shall be required:~~ the PSAP shall

~~(A) — The telecommunicator shall take appropriate steps within their scope of training to repair the fault, or isolate the failure or poor performance fault and to notify the person(s) responsible for repair/maintenance, repair or maintenance.~~

~~(B) — If repair is not possible, action shall be taken to isolate the fault and to notify the person(s) responsible for repair/maintenance.~~

~~(4) — Procedures that are required by other parties and that exceed the requirements of these rules shall be permitted.~~

~~(5) — The requirements of this Section shall apply to both new and existing systems.~~

**(b) ~~Acceptance Testing.~~**

~~(1) — New equipment shall be provided with operation manuals that cover all operations and testing procedures.~~

~~(2) (d)~~ All ~~functions of~~ new equipment shall be tested in accordance with the manufacturers' specifications and accepted PSAP practices before being placed in service. PSAPs shall provide equipment operation manuals for operations and testing procedures to PSAP personnel.

**(c) ~~Power.~~**

~~(1) — Emergency and standby power systems shall be tested in accordance with the manufacturer's specifications and accepted business practices.~~

*History Note: Authority G.S. 62A-42;*

*Eff. July 1, 2016.*

09 NCAC 06C .0215 was published as 09 NCAC 06C .0213 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0215 with changes, as follows:

**09 NCAC 06C .0213 .0215                      RECORDS**

(a) ~~General.~~

~~(1) Complete PSAPs shall maintain records to ensure operational capability of all system functions for at least five years.~~

(b) ~~Acceptance Test Records and As-Built Drawings.~~ After completion of acceptance tests, the following shall be provided: PSAP shall retain:

- (1) A set of reproducible, as-built installation drawings;
- (2) Operation and maintenance manuals;
- (3) Written sequence of operation; and
- (4) Results of all operational tests and values at the time of installation.

(c) ~~Electronic Records.~~

~~(1) PSAPS shall have For software-based systems, access to site-specific software for software-based systems systems. shall be provided to the PSAP.~~

~~(2) The PSAP shall be responsible for maintaining the records for the life of the system.~~

~~(3) Paper or electronic media shall be permitted.~~

(d) ~~Training Records.~~

~~(1) Training records shall be maintained for each employee as required by the PSAP.~~

~~(e)~~ (d) Operational Records.

- (1) Call and dispatch performance statistics shall be compiled and ~~maintained.~~ maintained by the PSAP.
- (2) Statistical analysis for call and dispatch performance measurement shall be done monthly and compiled over a one ~~(1)~~ year period.

~~(i) A management information system (MIS) program shall track incoming emergency 911 calls and dispatched emergency 911 calls and provide real-time information and strategic management reports.~~

(3) Records of the following, including the corresponding dates and times, shall be kept:

- (i) Test, ~~emergency~~ 911 call, and dispatch signals;
- (ii) Circuit interruptions and observations or reports of equipment failures; and
- (iii) Abnormal or defective circuit conditions indicated by test or inspection.

(e) Maintenance Records.

- (1) Records of maintenance, both routine and emergency, shall be kept for all ~~emergency~~ 911 call receiving equipment and ~~emergency~~ 911 call dispatching equipment.
- (2) All maintenance records shall include the date, time, nature of maintenance, and repairer's name and affiliation.

- 1    *History Note:*    *Authority G.S. 62A-42;*
- 2                        *Eff. July 1, 2016.*
- 3

09 NCAC 06C .0216 is adopted.

**09 NCAC 06C .0216      ASSESSING PSAP OPERATIONS**

(a) The Board shall conduct reviews of PSAP operations to determine whether a PSAP meets Section .0200 of these Rules. Reviews shall be conducted by at least two persons selected by the Board based on knowledge and experience relating to 911 systems and PSAP operations. The Board shall provide notice to a PSAP at least 90 days in advance of a review. The notice shall include the scope of the review and shall identify the reviewers.

(b) A written report shall be provided to a PSAP within seven calendar days of the date of review. The report shall state any deficiencies that identify a failure to fulfill Section .0200 of these Rules.

(c) The report shall include procedures to remediate deficiencies.

*History Note:*     Authority G.S. 62A-42(a)(4); 62A-42(a)(5);

Eff. July 1, 2016.



09 NCAC 06C .0301 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**SECTION .0300 – COMMERCIAL MOBILE RADIO SERVICE (CMRS) PROVIDERS**

**09 NCAC 06C .0301      REGISTRATION OF CMRS SERVICE PROVIDERS**

(a) ~~CMRS Service Providers, service providers or any reseller~~ resellers of any ~~commercial mobile radio service, which~~ CMRS that receive authority to serve any area within the State of North Carolina, shall register with the Board within 30 calendar days of the later of receiving authority to operate, or of beginning operations, in North Carolina.

(b) Such registration shall be filed with the Commission's Executive Secretary and shall include the following information:

- (1) ~~Legal~~ The legal name of CMRS ~~Service Provider, service provider;~~
- (2) All business names used by the CMRS ~~Service Provider~~ service provider in North Carolina;
- (3) ~~Name,~~ The name, title, mailing address, telephone number, fax number, and email address (if available) of the person to be contacted regarding 911 matters;
- (4) A listing of all areas in which the CMRS ~~Service Provider~~ service provider is authorized to serve any portion of North Carolina; and
- (5) The FCC filer ID and FCC Registration Number of the CMRS service provider.

(c) Changes to any of the ~~above-listed~~ information required by Paragraph (b) of this Rule shall be filed with the Board's Executive Director within 30 calendar days of the effective date of such change(s). This filing requirement includes providing notice to the Board's Executive Director of any and all mergers, divestitures, acquisitions, or other similar actions affecting North Carolina service areas.

*History note:      Authority: G.S. ~~62A-42;~~ 62A-42(a)(9); 62A-45; 62A-49; Part 20, Title 47 Code of Federal Regulations;  
Eff. July 1, 2016.*

09 NCAC 06C .0302 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0302 CMRS SERVICE PROVIDER REIMBURSEMENT PLANS**

(a) Any CMRS service provider desiring reimbursement of eligible expenses from the 911 Fund shall prepare and submit a ~~detailed~~ cost recovery plan to the Board. Plans shall be reviewed by Board staff and any committee established by the Board for such purpose. ~~Confidential information shall not be publicly disclosed.~~ To provide the Board adequate information to make ~~an~~ its decision, CMRS service providers seeking reimbursement shall:

- (1) Upon receipt of a request for wireless ~~E911~~ Enhanced 911 service from a primary PSAP, the CMRS service provider shall develop an ~~implementation~~ cost recovery plan (the ~~Plan, plan,~~ as described in Paragraph (b) of this Rule) for that PSAP, or the appropriate service area if the CMRS service provider serves more than one PSAP; and
- (2) The relevant portions of the ~~Plan, plan,~~ excluding confidential information, ~~will~~ shall be presented to the requesting PSAP. Upon acceptance of the ~~Plan plan~~ by the PSAP, the CMRS service provider ~~will~~ shall present the Plan to the Board for approval.

(b) The ~~Cost Recovery Plan~~ cost recovery plan shall:

- (1) Describe the chosen technology or technologies used for delivery of calls to the PSAP (SS7 solutions, LEC solution, third party service bureau, etc.);
- (2) Describe the architecture to implement the chosen technology(s) in areas or for PSAPs that have requested wireless or enhanced wireless 911 services, within the CMRS ~~Service Provider's~~ service provider's service areas, or statewide, as may be appropriate and relevant to the cost recovery ~~plan.~~ plan;
- (3) Indicate all counties ~~and/or~~ and municipalities of the ~~state~~ State in which the CMRS ~~Service Provider~~ service provider provides wireless ~~E911~~ Enhanced 911 service and where deployment is ~~expected.~~ expected;
- (4) Indicate areas of the ~~state,~~ State, if any, where deployment has already occurred;
- ~~(3)~~ (5) List the known cost elements for the deployment, including non-recurring and recurring charges;
- ~~(6)~~ (7) Provide statewide costs, if possible;
- ~~(4)~~ (7) Describe personnel costs (estimated number of hours and rates) and actual or proposed third party service rates, if any; and
- ~~(5)~~ (8) ~~If cost recovery is proposed on a monthly "per subscriber" rate, indicate the amount and describe the manner in which the rate was calculated.~~
- ~~(5)~~ (8) Include an accounting of the estimated total of service charges that the CMRS ~~Service Provider~~ service provider expects to remit to the Board as of the anticipated date of the first sworn invoice. Include an estimate of the anticipated monthly service charge remittances for the subsequent 12 months and the anticipated sworn invoices for the same period.

(c) If any CMRS service provider believes that it can justify an exception to ~~these CMRS Service Provider 911 Recovery Procedures or to any decision of the 911 Board pursuant to these procedures,~~ this Rule, it may submit its

1 request and documentation supporting its request to the Board at least ~~fifteen~~ 15 days prior to the Board's next  
2 scheduled meeting. The Board ~~will~~ shall consider the exception request at its next scheduled meeting and shall convey  
3 its decision in writing to the requesting CMRS service provider.

4 ~~Note: A list of one time and recurring costs include: Trunk costs comprising Trunking and Connection fee to 911~~  
5 ~~Selective Router (per DSO); engineering and network costs comprising facilities; T-1s selective router ports; routing~~  
6 ~~charges; operations; engineering; switch upgrades; research and development; network design; test plan development;~~  
7 ~~and database costs comprising P-ANI administration; database management and reporting/software.~~

8  
9 *History note: Authority G.S. 62A-45; 62A-52;*

10 *Eff. July 1, 2016.*

11

09 NCAC 6C .0303 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0303 ~~Cost Recovery Plan Review~~ COST RECOVERY PLAN REVIEW**

(a) ~~The Board may establish a committee to review CMRS Service Providers' service providers' cost recovery plans.~~  
plans shall be reviewed by the Executive Director or by a cost recovery committee established by the Board.

(b) Any committee ~~will~~ may include the Board's Executive Director, ~~chairperson~~ Chairperson (or his or her designee), the Board's auditor or financial advisor, and one or more Board members who are familiar with the technical aspects of Enhanced 911 Systems. Board members representing CMRS ~~Service Providers~~ service providers cannot be members of this committee.

(1) The initial plan presented to the ~~Cost Recovery~~ cost recovery committee ~~is~~ shall be intended to allow for the recovery of a CMRS service provider's cost on a one-time basis ~~and/or or~~ or recurring (monthly) basis. The Board ~~may create~~ shall publish on its website <https://www.nc911.nc.gov> and periodically revise a list of permitted approved expenditures consistent with G.S. 62A-45.

(2) The cost recovery committee ~~will~~ shall review the proposed cost recovery plan to determine whether the cost and expense items are commercially reasonable.

(3) The cost recovery committee ~~will~~ shall refer the proposed cost recovery plan to the Board with a recommendation that it either be approved or rejected. If the recommendation is ~~for rejection, to reject the plan,~~ the cost recovery committee ~~will~~ shall provide the reason, in writing, to both the Board and the CMRS ~~Service Provider~~ service provider. The ~~subcommittee~~ cost recovery committee shall indicate whether the Plan complies with the limitations of G.S. 62A-45(a).

(c) After completion of the cost recovery plan review review, ~~by the committee,~~ the CMRS service provider ~~will~~ shall present the plan to the Board at its next regular meeting. Information deemed confidential or proprietary by a CMRS service provider as described in G.S. 62A-52 shall not be presented in a public meeting. The Board ~~will~~ shall not approve reimbursement of any amount in excess of the actual cost of the CMRS service provider in providing Enhanced 911. The Board ~~will~~ shall vote on the plan and provide the CMRS service provider, in writing and within five ~~working business~~ business days, either approval or denial. If rejected, the Board ~~will~~ shall provide documented ~~reasons.~~ reasons in writing. The CMRS service provider may revise and resubmit its plan at subsequent meetings.

(d) Once a cost recovery plan is approved, the CMRS service provider may file claims for reimbursement. One-time costs, if any, ~~will~~ shall be reimbursed upon submission of sworn invoices. Reimbursements shall be made in accordance with the approved plan. ~~The amount of reimbursement that the CMRS Service Provider is entitled to receive on a recurring costs basis may be calculated as follows, or by other method approved by the Board upon request of a CMRS Service Provider:~~

(1) ~~by multiplying the number of CMRS subscribers receiving wireless Enhanced 911 service as reported by the CMRS Service Provider prior to its request for reimbursement, by the amount authorized per subscriber for cost recovery by the Board. CMRS Service Providers will be required to report their subscriber counts no less than once per quarter. The dollar amount paid to the CMRS~~

~~Service Provider will vary based on total number of subscribers reported by the CMRS Service Provider or~~

~~(2) by submission of the actual or estimated recurring costs incurred by the CMRS Service Provider and approved by the board. If the estimated costs are submitted, these costs must be corrected by comparison with actual costs not less than annually; or,~~

~~(3) by a combination of the methods above.~~

(e) The Board may require periodic review and approval of a CMRS service provider's plan, but no more often than once per calendar year. After the initial one-year approval period has expired, presentation of a plan for re-approval may be in writing or in person if the ~~Cost Recovery Subcommittee~~ cost recovery committee or Board requires. Board approval shall be as provided in (b) of this Rule.

(f) Once a plan is approved, changes to the plan ~~must~~ shall be submitted in writing and approved by the Board. A CMRS service provider may request an adjustment of the reimbursement rate at any time upon written notice to the Board. ~~Proper justification will be required.~~ Board approval shall be as provided in (b) of this Rule.

*History Note: Authority G.S. 62A-45;  
Eff. July 1, 2016.*

09 NCAC 06C .0304 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0304 CMRS SERVICE PROVIDER REIMBURSEMENT**

(a) Sworn invoices ~~must~~ shall be attested to by ~~an authorized agent of~~ a person having authority to represent the CMRS ~~Service Provider~~, service provider. Only costs which comport with an approved Plan are eligible for cost recovery. Costs may be the actual incurred costs of the CMRS ~~Service Provider~~, service provider, an estimate of the incurred costs, or the approved rate per subscriber multiplied by the actual subscriber count. If estimated costs are used, ~~the CMRS Service Provider~~ service provider ~~must~~ shall annually true up its costs to ensure that over-recovery does not occur. CMRS ~~Service Providers~~ service providers shall maintain records consistent with Generally Accepted Accounting Principles as applied by the provider to demonstrate that costs were actually incurred as invoiced. Internal costs (engineering time, facilities, proportionate share of software, etc.) shall be supported by ~~reasonable~~ documentation. All costs are subject to audit review by the Board.

(b) A CMRS ~~Service Provider~~ service provider may be reimbursed for actual one-time costs incurred for their selected ~~E911 Enhanced 911~~ solution prior to the Board's approval of a CMRS ~~Service Provider's~~ service provider's ~~Cost Recovery Plan~~ cost recovery plan upon authorization of the Board's ~~Chair~~ Chairperson and Executive Director. As a condition of such reimbursement, the CMRS ~~Service Provider~~ service provider shall sign an agreement stating that if a mistake in reimbursement is made, the CMRS ~~Service Provider~~ service provider ~~will~~ shall refund any amounts determined by the ~~board~~ Board to be mistakenly distributed.

(c) CMRS ~~Service Providers~~ service providers shall not be reimbursed in excess of actual and approved costs.

*History note: Authority G.S. 62A-45;  
Eff. July 1, 2016.*

09 NCAC 06C .0305 was published as 09 NCAC 06C .0306 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0305 with changes, as follows:

**09 NCAC 06C .~~0306~~ .0305                      REMITTANCE OF SERVICE CHARGES**

(a) Service providers shall remit service charges to the 911 Board at the address listed in Rule .0102 of this Subchapter.

~~911 Board~~

~~Information Technology Services~~

~~P.O. Box 17209~~

~~Raleigh, NC 27619 7209~~

(b) Service providers may remit funds by check payable to the Board, or by electronic funds transfer upon satisfaction of transaction processing requirements.

(c) Voice communications service providers that assess the service charge to resellers of their services shall remit such service charges to the Board.

(d) The ~~Office~~ Department of Information Technology ~~Services (ITS)~~ Fiscal Services ~~will~~ shall act as the receiving agent for the ~~Service Providers'~~ service providers' monthly reimbursements and as the administrator of the 911 Fund.

~~(e) Funds shall be deposited in accordance with the State Cash Management Plan.~~

*History note:     Authority G.S. 62A-43; 147-86.11;*

*Eff. July 1, 2016.*

09 NCAC 06C .0306 was published as 09 NCAC 06C .0307 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0306 with changes, as follows:

**09 NCAC 06C ~~.0307~~ .0306            PREPAID WIRELESS SERVICE**

~~(a) A Reseller of wireless services is not responsible for collecting and remitting the service charge if such Reseller's voice communication service supplier remits the appropriate service charges for the wireless services resold by such Reseller.~~

~~(b) A Reseller of wireless services shall give notice to the Board if the service charges will be remitted to the Board by such Reseller's voice communication service supplier(s). Notice shall include the identity of the voice communication service supplier(s), the contract(s) or other document(s) together with information as may be necessary or proper to calculate the appropriate service charge, and such other information as may be required by the Board.~~

(a) A voice communications service provider of prepaid wireless service is not eligible for reimbursements to CMRS providers.

~~(c) A Reseller of wireless services that does not remit service charges is not eligible for reimbursement under G.S. 62A-45.~~

(b) Rules .0109 through .0114 of this Chapter governing hearings and declaratory rulings shall not apply to a voice communications service provider of prepaid wireless service for issues arising under the administration authority of the Department of Revenue.

(c) Contract or other information submitted to the Board by a voice communications service provider of prepaid wireless service may be proprietary under G.S. 62A-52. Service providers shall mark any proprietary or other non-public information as such before sending to the Board. Any confidential information shall be marked accordingly prior to delivery to the Board.

*History Note: Authority G.S. 62A-43; 62A-44; 62A-52; 62A-54;  
Eff. July 1, 2016.*



09 NCAC 06C .0401 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**SECTION .0400 – GRANT FUND**

**09 NCAC 06C .0401 PSAP GRANTS**

(a) ~~After establishing a Grant Account,~~ When there are funds available, the Board shall publish a notice on its website,  
as set forth in 06C .0102, of grant availability to primary PSAPs and governing entities operating primary PSAPs.

(b) Any primary PSAP or the governing entity operating a primary PSAP may apply for a grant.

(c) Each applicant applying for grant funds shall complete and submit an ~~application, in the form prescribed by the~~  
~~Board, which is incorporated herein by reference and~~ application ~~which that~~ may be obtained from the Board office  
or from the Board website at the ~~following~~ address as set forth in 06C .0102.

~~c/o NC Office of Information Technology Services~~

~~P.O. Box 17209~~

~~Raleigh, NC 27609~~

(d) The Board shall accept grant applications as stated in the Board's published notice of grant availability. Grant  
applications submitted that do not conform to the Board's published requirements may be considered at the discretion  
of the Board, provided that ~~Grant grant~~ funds are not exhausted by conforming grant applications and the non-  
conforming grant applications satisfy G.S. 62A-47.

(e) Applications for grants for each item over \$25,000 shall be accompanied by at least three written competitive  
quotes. The Board shall compare the three quotes to any existing ~~state~~ State contract in order to determine appropriate  
funding.

*History note: Authority G.S. 62A-47;*

*Eff. July 1, 2016.*

09 NCAC 06C .0402 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0402      GRANTS FOR CONSTRUCTION OR RENOVATION**

(a) ~~General.~~

(1) ~~As a condition for receipt of a grant from the North Carolina 911 Board for any type of new construction or for a renovation of an existing structure and/or facility incorporated into the construction agreement(s) shall be the following requirements.~~

(2) The requirements in this ~~Section, Rule, PSAP Grants for Construction, Construction or Renovation,~~ shall apply only to new construction and construction renovations of an existing structure or facility funded by the North Carolina 911 Board. ~~Existing PSAP facilities are encouraged to meet these rules, but are not required to meet these rules. PSAPs receiving grants for construction or renovation shall ensure compliance with the provisions of this Rule.~~

(b) HVAC.

(1) HVAC systems shall be designed to maintain temperature and relative humidity within limits specified by the manufacturer of the equipment critical to the operation of the PSAP.

(2) HVAC systems shall be independent systems that serve only the PSAP.

(3) HVAC system intakes for fresh air shall be arranged to minimize smoke intake from a fire inside or outside the building and to resist intentional introduction of irritating, noxious, toxic, or poisonous substances into the HVAC system.

(4) HVAC emergency controls shall be provided in the operations room to permit closing of outside air intakes.

(5) ~~Backup~~ Back-up HVAC systems shall be provided for the operations room and other spaces housing electronic equipment essential to the operation of the PSAP.

(6) HVAC systems shall be designed so that the PSAP is capable of uninterrupted operation with the largest single HVAC unit or component out of service.

(c) Fire Protection.

(1) The PSAP and spaces adjoining the PSAP shall be provided with an automatic fire detection, alarm, and notification system.

(2) The alarm system shall be monitored in the operations room.

(3) Operation of notification appliances shall not interfere with communications operations.

(4) Electronic computer and data processing equipment shall be protected in accordance with the manufacturer's recommended specifications, and common business practices.

(d) Security.

(1) The PSAP and other buildings that house essential operating equipment shall be protected against damage from vandalism, terrorism, and civil disturbances.

(2) Entry to the PSAP shall be restricted to authorized persons.

- 1 (3) ~~Exterior Entryways~~ entryways to the PSAP that lead directly from the exterior shall be protected by  
2 have a security vestibule. “Security Vestibule” means comprising a compartment with two or more  
3 doors to prevent unobstructed passage by allowing the release of only one door at a time.
- 4 (4) Door openings shall be protected by listed, self-closing fire doors that have a fire resistance rating  
5 of not less than 1 hour.
- 6 (5) Where a PSAP has windows, the following requirements shall apply:
- 7 (A) Windows shall be a minimum of 4 ft (1.2 m) above floor level.
- 8 (B) Windows shall be rated for bullet resistance to Level 4 as defined in UL 752, Standard for  
9 Safety Bullet-Resistant ~~Equipment~~. Equipment, which is hereby incorporated by reference,  
10 including subsequent amendments and editions. This may be accessed at no cost at  
11 <http://ulstandards.ul.com/standard/?id=752>.
- 12 (C) Windows that are not bullet resistant shall be permitted provided that they face an area that  
13 cannot be accessed or viewed by the general public.
- 14 (D) Windows that are required to be bullet resistant shall be configured so that they cannot be  
15 opened.
- 16 (E) Walls with bullet-resistant windows shall be required to provide the same level of  
17 protection as the window.
- 18 (6) Means shall be provided to prevent unauthorized vehicles from approaching the building housing  
19 the PSAP to a distance of no less than 82 ft (25 m).
- 20 ~~(7) As an alternative to prevent~~ Alternatively, unauthorized vehicles, unauthorized vehicles shall be  
21 permitted to approach closer than 82 ft (25 m) if the building has been designed to be blast resistant.
- 22 (e) Lighting.
- 23 (1) Artificial lighting shall be provided to enable personnel to perform their assigned duties.
- 24 (2) ~~Emergency Lighting~~. The PSAP shall be equipped with emergency lighting that shall illuminate  
25 automatically immediately upon failure of normal lighting power.
- 26 (3) Illumination levels shall be sufficient to allow all essential operations.
- 27 (f) Circuit Construction and Arrangement.
- 28 (1) As-built drawings shall be provided.
- 29 (2) Circuits shall not pass over, ~~pass~~ under, ~~pass~~ through, or be attached to buildings or property that  
30 are not owned by, or under the control of, the PSAP or the entity that is responsible for maintaining  
31 the system.
- 32 (3) ~~Emergency~~ 911 call instruments installed in buildings not under control of the PSAP shall be on  
33 separate dedicated circuits.
- 34 (4) The combination of public emergency services communication and signaling (C&S) circuits in the  
35 same cable with other circuits shall comply with the following:
- 36 (A) Other municipally controlled C&S circuits shall be permitted; or

(B) Circuits of private signaling organizations shall be permitted only by permission of the PSAP.

(g) Underground Cables.

(1) Underground communication and signal cables shall be brought above ground only at points where the PSAP has determined there is no potential for mechanical damage or damage from fires in adjacent buildings.

(2) All cables that are installed in manholes, vaults, and other enclosures intended for personnel entry shall be racked and marked for identification.

(3) Cable splices, taps, and terminal connections shall be located only where accessible for maintenance and inspection and where no potential for damage to the cable due to falling structures or building operations exists.

(4) Cable splices, taps, and terminal connections shall be made to provide and maintain levels of conductivity, insulation, and protection that are at least equivalent to those afforded by the cables that are joined.

(h) Aerial Cables and Wires. Protection shall be provided where cables and wires pass through trees, under bridges, and over railroads, and at other locations where damage or deterioration is possible.

(i) Wiring Inside Buildings.

(1) Wiring ~~At~~ at the PSAP shall extend to the operations room in conduits, ducts, shafts, raceways, or overhead racks and troughs of a construction type that protects against fire and mechanical damage.

(2) Cables or wiring exposed to fire hazards shall be protected from the ~~hazard~~, hazards.

(3) ~~At Wiring at~~ At the PSAP, cable terminals and cross connecting facilities shall be located either in or adjacent to the operations room.

(4) All wired dispatch circuit devices and instruments whose failure can adversely affect the operation of the system shall be mounted in accordance with the following:

(A) On noncombustible bases, pedestals, switchboards, panels, or cabinets; and

(B) With mounting designed and constructed so that all components are readily ~~accessible~~, accessible to authorized personnel.

(j) Circuit Protection.

~~(1) All surge arresters shall be connected to earth ground.~~

~~(2)~~ (1) All protective devices shall be accessible for maintenance and inspection.

~~(3)~~ (2) Wired surge arresters shall be designed and listed for the specific application.

~~(4)~~ (3) Each conductor that enters a PSAP from a partial or entirely aerial line shall be protected by a surge arrester.

(k) Grounding.

(1) Sensitive electronic equipment determined by the PSAP to be essential to the operation of telecommunications and dispatching systems shall be grounded.

1 (2) Listed isolated ground receptacles shall be provided for all cord-and-plug-connected essential and  
2 sensitive electronic equipment.

3 (3) Unused wire or cable pairs shall be grounded.

4 (4) Ground connection for surge suppressors shall be made to the isolated grounding system.

5 (5) All surge arresters shall be connected to earth ground.

6 (l) Access. All equipment shall be accessible to authorized personnel for the purpose of maintenance.

7  
8 *History Note: Authority G.S. 62A-42; 62A-47;*  
9 *Eff. July 1, 2016.*  
10

09 NCAC 06C .0403 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

**09 NCAC 06C .0403 GRANT AGREEMENTS**

(a) Grant agreements shall comply with ~~requirements of N.C.G.S. 143C and administrative rules~~ N.C.G.S. 62A-47.

(b) Unless otherwise determined by the ~~Board,~~ Board based upon the grant application, grant agreements ~~will have~~  
shall be for a term not to exceed one year, and will begin on July 1 of the year awarded. year.

(c) Grant agreements shall include terms ensuring compliance with N.C.G.S. 159-26, 159-28, and 159-34.

*History note: Authority G.S. 62A-42; 62A-47; 143C-6-22,-23;*

*Eff. July 1, 2016.*

09 NCAC 06C .0404 was published as 09 NCAC 06C .0405 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0404 with changes, as follows:

**09 NCAC 06C .0405 .0404            GRANT FUNDS**

(a) ~~Grant~~ The grantee shall deposit grant funds ~~shall be deposited~~ in a bank account maintained by the ~~applicant,~~ grantee and ~~each grant shall be assigned~~ the grantee shall assign each grant a unique accounting code designation for deposits, disbursements, and expenditures. All ~~Grant grant~~ funds in the account shall be accounted for separately from other grantee funds. Grant funds may be used only between the beginning and ending dates of the grant, unless the ~~an extension is requested and authorized by the Board.~~ grantee requests an extension and it is granted by the Board.

(b) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three years of the end of the grant period, the grantee ~~must~~ shall return the grant funds to the Board on a pro-rata ~~basis.~~ basis using depreciation schedules.

*History note:     Authority G.S. 62A-47;  
                         Eff. July 1, 2016.*

09 NCAC 06C .0405 was published as 09 NCAC 06C .0406 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC 06C .0405 with changes, as follows:

**09 NCAC 06C .0406 .0405                      GRANTEE REPORTS**

(a) Grantees ~~must~~ shall submit reports to the Board summarizing expenditures of the grant funds and the activities supported by the grant funds.

(b) Unless otherwise stated in a ~~Grant Agreement~~, grant agreement, the reports are due 15 days after ~~the end of the reporting periods, which end~~ September 30, December 31, March 31, and June 30.

(c) A final report ~~must~~ shall be submitted to the Board no more than 45 days after completion of the grant, detailing the activities, expenditures of the funds, and the ways in which the needs identified in the grant application were met. The final report ~~must~~ shall be accompanied by supporting documentation for all expenditures of the grant funds.

*History Note:     Authority G.S. 62A-47; 143C-6-22; 143C-6-23;  
                             Eff. July 1, 2016.*



Standards Committee Report

Laura Sykora

Richard Bradford

a) Update On Rules Review Commission  
*(vote required)*

# Updating State 911 Plan *(possible vote required)*

Richard Taylor

## § 143B-1402. Powers and duties of the 911 Board

(a) Duties. -- The 911 Board has the following powers and duties:

(1) To develop the 911 State Plan. In developing and updating the plan, the 911 Board must monitor trends in communications service technology utilized for the 911 system and in enhanced 911 service technology, investigate and incorporate GIS mapping and other resources into the plan, ensure individual PSAP plans incorporate a back-up PSAP, and formulate strategies for the efficient and effective delivery of enhanced 911 service.

## § 143B-1402. Powers and duties of the 911 Board

(a) Duties. -- The 911 Board has the following powers and duties:

(1) To develop the 911 State Plan. In developing and **updating** the plan, the 911 Board must monitor trends in communications service technology utilized for the 911 system and in enhanced 911 service technology, investigate and incorporate GIS mapping and other resources into the plan, ensure individual PSAP plans incorporate a back-up PSAP, and formulate strategies for the efficient and effective delivery of enhanced 911 service.

# Recommendations To The North Carolina 911 Board for Updating The State 911 Plan from the 2012 911 Study Group

## **Finding Number One:**

*State and local 911 funding, planning, legislation and authority are functionally tied to the architecture of the current 911 system and state or local public safety operations. Existing laws or authority often do not take into consideration the Next Generation of 911 in which 911 will be an application that utilizes Emergency Services IP Networks (ESInets), along with other emergency services functions.*

**TARGET AUDIENCE:** 911 Board, Public Safety Authorities, Legislature and Governor's Office

**WHY:** The 911 system and other emergency communications functions are funded by different and disparate funding sources. Those funding structures are used, and indeed are typically required to be used, to create separate and distinctly different systems (e.g. 911; interoperable Police/Fire/EMS radio systems; public health alert networks, poison control centers etc). Absent significant inter-governmental cooperation, this form of planning and funding may not lead to economies of scale that will enable parity of emergency services capabilities, interoperability, increased efficiency or cost savings within all aspects of emergency communications. More so than today, the Next Generation System will be a shared system comprised of multiple entities and components, including 911, the support of which will require coordinated planning and funding.

## **Recommendation Number One:**

*The committee recommends that the 911 Board develop alternate and sustainable funding methods be to ensure sufficient resources are made available to implement and operate the existing and Next Generation 911 system.*

## **Finding Number Two:**

*North Carolina needs to move forward as quickly as possible with Next Generation 911. The current system cannot support new mobile devices and features on the front end or support the transfer of data and emergency information on the back end. NG911*

*standards are being formulated but there are inconsistencies between states and if not addressed on a statewide basis, these will move into the local level. NG911 cannot be implemented in isolation; it must have standards, a common network, and common databases.*

**TARGET AUDIENCE:** 911 Board, Legislature and Governor's Office

**WHY:** For North Carolina to have an efficient NG911 system, it must be coordinated from the State level. Currently there is no coordinated effort for planning and technical support for end users (PSAPs and PSAP personnel) regarding issues related to Next Generation 911. Based on national models, NG911 deployment will require the following which does not currently exist in North Carolina:

- a. Statewide ALI repository
- b. Statewide GIS repository
- c. 911 data repository

**Recommendation Number Two:**

*That the Board immediately create a statewide NG911 Committee to develop and maintain a specific plan and deployment model. This Standing Committee should be made up of local subject matter experts, who are tasked with developing a specific plan and update the plan on a periodic basis.*

**Finding Number Three:**

*Most current 911 and emergency communications systems are local or regional in nature, both operationally and technically. However, the proposed technical architecture of the NG911 system indicates the need for state-wide management and coordination of IP emergency service networks (ESInets). In addition to technical specifications, the NENA Functional and Interface Standards for Next Generation 911 (i3) provide some guidance on Roles and Responsibilities for ESInets.*

**TARGET AUDIENCE:** 911 and Emergency Services Authorities, Legislature, Regulatory Agencies and Governor's Office

**WHY:** There are two key aspects to the deployment of ESInets: (1) the physical buildout and coverage of the ESInets and (2) the management and coordination of ESInets. ESInets may be deployed at a state level and there may be increased efficiencies and economies of scale in doing so. However, ESInets will very likely be deployed at a sub-state level (regional/county) in many areas which must then be interconnected with other sub-state ESInets to establish a standardized, interconnected

and interoperable state-wide ESInet. In practice there will be a number of different ways to affect statewide ESInet coverage. A state level entity or organization is recommended to implement and manage the interconnected state-wide ESInet (comprised of the interconnected regional/local IP networks or a single state network). A state level entity or organization can play a significant role by providing an IP backbone network to make interconnection of regional/local ESInets more efficient.

No matter who manages the ESInet(s) in a state, it is desirable to have one entity or organization coordinate development and management of the network in order to ensure adherence to appropriate standards and achieve the economies of scale and efficiencies that NG911 promises. To further improve efficiency, one entity per state should be responsible for arranging interconnect between their network and adjacent state networks. This includes both redundant physical connections and router configuration to allow seamless interagency communications.

### **Recommendation Number Three:**

*The North Carolina 911 Board establish a State-Wide Emergency Services IP Networks (ESInets) ensuring that state/regional/local authorities recognize the need and apply directive influence to enable and initiate state-wide ESInets needed for NG911*

### **Finding Number Four:**

*In the current marketplace Incumbent Local Exchange Carriers (ILECs) are the predominant 911 System Service Providers (SSPs). In the NG911 marketplace it is anticipated that there will be multiple providers offering a variety of service capabilities and options, thereby providing greater choices for 911 governing authorities. As we transition to a full NG911 system, it is also expected, and is indeed a policy objective, that competitive alternatives for current E911 services will emerge as well. An open, competitive E911 environment should be fostered and should be done so with an eye towards a full NG911 system.*

**TARGET AUDIENCE:** 911 and Public Safety Authorities, State Legislature, Regulatory Agencies and Governor's Office, Federal Communications Commission, Congress

**WHY:** NG911 is not simply an extension of E911. While a full NG911 system must support all E911 functions and features, NG911 is Internet Protocol (IP) based, and software and database controlled in fundamentally new ways, enabling many new technical and operational capabilities to further enhance the coordination and delivery of emergency services nationwide. However, before and during the transition to a full NG911 system, it is expected that new E911 service offerings will be provided by competitive 911 SSPs in direct competition with incumbent SSPs. Such offerings will

likely replicate current E911 functions and advance beyond current E911 system capabilities, while, initially, not being a full NG911 system. In many cases, competitive SSPs will offer individual components of 911 solutions. As these competitive E911 service offerings and full NG911 capabilities are deployed, they will necessarily involve new complex technical and business arrangements that current regulations and laws did not fully contemplate.

#### **Recommendation Number Four:**

*Modify and update current legislation, regulations and tariffs to ensure a competitive E911 environment and a transition to a full NG911 system. The North Carolina 911 Board should become actively involved with State and Federal agencies regarding the transition to Next Generation 911.*

#### **Finding Number Five:**

*Secondary PSAPs add a lot of value for the citizens they serve and contain many resources that public safety could have at their disposal in the event of mass incidents. Conversely, secondary PSAPs can easily become overwhelmed in mass incidents because of their smaller staffing and lack of resources. The lack of 911 funding for secondary PSAPs restricts the ability of the secondary PSAP to be a part of the locally defined 911 system.*

**TARGET AUDIENCE:** 911 Board, State Legislature, and Governor's Office

**WHY:** Secondary PSAPS need to be funded in such a way as to maximize the resources they have while balancing the services needed by the community. To make this work, there must be a desire to work together with the established Primary PSAP. It is not necessary for equipment and software to be identical in the geo diverse centers but it is necessary that everything work seamlessly together.

- **Telephone:** The system should have the capability to route any call to any telecommunicator whether in the Primary PSAP or Secondary PSAP and that telecommunicator should be able to transfer that call to any other telecommunicator. It should function as one system as it would in a single communication center.
- **CAD:** This is one area where standards need to be in place. The CAD software would not have to be the same in all locations but it would have to have seamless integration that moves information and updates in real time. Again, it should function as one system.



- **Mapping:** Should be seamless and each position, regardless of location, should have access to the same maps.
- **Radios:** Radios would be interoperable across the region and any telecommunicator could dispatch to any agency.
- **Training:** While not technical, it is crucial that all telecommunicators are trained to the same level of proficiency to be able to deal with all calls regardless of PSAP location.

### **Recommendation Number Five:**

*Allow secondary PSAPs to function as a part of a primary PSAP and receive 911 funding on a pro-rata basis. The Secondary PSAP must (1) have an MOU with the Primary agreeing to be a part of the 911 system, (2) must meet all standards as established by the NC 911 Board, (3) and must allow the 911 Board to provide and support a system that collects, stores, and collates data into reports enabling interpretation and evaluation of performance, trends, traffic capacities, and related 911 operations. Pro-rata funding will be based on the 911 call data collected from the secondary PSAP.*

### **Finding Number Six:**

*Through its oversight of 911 fund use, 911 Board staff has observed marked differences in pricing reported by PSAPs for purchases of similar equipment. These marked differences statewide represent a significant cost to the 911 fund.*

**TARGET AUDIENCE:** 911 Board, State Legislature, and Local Governments

**WHY:** The disparity in pricing for the same product, and the lack of technical expertise in crafting requests for bid proposals, leaves many entities with less than good outcomes. Having a statewide contract which has vetted the equipment for function, compatibility and interoperability would encourage vendors of CAD, telephone systems and other eligible 911 expenditures to become more cost consistent. A "state contract" type of purchasing agreement with vendors of 911 goods and services within the state could "level the playing field" for such purchases by offering consistent pricing throughout the state and obviating the need for local governments to go to bid for major 911 purchases.

### **Recommendation Number Six:**

*The 911 Board work with local governments to implement methods for optimal cost-*

*effective purchasing and management practices such as providing the ability for PSAPs to purchase 911 goods and services through a state contract.*



## 2012 North Carolina 911 Board Study Group

| Member                                   | Employer              | Email  | Phone        | Representing  |
|--|-----------------------|--|--------------|---|
| Rachel Bello, IT Manager                 | Guilford-Metro 911    | <a href="mailto:Rachel.bello@greensboro-nc.gov">Rachel.bello@greensboro-nc.gov</a> | 336-373-3039 | Association of Public Safety Communications Officers (APCO) |
| Jonathan Bledsoe, Director               | Surry County 911      | <a href="mailto:bledsoej@co.surry.nc.us">bledsoej@co.surry.nc.us</a>               | 336-374-3000 | National Emergency Number Association (NENA)                |
| Terry Bledsoe, Chief Information Officer | Catawba County        | <a href="mailto:TBledsoe@CatawbaCountyNC.gov">TBledsoe@CatawbaCountyNC.gov</a>     | 828-465-8497 | NC Association of County Commissioners                      |
| Allan Cain, Fire Chief                   | Town of Cary          | <a href="mailto:allan.cain@townofcary.org">allan.cain@townofcary.org</a>           | 919-337-3363 | NC Association of Fire Chiefs                               |
| Barry Furey, Director                    | Raleigh-Wake 911      | <a href="mailto:Barry.Furey@ci.raleigh.nc.us">Barry.Furey@ci.raleigh.nc.us</a>     | 919-996-5015 | National Emergency Number Association (NENA)                |
| Almey Gray, Major                        | Dare County Sheriff   | <a href="mailto:almeyg@darenc.com">almeyg@darenc.com</a>                           | 252-475-5705 | North Carolina Sheriff's Association                        |
| Merl Hamilton, Asst City Manager         | City of Concord       | <a href="mailto:hamiltom@concordnc.gov">hamiltom@concordnc.gov</a>                 | 704-920-5330 | NC League of Municipalities                                 |
| Randy Keaton, County Manager             | Pasquotank County     | <a href="mailto:keatonr@co.pasquotank.nc.us">keatonr@co.pasquotank.nc.us</a>       | 252-335-0865 | NC Association of County Commissioners                      |
| Jack Lewis, Police Chief                 | City of Apex          | <a href="mailto:jack.lewis@apexnc.org">jack.lewis@apexnc.org</a>                   | 919-249-3443 | North Carolina Association of Chiefs of Police              |
| Brian Pearce, Rescue/EMS Chief           | Cumberland County EMS | <a href="mailto:bpearce@capefearvalley.com">bpearce@capefearvalley.com</a>         | 910 633-1857 | NC Association of Rescue and EMS                            |
| Jimmy Sanders, Mayor                     | City of Havelock      | <a href="mailto:jsanders2@ec.rr.com">jsanders2@ec.rr.com</a>                       | 252-342-3309 | NC League of Municipalities                                 |
| Christy Shearin, 911 Director            | Franklin County       | <a href="mailto:cshearin@franklincountync.us">cshearin@franklincountync.us</a>     | 919-340-4320 | NC Association of County Commissioners                      |
| Stephanie Wiseman, 911 Director          | Mitchell County       | <a href="mailto:s.wiseman@mitchellcounty.org">s.wiseman@mitchellcounty.org</a>     | 828-688-9110 | Association of Public Safety Communications Officers (APCO) |

## Mission of the 2016 911 Board Study Group

To develop the 911 State Plan. In developing and updating the plan, the 911 Board must monitor trends in communications service technology utilized for the 911 system and in enhanced 911 service technology, investigate and incorporate GIS mapping and other resources into the plan, ensure individual PSAP plans incorporate a back-up PSAP, and formulate strategies for the efficient and effective delivery of enhanced 911 service.

## Proposed Membership

8 Members, 1 each representing:

(members must work in or have management oversight of a  
Primary PSAP):

North Carolina Association of County Commissioners  
North Carolina Association of Chiefs of Police  
North Carolina Association of Rescue and Emergency  
Medical Services  
North Carolina Chapter of APCO  
North Carolina Chapter of NENA  
North Carolina Firemen's Association  
North Carolina League of Municipalities  
North Carolina Sheriff's Association

Updating State 911 Plan  
*(possible vote required)*

Richard Taylor

# NG 911 Committee Report

Jeff Shipp  
Dave Corn  
Jim Lockard

*Federal Engineering*

- a) Tabled Motion for Approval of NG911  
Cost Analysis  
*(vote required)*





# North Carolina NG9-1-1 Cost Analysis

December 2015



Federal Engineering, Inc.  
10600 Arrowhead Dr, Suite 160  
Fairfax, VA 22030  
703-359-8200

## Introduction

This Cost Analysis is a companion document to the Concept of Operations document. The costs represented in this study align with the strategy recommended in the Concept of Operations and provides a basis of understanding for operational and technical costs in transitioning to NG9-1-1.

The Concept of Operations provides the technical overview of each of the systems identified, describes the functionality desired and outlines a plan for implementation of NG9-1-1 services through the procurement of components that create the capabilities and functionality for NG9-1-1. The areas of focus in this Cost Analysis include the primary components identified in the Concept of Operations including an ESInet, NG9-1-1 call routing, Hosted Call Handling, Geographical Information System (GIS), Network Management and Assistance Center (NMAC), Computer Aided Dispatch (CAD) sharing, and Radio Interoperability.

This Cost Analysis report utilizes the Concept of Operations as a guide to establishing a Rough Order of Magnitude (ROM) cost basis for those components described in the Concept of Operations.

To complete the ROM cost estimate, Federal Engineering (**FE**) developed a Concept of Operations as the basis for the following calculations. As the NC 911 Board completes the steps of its *NG9-1-1 Roadmap*, we will develop detailed conceptual designs to refine the technical and operational areas identified in the Concept of Operations.

The following represent the high level basis for this cost analysis as presented in this analysis:

- Estimation of reasonable costs for implementation of NG9-1-1
- Focus on affordability (Table 1 categories costs into current, future and considerations)

**Table 1 – High level cost matrix**

| NC NG9-1-1 Cost matrix |                |                    |                  |
|------------------------|----------------|--------------------|------------------|
| Current Plans          | Current Costs  | Future Costs       | Considerations   |
| ESInet                 | Trunks         | ESInet             | Connections      |
| GIS                    | Equipment      | Equipment          | Distances        |
| CPE                    | CAD            | CAD                | Capacity         |
| NOC                    | Recording      | Radio              | NG capable       |
| * CAD                  | Backup centers | GIS                | Hosting          |
| * Radio                | Admin Lines    | Text               | Replacement cost |
|                        | ECaTS          | ECaTS              |                  |
|                        |                | Service Management |                  |



- Transition
  - Initially install ESInet and NG9-1-1 applicable core functions
  - Migrate PSAPs into NG9-1-1 core
- Timeline – 18-24 months from the time the ESInet and core functions are in place
- Statute only funds primary PSAP's and approved secondary PSAPs
- Secondary PSAP's can obtain funding based upon call volume
  - Interconnections of Primary and Secondary PSAP's will need to be mapped
- ECATS information will be used to identify volume and interconnection



## Table of Contents

|  |    |
|--|----|
| Introduction .....   | 2  |
| 1. Methodology .....   | 6  |
| 1.1 Data Collection .....  | 6  |
| 1.2 Data and Information Utilized.....   | 7  |
| 1.2.1 PSAPs, Positions and Trunks (as of 2014).....                            | 7  |
| 1.2.2 Population and Call Volume (as of 2014).....                             | 7  |
| 1.2.3 Call Type (as of 2014).....  | 7  |
| 1.2.4 PSAP NG9-1-1 Readiness and High Level Breakdown.....                     | 8  |
| 1.3 Data Analysis .....  | 8  |
| 1.4 Assumptions .....  | 9  |
| 2. Analysis of Recent Board Funding of 911 .....                               | 11 |
| 2.1 Recent Expenditures.....   | 11 |
| 2.1.1 Legacy 9-1-1 Costs will not Stop Immediately .....                       | 11 |
| 2.1.2 Legacy 9-1-1 Costs Impacted by NG9-1-1.....                              | 12 |
| 2.1.3 9-1-1 Costs Not Impacted by NG9-1-1.....                                 | 13 |
| 2.1.4 9-1-1 Costs Replaced by NG9-1-1:.....                                    | 14 |
| 2.1.5 Summary of Recent 9-1-1 Costs.....                                       | 15 |
| 3. New Costs from NG9-1-1.....   | 17 |
| 3.1 Future 9-1-1 Costs .....   | 17 |
| 3.2 NG9-1-1 Cost drivers.....  | 18 |
| 3.3 PSAP Readiness will Impact Costs.....                                      | 18 |
| 3.3.1 Legacy PSAP Gateways Costs (LPGs) .....                                  | 20 |
| 3.3.2 Costs per Connection .....   | 21 |
| 3.3.3 Potential Costs at the Position Level.....                               | 22 |
| 3.4 Rough Order of Magnitude (ROM) Cost Estimates.....                         | 23 |
| 3.4.1 ESInet/Network.....  | 23 |
| 3.4.2 NG-Core Functions/i3 .....   | 24 |
| 3.4.3 Geographical Information System (GIS) .....                              | 26 |
| 3.4.4 Network Monitoring and Assistance Center (NMAC) Service and Support..... | 26 |
| 3.4.5 Hosted Call Handling .....   | 27 |



|       |  |    |
|-------|--|----|
| 3.4.6 | Computer Aided Dispatch (CAD) .....                        | 27 |
| 3.4.7 | Radio Interoperability .....                               | 28 |
| 3.5   | ROM Operational costs.....                                 | 30 |
| 4.    | Transition Timeline – Legacy 9-1-1 to NG9-1-1 System ..... | 32 |
| 4.1   | NG9-1-1 Transition Estimate .....                          | 32 |
| 5.    | Cost Analysis Summary .....                                | 34 |
| 5.1   | Costs that will be Replaced by NG9-1-1 Costs .....         | 34 |
| 5.2   | Costs that can be Impacted by NG9-1-1 Costs.....           | 35 |

*- The remainder of this page intentionally left blank -*



## 1. Methodology

Based on the general 9-1-1 environment in the State of North Carolina, **FE** used a high level concept of operations to develop the ROM costs presented in this analysis. The costs presented are the result of data collection from similar projects around the country and relate to the services sought by the NC 911 Board. While these costs supply a basis, the use of state contracts, bulk purchasing, competitive procurements and other situations available to the state may directly impact costs.

The basis for the conceptual design will be a statewide NG9-1-1 system that would pave the way for a fully functioning NG9-1-1 solution in North Carolina. The NG9-1-1 system would enhance capabilities for all PSAPs and create a platform designed to meet the requirements of current communications applications, devices and resources. Lastly, the NG9-1-1 system aligns with national standards and serves to meet the objectives outlined in the Concept of Operations document.

The methodology for the effort to this point includes:

- Review of relevant 9-1-1 data and current costs
- Categorization of 9-1-1 costs to be impacted or not-impacted by NG9-1-1
- Identify and analyze new NG9-1-1 costs relative to the Concept of Operations
- Estimate Rough Order of Magnitude (ROM) costs of NG9-1-1

### 1.1 Data Collection

Data used for this study included information about the NC 911 Board fund for a 5-year period ending in 2014 as well as information about call volume and PSAP data.

The sources of the data used here include:

- ECaTS data from call detail reports
- Board reports on the operational and technical operation of 9-1-1 in the State
- The Board website and documents available to document the strategic goals of NG9-1-1

Tables in the following section provide relevant information resulting from our analysis. This information is common to all subsequent tables, calculations and costs presented throughout this analysis.

## **1.2 Data and Information Utilized**

### **1.2.1 PSAPs, Positions and Trunks (as of 2014)**

The quantity of PSAPs, dispatch positions, and trunks will impact all costs. The cost analysis refers to these figures frequently and they serve as a basis for comparisons between legacy costs and NG9-1-1. Throughout the cost analysis, we adjusted the baseline number of PSAPs, positions and trunks where necessary to represent the locations that would connect to the NG9-1-1 system. Tables 2 through 4 provide statistics on existing system capacity

**Table 2 – PSAP's and Call centers**

|                           |     |
|---------------------------|-----|
| <b>Primary PSAP's</b>     | 119 |
| <b>Other Call centers</b> | 6   |
| <b>TOTAL</b>              | 125 |

**Table 3 – PSAP positions and trunk quantity**

|                              |     |
|------------------------------|-----|
| <b>9-1-1 positions total</b> | 840 |
| <b>9-1-1 Trunks</b>          | 880 |

### **1.2.2 Population and Call Volume (as of 2014)**

The population assessment in North Carolina versus the total 9-1-1 calls in 2014 reflects an population and call volume consistent with national averages for other states. This factor could identify a potential cost per call.

**Table 4 – Population and Call Volume**

|                          |           |
|--------------------------|-----------|
| <b>NC Population</b>     | 9,943,964 |
| <b>Total 9-1-1 calls</b> | 7,294,803 |

### **1.2.3 Call Type (as of 2014)**

Another factor within the ROM that can shape the strategy is the total percentage of 9-1-1 calls from a device. Table 5 shows that calls received are primarily from wireless devices used to contact 9-1-1 within the State. In fact, 76% of the 7,294,803 calls received per year are from wireless devices.



**Table 5 – Breakdown of call type**

|                       |     |           |
|-----------------------|-----|-----------|
| <b>% wireless 911</b> | 76% | 5,544,050 |
| <b>% Landline</b>     | 17% | 1,240,117 |
| <b>% VoIP</b>         | 7%  | 510,636   |

#### **1.2.4 PSAP NG9-1-1 Readiness and High Level Breakdown**

Drawing from the 2012-2013 survey, Table 6 loosely defines existing PSAPs as NG ready, partially NG ready and not NG ready to set the depth and breadth of the project. Our approach is a conservative assessment as to whether or not a PSAP is ready for NG. These numbers provide a baseline that may change during the refinement of the conceptual design. The intent is to utilize the numbers to ensure that the ROM costs capture the potential costs for all PSAPs to join the NG9-1-1 system.

**Table 6 – PSAP readiness**

|                            |     |
|----------------------------|-----|
| <b>Primary PSAP's</b>      | 119 |
| <b><i>NG ready</i></b>     | 12  |
| <b><i>Partial NG</i></b>   | 78  |
| <b><i>Not NG Ready</i></b> | 29  |
| <b>Other Call centers</b>  | 6   |
| <b>TOTAL</b>               | 125 |

### **1.3 Data Analysis**

During our work on the Concept of Operations document and through our initial conceptual design work, developing a strategy for NG9-1-1 focused on the following common drivers:

- Population
- Connections and connectivity
- Call Volume and existing usage
- System and network capacities
- Functionality and capabilities desired
- Quantity of expected end points
- Number of existing call taking positions
- Number of PSAPs





- Expected number of licenses required for technical components
- Estimated users of the system

## **1.4 Assumptions**

The Cost Analysis follows a set of assumptions aligned with those in the Concept of Operations document. These include:

- Basis of 119 Primary PSAPs and 6 Secondary PSAPs (125 total) with no change in the size and makeup of the current PSAPs
- Statewide NG9-1-1 system
- Leased system
- Payment for ESInet costs will commence only after the first PSAP joins the network
- Data centers based on the available floor space at state of North Carolina data centers in Raleigh and Rutherfordton
- Software maintenance based on 15 percent of initial purchase prices per year; in the case of large purchases, negotiating a lower maintenance contract is possible
- Any use of existing state infrastructure (e.g., networks installed that may have available bandwidth and appropriate levels of availability/reliability) that meets system requirements for transport may also reduce system costs
- Estimated costs based on available information and considered an ROM (defined below)
- Includes costs related to security equipment (e.g., firewalls, border control functions, etc.)
- Comparison to current costs based on information provided by the NC 911 Board in a disbursement tracking spreadsheet and not a detailed assessment of the current costs of 9-1-1
- Network costs based on retail pricing with the potential to obtain a better price the RFP process



- Excludes costs related to the execution of the *planning* phases of the *NG9-1-1 Roadmap*
- Excludes training costs
- Pricing based on the purchase of the systems outlined in the Concept of Operations and to be detailed in the conceptual design
- Various procurement processes available to the NC 911 Board, such as existing state contracts, new state contracts (e.g., ITS contract), bulk purchasing power, or competitive procurements to reduce costs

This cost analysis presents costs as a Rough Order of Magnitude (ROM). A ROM Estimate is defined as follows:

- When a project commences, requirements specifications lack detail definition; making the exact project Budget impossible to calculate without more information.
- Regarding estimates in this stage as concrete numbers may lead to ineffectual results. To avoid the possibility of such an ineffectual results, we provide the ROM estimates for planning purposes only.
- The common costs of equipment, services and systems are the basis for ROM estimates.
- Comparisons of costs from other similar implementations used as a guide included:
  - The state of Indiana
  - The state of Maine
  - The state of Vermont

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## 2. Analysis of Recent Board Funding of 911

### 2.1 *Recent Expenditures*

Our team's analysis of NC 911 Board funding reports from 2009-2014 show that the Board pays for or reimburses PSAPs for costs in the following broad categories. These categories have been expanded from the entire eligibility list to supply a high level baseline of costs. We based the analysis presented here and the figures shown below on known, historical and publicly reported figures.

- 911 trunks and connectivity
- 911 software, Customer Premises Equipment (CPE) and annual maintenance
- CAD software, CAD equipment and annual maintenance
- Recording software and equipment
- Backup centers – software and equipment and annual maintenance
- Admin Lines – connections and services and annual maintenance
- ECaTS – MIS and reporting

Options put forth in the Concept of Operations and the manner in which the Board chooses to provide certain services to PSAPs via the NC NG9-1-1 system will affect, or have the potential to affect many of the costs paid by the Board.

#### 2.1.1 *Legacy 9-1-1 Costs will not Stop Immediately*

Costs to procure and implement the NG9-1-1 system will be funds specifically assigned to NG9-1-1; however, legacy 9-1-1 network costs funded by the NC 911 Board will continue.

- Installation and implementation of the NG9-1-1 network services, and replacement of the current 9-1-1 network provided services to all of the PSAPs in North Carolina could take at least three years to procure. These costs are in addition to current eligible costs paid by the NC 911 Board.
- Migration of legacy PSAPs to the NG9-1-1 system may result in reduced costs as each PSAP joins the NG9-1-1 network.
- Contract options can help manage any potential costs required during build out and transition to a new service provider. For example, upon removal of connections currently paid in favor of new connections implemented at PSAPs,



the service cost begins for the new service and stops for the legacy service. (cost replacement)

### **2.1.2 Legacy 9-1-1 Costs Impacted by NG9-1-1**

Analyzing costs from 2009 – 2014, we can place recent 911 costs into the following cost categories:

- Impacted by NG9-1-1
- Not Impacted by NG9-1-1.

***Impacted is defined as having the potential to change resulting in an increase or decrease in costs currently paid. The effect results from the ability to utilize the ESInet and NG9-1-1 services to enhance capabilities or increase options.***

The cost areas listed below have been identified costs that may be or will be impacted by the implementation of NG9-1-1 in North Carolina. These costs have a very high likelihood of transitioning into the NG9-1-1 system.

In general, most of the costs captured in this Section 2 analysis of recent Board funding of 9-1-1 should decrease as an overall expense to the Board due to economies of scale within the ESInet. For example, sharing of services among PSAPs across the ESInet can reduce these costs. Furthermore the ability to use the statewide system can offer a method of group purchasing power and competitively managed services contracts.

While many of these costs will decrease, the rate at which they decline is dependent upon the capabilities provided by the NG9-1-1 system and the services desired by the individual PSAPs. Table 7 lists costs that NG9-1-1 may impact.

**Table 7 – Costs that NG9-1-1 implementation may impact**

| Analysis of costs that NG9-1-1 may impact |                 |                          |
|---|-----------------|--------------------------|
|   | 2009-2014 Total | 5 year average per annum |
| Software Maintenance                      | \$24,952,697    | \$ 4,990,539             |
| Telephone equipment (CPE etc.)            | \$22,689,220    | \$ 4,537,844             |
| Equipment Maintenance                     | \$19,767,070    | \$ 3,953,414             |
| Computer Aided Dispatch                   | \$ 9,308,166    | \$ 1,861,633             |
| Computer Workstations                     | \$ 7,849,286    | \$ 1,569,857             |
| CAD Server                                | \$ 7,675,345    | \$ 1,535,069             |



| Analysis of costs that NG9-1-1 may impact |                       |                          |
|---|-----------------------|--------------------------|
|   | 2009-2014 Total       | 5 year average per annum |
| 9-1-1 Phone System Server                 | \$ 7,397,468          | \$ 1,479,494             |
| Voice Logging Server                      | \$ 3,836,472          | \$ 767,294               |
| Voice Logging Recorder                    | \$ 2,630,176          | \$ 526,035               |
| GIS                                       | \$ 1,979,382          | \$ 395,876               |
| Software Licensing                        | \$ 1,707,512          | \$ 341,502               |
| GIS Server                                | \$ 620,744            | \$ 124,149               |
| MIS for 9-1-1 phone system                | \$ 361,818            | \$ 72,364                |
| <b>Totals</b>                             | <b>\$ 110,775,357</b> | <b>\$22,155,071</b>      |

*Historically, NC pays on average \$22,155,071 per year in costs that may be impacted by the implementation of a NC NG9-1-1 system and service.*

### 2.1.3 9-1-1 Costs Not Impacted by NG9-1-1

Based upon our analysis, the following costs **will NOT be impacted** by NG9-1-1 and will continue to represent costs to the Board and to PSAPs, shown in Table 8.

*Not Impacted is defined as costs that will remain as they are within the fund regardless of the ESInet and NG9-1-1 services. These costs will continue without any reduction or shift due to sharing.*

**Table 8 – Costs that will NOT be impacted by NG9-1-1 implementation**

| Analysis of current costs that NG9-1-1 will NOT Impact |                 |                          |
|--|-----------------|--------------------------|
| Costs will or may continue regardless of NG9-1-1       | 2009-2014 Total | 5 year average per annum |
| Furniture  | \$ 6,814,991    | \$ 1,362,998             |
| Radio Dispatch Workstations                            | \$ 5,347,858    | \$ 1,069,572             |
| Radio Network Switching Equipment                      | \$ 4,601,953    | \$ 920,391               |
| Language Interpretation Services                       | \$ 2,008,086    | \$ 401,617               |
| UPS  | \$ 1,706,933    | \$ 341,387               |



| Analysis of current costs that NG9-1-1 will NOT Impact |                      |                          |
|--|----------------------|--------------------------|
| Costs will or may continue regardless of NG9-1-1       | 2009-2014 Total      | 5 year average per annum |
| Radio Console  | \$ 1,654,349         | \$ 330,870               |
| Generator  | \$ 1,639,559         | \$ 327,912               |
| Automatic Call Distribution                            | \$ 1,619,317         | \$ 323,863               |
| Radio Console Access Router                            | \$ 1,281,138         | \$ 256,228               |
| Time Synchronization (hardware and software)           | \$ 615,367           | \$ 123,073               |
| Radio Console Software                                 | \$ 585,003           | \$ 117,001               |
| Mobile Message Switch                                  | \$ 167,581           | \$ 33,516                |
| Message Switch (voiceless dispatch)                    | \$ 148,606           | \$ 29,721                |
| Radio Console Ethernet Switch                          | \$ 126,714           | \$ 25,343                |
| Handheld GPS   | \$ 64,478            | \$ 12,896                |
| Activity Monitor                                       | \$ 18,237            | \$ 3,647                 |
| <b>TOTAL</b>   | <b>\$ 28,400,170</b> | <b>\$ 5,680,035</b>      |

***NC will continue to pay these costs with or without NG9-1-1 network services. \$5,680,035 per year on average will continue to be spent on items represented in the table above.***

#### **2.1.4 9-1-1 Costs Replaced by NG9-1-1:**

Table 9 shows an analysis of costs specific to 9-1-1 call delivery over a five year period (2009 – 2014). Costs represented in Table 9 will be replaced or will become part of NG9-1-1 costs going forward.

***Replaced is defined as costs that will shift from the legacy 9-1-1 fund into services provided by the ESInet and NG9-1-1 system. These costs will remain, but be migrated into the NG9-1-1 platform which offers enhancements over the legacy system.***



**Table 9 – Costs replaced by NG9-1-1 Implementation**

| Analysis of current network costs that will be replaced by NG9-1-1 |                     |                          |
|--|---------------------|--------------------------|
| Phone Systems  | 5 year Total        | 5 year average per annum |
| 9-1-1 trunks   | \$42,635,511        | \$8,527,102              |
| Selective Routing  | \$23,845,321        | \$4,769,064              |
| Admin lines  | \$1,840,183         | \$368,037                |
| TDD/TTY  | \$99,533            | \$19,907                 |
| <b>TOTAL</b>   | <b>\$68,420,548</b> | <b>\$13,684,110</b>      |

***Historically, NC paid \$13,684,110 per year on average for 9-1-1 network and 9-1-1 network services.***

The costs captured in Table 9 should also decrease as an overall expense to the Board due to economies of scale, group purchasing power and competitive managed services contracts possible with a statewide NG9-1-1 system.

### **2.1.5 Summary of Recent 9-1-1 Costs**

Summarizing Tables 7 through 9 above provides the following costs for use in sizing, context and comparison to new costs presented in Section 3.

These figures represent the total expenditures of the NC 911 Board today in a legacy 9-1-1 funding model compared to the effect on the fund following implementation of NG9-1-1. Many existing costs may be replaced or shifted into the NG9-1-1 system over time.

- Approximately \$13,684,110 can be shifted into the NG9-1-1 system
- Approximately \$22,155,071 may also be impacted over time as services and applications are introduced.

### **Considerations:**

The estimated costs in the NG9-1-1 system will primarily replace the costs for legacy 9-1-1 systems. Costs for technology in the NG9-1-1 environment often reduce barriers (both technically and operationally) that exist in the legacy 9-1-1 environment. Analysis of the current fund indicates that the NG9-1-1 model will entirely replace (or at least affect)



up to \$110,775,357 of the currently distributed funds. Table 10 demonstrates that an NG9-1-1 system will have a significant effect on the NC 911 Board financial model.

**Table 10 – Current 5 year analysis of 9-1-1 funds**

| Totals and Percentages 5 year analysis       |                |     |
|--|----------------|-----|
| Total Current 9-1-1 expenditures (2009-2014) | \$ 135,548,125 |     |
| Current 9-1-1 costs replaced                 | \$ 89,442,225  | 66% |
| Current 9-1-1 costs impacted by NG9-1-1      | \$ 110,775,357 | 82% |

Table 11 provides deeper insight into the effect on the annual fund distribution using the five year working average to calculate an annual cost for all legacy 9-1-1 costs. Table 11 also identifies the costs according to the breakout of Replaced, Impact, and No impact from NG9-1-1.

**Table 11 – Impact on funding by NG9-1-1 implementation**

|                                      |               |
|--------------------------------------|---------------|
| 5 year average – replaced by NG9-1-1 | \$ 13,684,110 |
| 5 year average - NG9-1-1 impact      | \$ 22,155,071 |

This understanding of the current distribution of funds combined with the strategy to replace legacy 9-1-1 technology with NG9-1-1 capable solutions demonstrates that the fund has the ability to remain sustainable through the transition to NG9-1-1. As mentioned previously, this is largely dependent on the manner in which the Board transitions the PSAPs to NG9-1-1 and provides services.

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### 3. New Costs from NG9-1-1

The Concept of Operations document provided the strategic basis for NG9-1-1 implementation in North Carolina. The individual components that comprise the NG9-1-1 system discussed in that document are presented as New Costs from NG9-1-1 and drive the cost components described in the Cost Analysis. Together, the Concept of Operations and Cost Analysis reveal a strategic approach to NG9-1-1 to maintain financial efficiency and increase technical and operational effectiveness for all PSAPs.

We based New NG9-1-1 costs, presented in this section, upon assumptions and data specific to the State of North Carolina. Operational assumptions articulated in the NC NG9-1-1 Concept of Operations document drive these New NG9-1-1 costs.

#### 3.1 Future 9-1-1 Costs

Table 12 reiterates future 9-1-1 costs previously identified in the Concept of Operations report.

**Table 12 – ConOps NG9-1-1 cost areas**

| NG9-1-1 cost centers identified in the Concept of Operations for North Carolina |   |
|---|---|
| <b>ESInet</b>   | Implementation of an ESInet   |
| <b>NG9-1-1 Core Services</b>  | Implementation of the NG9-1-1 core services functional elements and functions (Border Control, Emergency Services Routing Proxy, Policy Routing Function, Emergency Call Routing Function)  |
| <b>NMAC</b>   | Implementation of a service management solution that includes a Network Operations Center (NOC), a Security Operation Center (SOC), and a Help Desk responsible for monitoring, management and maintenance of the ESInet and hosted call solution and providing technical support for PSAPs |
| <b>GIS Core Services</b>  | Implementation of GIS and Geo-based call routing services and data to support NG9-1-1 call routing  |
| <b>Hosted Call Handling</b>   | Implementation of a Hosted Call handling platform with Legacy Network Gateway, Legacy PSAP Gateway and/or Legacy Selective Router Gateway   |
| <b>CAD to CAD function</b>  | Establishment of an interoperable CAD solution that allows the PSAPs to share records in a more efficient manner through a common CAD platform  |
| <b>Radio Interoperability</b>   | Establishment and implementation of an interoperable radio solution that utilizes the NG9-1-1 system as appropriate   |



The following subsections explore each of these areas in further detail along with a ROM cost for fulfilling the goals of each functional component.

### **3.2 NG9-1-1 Cost drivers**

Because the cost components of an IP-based NG9-1-1 infrastructure are more extensive than those used in a typical legacy 9-1-1 network, identification and review of NG9-1-1 cost drivers is necessary. Table 13 provides examples of NG9-1-1 cost drivers:

**Table 13 – Drivers of NG9-1-1 costs**

| Items/areas that drive costs in NG9-1-1 services |  |
|--|--|
| <b>Network connections</b>                       | Requires equipment, security and active management of each connection on a 24x7 basis  |
| <b>Internal and external interconnections</b>    | Requires legal agreements, equipment, security, monitoring and active management of the interconnections on a 24 x7 basis, including backup or redundant systems |
| <b>End points and demarcation points</b>         | Marks a change of responsibility or accountability for services or support   |
| <b>PSAPs</b>                                     | Generally means the physical location, can also impact capacities when combined with positions, applications, volumes, etc.                                      |
| <b>Positions and workstations</b>                | Can equate to users or licenses, can also impact capacities, bandwidth etc.  |
| <b>Population</b>                                | State, local, and jurisdictional impacts to bandwidth, capacities, volumes, etc.   |
| <b>Volumes</b>                                   | Call loads, capacities, bandwidth  |
| <b>Counties</b>                                  | Political boundary and local authority   |
| <b>Users/Licenses</b>                            | Applications, functions, positions   |
| <b>Distances</b>                                 | Will impact network pricing and availability   |
| <b>Capacity/Bandwidth</b>                        | Min., max., throughput, sustained, burst, scale  |
| <b>Standalone and Hosted services</b>            | Core services, cloud-based applications, reduction of unit costs per PSAP  |
| <b>Capabilities</b>                              | Text to 9-1-1, pictures, video, other applications that can utilize the IP bandwidth of the system   |

### **3.3 PSAP Readiness will Impact Costs**

Inventory conducted by the 911 Board in 2014 form the basis of these assessments and do not reflect recent upgrades and equipment replacements.



PSAPs in the State of North Carolina operate at various levels of NG9-1-1 readiness from a network and CPE perspective. Table 14 provides the breakdown of NC PSAPs and an estimation of their NG911 readiness.

**Table 14 – PSAP analysis**

| Primary PSAP Analysis   |    | Cost Impact   |
|---|----|---|
| PSAP fully NG capable CPE and Network   | 12 | The move into the NG9-1-1 system will yield a minimal overall impact from a cost perspective. The state ESInet and NG9-1-1 core functions should not require a large increase in costs.   |
| PSAP CPE or Network Capable (some form of upgrade or change is required or NG9-1-1) | 78 | <p>The move into the NG9-1-1 system will yield a marginal increase in costs depending on model of individual PSAP CPE.</p> <p>Many of these sites will require a Legacy PSAP gateway (LPG) to connect to the NG9-1-1 system. The cost model includes these costs.</p> |
| PSAP does not have NG CPE or Network access. LPG and other costs may be necessary   | 29 | Higher cost impact than others associated with transition to NG9-1-1. LPG connections required as well as NG9-1-1 ready CPE and broadband IP networking.  |

***PSAP information used in this analysis was provided from a survey conducted in 2014. Some PSAP information may move into another category depending upon their current status. The Board will update the survey in 2016.***

From the PSAP readiness information we can draw the following logical conclusions:

1. **12 PSAPs - Little to no costs within models** – these PSAPs are capable from a network and CPE standpoint and will require little if any cost to integrate with a NC NG9-1-1 system.
2. **78 PSAPs - Marginal costs within models** – these PSAPs will require some degree of upgrade or replacement of equipment and services that will have costs associated with them.



- a. These PSAPs can be broken into categories. The conceptual design of the NG9-1-1 system will provide further detail of the costs affected for the 78 PSAPs:
  - i. PSAPs that have NG capable CPE and network available but not operational
  - ii. PSAPs that have network operational but require NG CPE
- b. We adopted the following methodology related to these 78 PSAPs:
  - i. **39 PSAPs - Lowest of the Marginal costs** - 50% will require little change or upgrade in order to achieve full NG9-1-1 capability and integration.
  - ii. **39 PSAPs – Moderate costs of the Marginal costs** - 50% will require moderate change or upgrade in order to achieve full NG9-1-1 capability and integration.
3. **29 PSAPs - Highest potential costs within models** – these PSAPs will require considerable changes and will incur higher costs to achieve full NG9-1-1 capability.

### **3.3.1 Legacy PSAP Gateways Costs (LPGs)**

Legacy PSAP Gateways (LPGs) are equipment that will allow a non-NG compliant PSAP to connect to the ESInet. They are controlled and managed points of interface at the PSAP, which interfaces to existing legacy PSAP equipment. This allows PSAPS to migrate into NG9-1-1 call taking equipment as budgets permit.

LPGs will be necessary in North Carolina as shown Table 14 above and will add initial costs during transition and migration of legacy PSAPs into the NG9-1-1 system. While initially a required NG9-1-1 cost, the LPG costs will begin to reduce over time as PSAPs upgrade to a fully functioning NG9-1-1 capable system. This may include the replacement of their CPE system with the hosted call handling platform described in the Concept of Operations. The state can safely and diligently move forward with a migration away from the legacy 911 network and deploy NG9-1-1 ESInet and NG Core Services to all PSAPs in North Carolina using LPGs.

This function requires equipment located at each PSAP that does not have NG CPE. The equipment used for an LPG generally consists of the following:

- Network switch



- Interface cards
- Timesource
- Firewall/security appliance
- Alarms and remote monitoring components
- Electrical connection
- UPS connection

**\$10,000** per LPG per year is a good estimate for equipment and support for each piece of equipment.

The costs required for an LPG will reduce year over year as NG capable equipment replaces legacy analog CPE at the PSAP level, and as PSAPs begin to utilize the hosted call handling solution offered within the system.

### **3.3.2 Costs per Connection**

We identified the potential for NG9-1-1 costs per connection and provide a comparison of potential costs to current costs paid in Table 15. Providing public safety services and 9-1-1 communications in a NG environment requires a physical connection to the network, whether via IP, or through an LPG. Each method represents a specific cost basis for consideration.

At the most rudimentary level, 125 PSAPs in the system today would require 125 end-point connections to any new NG9-1-1 network in North Carolina. The end points, bandwidth and cost associated with the connection will be solidified during procurement of the network. Costs presented here are those from similarly sized, and common NG9-1-1 implementations.

Table 15 supplies the potential new costs of the NG9-1-1 solution on a 5 year basis. This amount is the summary of NG9-1-1 expenditures determined from this Cost Analysis.

**Table 15 – Cost per PSAP connection**

| Cost per connection analysis | Monthly per PSAP | Annually per PSAP | Annual 125 PSAPs |
|------------------------------|------------------|-------------------|------------------|
| PSAP connection costs        | \$13,976         | \$1,747,000       | \$20,964,000     |



### **3.3.3 Potential Costs at the Position Level**

There are 840 call taking positions in North Carolina. The costs of upgrading the position level can influence the costs of the CPE and hosted call handling equipment within NG9-1-1. Utilizing experience from other similar implementations a general rule of thumb for a stand-alone NG9-1-1 CPE cost per position is \$75k/position. This is an average over high and low figures calculated from areas already upgraded to NG9-1-1 and can be higher or lower depending upon the area of the country, vendor, special discounts and contract vehicle used for pricing.

For planning purposes at PSAPs we utilize the \$75k/position to establish a boundary for costs. A lower amount would be possible if the State takes advantage of group purchase or cooperative purchase agreements, negotiates state qualification contracts or explores hosted solutions.

$$**840 positions \times \$75,000 per position (stand-alone PSAP) = \$63,000,000**$$

Note that at a strategic level, the average cost per position for a hosted solution is approximately half of a stand-alone system. This is because sharing systems and services is more efficient and operationally less expensive. The cost is in the range of \$35k/position for planning purposes. Therefore the potential cost would be significantly lower based upon hosted positions:

$$**840 positions \times \$35,000 per position (hosted solution) = \$29,400,000**$$

The difference between stand-alone and hosted represents a potential reduction of **\$33,600,000** by eliminating the potential of CPE located at each individual PSAP.

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### **3.4 Rough Order of Magnitude (ROM) Cost Estimates**

The ROM cost estimates presented in this section complement the Concept of Operations and are scaled to meet the strategy. We derived these costs from similar implementations as a basis for transition into NG9-1-1.

#### **3.4.1 ESInet/Network**

The costs of the ESInet and network relate to the hardware required to build the ESInet core and network infrastructure. The costs in Table 16 and Table 17 represent similar installations around the country based on a leased service model for equipment and infrastructure services.

Together the two tables represent the costs to implement an ESInet with the required bandwidth, service level and connections to the proposed data centers. These costs include all hardware to supply the network services and supply the service itself. Table 16 includes the necessary hardware (equipment, routers, switches, etc.) to create the capabilities of the ESInet. Table 17 provides cost assumptions for the IP connections to the hardware provided in Table 16.

The costs represent:

- 125 PSAP connections
- 2 Data Centers within North Carolina
- 4 core routers, and 1 edge router per PSAP
  - The costs assume a Cisco ASR 1002X at the core and Cisco 1921s at the edge.

**Table 16 – ESInet hardware lease costs**

| Network Hardware and Equipment                                  |              |
|---|--------------|
| Equipment located at 2 Data Centers and 125 end point locations | \$ 1,892,800 |
| Maintenance   | \$ 283,920   |
| 5 year total  | \$ 2,176,720 |

Network recurring costs are also presented in addition to the network hardware. The costs are also represented as a leased service and reflect a typical ESInet cost for a state the size of North Carolina. As shown below the assumptions to meet the goals of the Concept of Operations are included.





The costs represent:

- 2 Data Centers
- Diverse and redundant 1 Gbps connection between data centers
- Diverse and redundant connections to each PSAP
- The costs assume a Cisco ASR 1002X at the core and Cisco 1921's at the edge
- SOC-2 compliant equipment and racks at the data centers.

**Table 17 – ESInet network lease costs**

| Annual Network Recurring - Voice and Video |              |               |                |
|--|--------------|---------------|----------------|
|  | Monthly      | Annually      | 5-year total   |
| Data Centers to PSAP                       | \$ 1,737,000 | \$ 20,844,000 | \$ 104,220,000 |
| Data Center to Data Center                 | \$ 8,000     | \$ 96,000     | \$ 480,000     |
| Data Center                                | \$ 2,000     | \$ 24,000     | \$ 120,000     |
| Total                                      | \$ 1,747,000 | \$ 20,964,000 | \$ 104,820,000 |

Table 17 above summarizes the costs associated with creating the backbone infrastructure and connectivity by the PSAPs into the NG9-1-1 system. Availability of contract vehicles, bulk purchase agreements and other potentially available solutions directly impact these costs. We estimated these costs as a worst case scenario. The procurement process may provide a reduction of these costs.

Additionally, once the network is operational, the capabilities provided by the ESInet will replace the costs presently funded in a legacy environment.

### **3.4.2 NG-Core Functions/i3**

The NG core services are implemented to configure the NG9-1-1 across the ESInet. These functional elements and service components are necessary for transition into a fully functional NG9-1-1 network.

The lease costs presented in Table 18 are for the hardware and equipment installed to operate the NG9-1-1 core services and deliver the NENA i3 standard call delivery functionality to all PSAPs. Table 19 lists the services that use the hardware and equipment, leased as a service. Together, these two tables are the NG9-1-1 core services costs for all hardware, equipment and maintenance.





The servers required (which will be leased) include:

- ESRP / PRF – Policy routing functions to ensure the ability to route traffic
- LIS – Location Information Server
- SBC – Session Border Controllers
- ECRF / LVF – Emergency Call Routing Function – Location Validation Function

**Table 18 – NG9-1-1 Core services hardware lease costs**

| NG9-1-1 core service hardware and equipment |            |
|---|------------|
| Data center hosting costs                   | \$ 616,000 |
| Maintenance                                 | \$ 369,600 |
| 5 year total                                | \$ 985,600 |

Table 18 represents a Monthly Recurring Charge (MRC) for the services of NG9-1-1 and NENA i3 standard compliance. This anticipates provision of these services by a vendor that also delivers the NG9-1-1 system.

The services provided by the vendor for a monthly recurring charge include the following with a core services cost summary provided in Table 19:

- ESRP
- PRF
- LIS / ALI and DB service
- ECRF
- LVF
- LSRG – Legacy Selective Router Gateway
- LNG – Legacy Network Gateway
- LPG – Legacy PSAP Gateway

**Table 19 – NG9-1-1 Core services functionality lease costs**

| NG9-1-1 core services functionality |              |
|-------------------------------------|--------------|
| NG9-1-1 services                    | \$ 5,306,000 |
| Maintenance                         | \$ 3,183,600 |
| 5 year total                        | \$ 8,489,600 |



### **3.4.3 Geographical Information System (GIS)**

The size of the State of North Carolina, expected bandwidth and ECRF / LVF requirements for call routing govern the GIS / Geo-based routing estimate. The costs are typical of a similar sized state and are for implementing a third party to operate the ECRF and remediate the GIS data to ensure that it is correct and can route calls. In addition this cost includes a level of redundancy within the call routing framework to provide reliability.

Costs presented in the GIS managed services include the following with costs summarized in Table 20:

- Replication system to populate the ECRF
- ECRF operation
- GIS data error identification (not correction that remains a PSAP function)
- Linkage to the LIS / ALI and DB service

**Table 20 – GIS and Geo-based call routing lease costs**

| <b>GIS / Geo-based routing</b> | <b>Annual Geo-based operations</b> | <b>Annual Maintenance</b> | <b>Annual cost</b> | <b>Five year costs</b> |
|--------------------------------|------------------------------------|---------------------------|--------------------|------------------------|
| <b>Operations costs</b>        | \$2,437,771                        | \$11,200                  | \$2,448,971        | \$12,244,855           |

The Geo-server operation contains functions that comprise the lease costs for the GIS and Geo-based call routing data services that link to the ECRF / LVF servers. The costs represent the creation and maintenance of the call routing system by a third party. These costs do not include Master Street Address Guide (MSAG) correction, ALI Database costs, GIS data remediation or Addressing. Those functions remain a PSAP responsibility to ensure their data meets the NENA GIS and Data standards and those employed by the GIS managed services vendor.

### **3.4.4 Network Monitoring and Assistance Center (NMAC) Service and Support**

The basis for the cost estimate for the NMAC is rough costs for the operation of a third party that provides Network Operations Center (NOC) functionality, Security Operations Center (SOC) functions and acts as a help desk for technical issues in the PSAP. The basis for this estimate is similar operational components provided by vendors. Table 21 summarizes NMAC lease costs.



**Table 21 – NMAC lease costs**

| Network Management and Assistance Center (NMAC) |              |
|---|--------------|
| Lease Space                                     | \$ 42,000    |
| Staffing  | \$ 1,050,000 |
| NMON Software                                   | \$ 168,000   |
| HD Software                                     | \$ 21,000    |
| Hardware  | \$ 56,000    |
| 5 year total                                    | \$ 1,547,000 |

### **3.4.5 Hosted Call Handling**

The hosted call handling estimate represents the costs of leasing a system to deliver calls to the correct PSAP through the NG9-1-1 system. Commonly referred to as Customer Premises Equipment (CPE), this approach places a CPE system inside the NG9-1-1 core rather than multiple single CPE systems at each PSAP.

This configuration is a common method for 9-1-1 service providers to rapidly transition into NG9-1-1. Vendors providing this type of solution often combine the ESInet capabilities, NG9-1-1 functions and Hosting into a single platform that offers the reliability, redundancy and diversity required by 9-1-1.

The expectation is that initially only a portion of the PSAPs will utilize the hosted call handling system. Therefore, the costs shown in Table 22 represent 33% of the current 840 positions.

**Table 22 – Hosted Call Handling lease costs**

| Hosted Solution |              |
|-----------------|--------------|
| Host Controller | \$ 254,100   |
| PSAPs Systems   | \$ 4,478,208 |
| Port Licensing  | \$ 22,667    |
| Maintenance     | \$ 2,852,985 |
| 5 year total    | \$ 7,607,959 |

### **3.4.6 Computer Aided Dispatch (CAD)**

The costs for CAD-to-CAD interoperability are highly dependent upon the number of locations to be configured. At the present time, the exact number of PSAPs that will utilize



the service is unknown. Therefore, we present the costs of a hosted call handling lease service on a monthly recurring charge basis, as shown in Table 23.

**Table 23 – Hosted Call Handling lease costs**

| CAD to CAD            |               |
|-----------------------|---------------|
| Networking            | \$ 4,000      |
| Client services       | \$ 3,667      |
| Application hosting   | \$ 5,667      |
| Testing environment   | \$ 52,000     |
| 5 year price 42 PSAPs | \$ 17,860,000 |

Information recently obtained encouraged the NC 911 Board staff to seek another potential solution for CAD to CAD interoperability. There is much work yet to do on this new potential solution; therefore, for the purposes of this cost analysis we use the costs indicated by this more traditional commercial server-based solution.

### **3.4.7 Radio Interoperability**

Meeting the NG9-1-1 requirement of “radio dispatch following 9-1-1 calls forwarded” represents a new function within the public safety community. The goal is to retain all radio dispatch functions, so that any PSAP can dispatch to another PSAP’s first responders. This includes not only voice, but paging, fire station alerting, and siren activation. This “radio dispatch following 9-1-1 call forwarded” function is not being currently performed within the State.

Two alternatives were investigated that would allow any PSAP to dispatch any other PSAP’s first responders. The solution most likely to provide the functions desired, and already has an established base, is North Carolina’s statewide 700/800 MHz P25 system.

This solution expands the statewide 700/800 MHz P25 system to accommodate radio dispatch to follow 9-1-1 calls forwarded to another PSAP. Currently, of the 100 counties in the State, 37 use the statewide 700/800 MHz P25 as their operable communications system, and 21 PSAPs have Motorola MCC7500 consoles directly connected to the network (which is a requirement). Table 24 shows estimated costs to expand and upgrade the statewide 700/800 MHz p25 network to all PSAPs.



**Table 24 – Statewide 700/800 MHz P25 Radio Interoperability Solution Estimated Costs**

| Radio Interoperability Solution  |               |
|--|---------------|
| Item Description   | Extended      |
| New MCC7500 Consoles   | \$ 8,320,000  |
| New Zone Controller/Managers   | \$ 5,000,000  |
| Conventional gateways  | \$ 780,000    |
| Relocation of existing gateways  | \$ 157,500    |
| Network Equipment Total  | \$14,257,500  |
| New Console Connectivity to system Core (annual)                       | \$ 249,000    |
| Gateway connectivity to ESInet (annual)                                | \$ 1,500,000  |
| Ongoing hardware and software maintenance (annual – years 2 through 5) | \$ 2,138,625  |
| Operating Total  | \$ 3,888,225  |
| 5 Year Total   | \$ 31,560,000 |

Assumptions used for the statewide 700/800 MHz P25 system radio interoperability solution include:

- New MCC7500 radio dispatch consoles – as only Motorola MCC7500 consoles are able to connect to the existing statewide 700/800 MHz P25 system, two new MCC7500 consoles have been included for each PSAP not currently using MCC7500 consoles (this total of 104 PSAPS is the sum of the 125 primary and secondary PSAPs less the 21 PSAPs that currently use MCC7500 consoles).
- The existing Zone Controllers (core equipment of the system) have technical resource limitations. When these Zone Controllers reach their resource limitations, additional Zone Controllers will be necessary. The two Zone Controllers already added to the overall network, eliminate the need to add Zone Controllers at the start of the project, which can be added as the Zone Controllers approach their resource limits.
- The NG9-1-1 network will require the addition of conventional gateways located at the radio sites (not the radio dispatch location) as PSAPs migrate to the new MCC7500 consoles. This analysis bases quantities on an average of five sites per PSAP, thus five gateways per PSAP. Each gateway is able to control four base stations/repeaters. This applies to the 104 PSAPs.



- Existing conventional gateways require relocation because most existing gateways are located in the respective PSAP (and the assumption used is that a PSAP forwarding 9-1-1 calls will go completely dark). This applies to the 21 PSAPs that already have MCC7500 consoles.
- Each PSAP will need to be connected to the system Zone Controller/core. Costs estimates assume a single 100Mbps IP circuit from each of the 104 PSAPs that do not have MCC7500 radio consoles. This connection may be the same as the PSAP to ESInet connection required for NG9-1-1 operations.
- Each radio site must have the gateways connected to the system core network through the ESInet. Costs estimates use 125 PSAPs with an average of five sites per PSAP and use of a 100Mbps circuit connected to the ESInet.
- Maintenance for a five year period (years 2 through 5) have been estimated at 15% of the capital costs.
- Cost estimates for updates to governance, policies, procedures, training, or reprogramming of the statewide 700/800 MHz P25 network are undetermined.
- Costs for paging, fire station alerting, and siren activation systems are undetermined at this time. Specific technical requirements are under investigations with the owners of the statewide 700/800 MHz P25 system.
- We met with the State Highway Patrol of the North Carolina Department of Public Safety and discussions are in progress regarding the possibility of using their network for radio interoperability.

### **3.5 ROM Operational costs**

Throughout Section 3 of this report, we presented costs for the technology components required to implement an operational NG9-1-1 system. Table 25 calculates the total costs from Table 24 above and represents a ROM cost for operating an NG9-1-1 system in the state of North Carolina.

Consistent with the assumptions above, the total operational costs assume:

- All 125 locations connected to the ESInet
- 33% of the positions utilizing the hosted call handling system
- 50% of the locations require LPG for connection
- All 125 locations utilizing an ECRF / LVF function for call routing



- All 125 locations using the NMAC for support

**Table 25 – Total NG9-1-1 system lease costs**

|  |                       |
|--|-----------------------|
| <b>Network Hardware and Equipment</b>                  | \$ 2,176,720          |
| <b>Annual Network Recurring - Voice and Video</b>      | \$ 104,820,000        |
| <b>NG9-1-1 core service hardware and equipment</b>     | \$ 985,600            |
| <b>NG9-1-1 core services functionality</b>             | \$ 8,489,600          |
| <b>GIS Managed Services</b>                            | \$ 12,244,855         |
| <b>Network Management and Assistance Center (NMAC)</b> | \$ 1,547,000          |
| <b>Hosted Solution</b>                                 | \$ 7,607,959          |
| <b>Total</b>   | <b>\$ 137,871,734</b> |
| <b>Per Year</b>  | <b>\$ 27,574,347</b>  |
| <b>Per Month</b>                                       | <b>\$ 2,297,862</b>   |

During the development of the Concept of Operations, we identified several potential opportunities that may impact CAD and Radio interoperability. Each of these component areas can utilize the ESInet infrastructure as a transport system. However, they both have unique circumstances that cannot be overcome by simply attaching to the ESInet.

As the project proceeds, these two options will be the focus of additional effort to ensure a strategic method that enables greater sharing of the resources. Tables 26 and 27 summarize estimated costs for these two options.

**Table 26– CAD to CAD costs**

|   |              |
|---|--------------|
| <b>CAD to CAD (estimated at 42 PSAPs)</b> | \$17,860,000 |
| <b>Per Year</b>                           | \$3,572,000  |
| <b>Per Month</b>                          | \$297,667    |

**Table 27– Radio Interoperability costs**

|                               |              |
|-------------------------------|--------------|
| <b>Radio Interoperability</b> | \$31,560,000 |
| <b>Per Year</b>               | \$6,312,000  |
| <b>Per Month</b>              | \$526,000    |

*- The remainder of this page intentionally left blank -*



## **4. Transition Timeline – Legacy 9-1-1 to NG9-1-1 System**

### ***4.1 NG9-1-1 Transition Estimate***

Transition to NG9-1-1 at the state level will not occur overnight. Table 28 provides an estimated timeline for the procurement, contracting, implementation and transition based on similar implementations around the country.

The length of the timeline is dependent upon several factors including the conceptual design, specification and NG9-1-1 system procured and the number of PSAPs considered early adopters.

The first step in the transition is implementation of the network and services to supply the bandwidth and infrastructure to serve the PSAPs. Following deployment of connectivity, the applications and services can transition onto the network.

The timeline in Table 28 highlights the coordination between the procurement, implementation and operation of the NG9-1-1 system and the funding plan achieved through HB730. The transition into fully functioning NG9-1-1 depends in large part on the availability of the funds accrued from the HB730 framework.

Based on this timeline, the Board may have up to 18 months of funds available from HB730 to apply to PSAP's when they begin to come online.





**Table 28 – NG9-1-1 timeline**

| Phase                                  | Duration    | Calendar          | Notes   |
|--|-------------|-------------------|---|
| ESInet, NG Core Services and NMAC RFPs | 12 mo.      | 12/2015 – 11/2016 | Define requirements, develop RFP, publish and award   |
| H-730 takes effect                     |             | 1/2016            | NC NG911 statute goes into effect   |
| Begin NC NG911 service implementation  |             | 1/2017            | ESInet, NG Core Services and NMAC Contracts Awarded   |
| ESInet Transition/build                | 18 – 24 mo. | 1/2017 - 12/2018  | Build and testing of core and PSAP mesh networks and implementation of required NG core services.                                 |
| NG Core Services implemented           |             |                   | NMAC implemented  |
| LNG and LSRG elements in operation     |             |                   |   |
| PSAPs on new ESInet                    | 8 – 24 mo.  | 8/2017 – 12/2018  | Once core is built (8 - 10 months) PSAPs can begin migration onto the system with the deployment of LPGs and other core services. |
| NC NG911 Service costs begin           |             |                   |   |

*- The remainder of this page intentionally left blank -*



## 5. Cost Analysis Summary

The items identified throughout this Cost Analysis validate the planning steps undertaken in the Concept of Operations. The costs demonstrate that the strategy described may influence the funding in several ways.

Legacy 9-1-1 technology and the reliance on a circuit-based network can be a barrier to introducing new applications and services that rely on broadband connections and IP networks.

The NG9-1-1 platform is flexible and scalable to meet demand. As applications, services and solutions are introduced to support 9-1-1, the NG9-1-1 system can be modified to support the expectations of the general public. NG9-1-1 allows the State to establish a platform that can continue to grow and allow for greater efficiency over time.

Costs associated with the implementation of NG9-1-1 may initially increase pressure on the existing fund. However, over time the effectiveness of an NG9-1-1 system to expand and meet the demands of the public will offset the continual retrofit of legacy 9-1-1.

The assumptions of NG 9-1-1 specific costs presented will:

- Be consistent with costs of similar implementations
- Establish a statewide ESInet
- Assume the NG9-1-1 core services are available
- Enable the ability for PSAPs to connect to each other through the NG9-1-1 system.

Costs of the present legacy 9-1-1 system established a baseline for costs that may be either replaced or impacted by the implementation of an ESInet and NG9-1-1 core services.

NG9-1-1 replacement costs fall into two categories:

- Costs that will be replaced by NG9-1-1 Costs
- Costs that can be impacted by NG9-1-1 Costs

### ***5.1 Costs that will be Replaced by NG9-1-1 Costs***

Replaced is defined as costs that will shift from the legacy 9-1-1 fund into services provided by the ESInet and NG9-1-1 system. These costs will remain, but will migrate into the NG9-1-1 platform, which offers enhancements and greater reliability over the legacy system.



The cost analysis concludes that \$13,684,110 of the existing annual costs will shift onto the NG9-1-1 system once it is operational. Applications and services residing in the NG9-1-1 network will replace the current costs of the existing legacy services included in the calculation. These include items such as:

- 9-1-1 trunks – trunks will be decreased over time and replaced with IP bandwidth
- Selective Routing – an ECRF will replace call routing
- Telephone equipment (CPE etc.) – hosted call handling
- Administrative lines – administrative lines can be moved to the core served by a hosted call platform
- TDD/TTY – will move to the ESInet / NG9-1-1 core

The costs identified as “replaced by NG9-1-1” represent a migration of the same services onto the ESInet and/or NG9-1-1 system.

## **5.2 Costs that can be Impacted by NG9-1-1 Costs**

Impacted is defined as having the potential to change resulting in an increase or decrease in costs currently paid. The impact results from the ability to utilize the ESInet and NG9-1-1 services to enhance capabilities and/or increase options.

- Software Maintenance – software maintenance may decrease with the positioning of applications inside the ESInet and sharing among multiple PSAPs
- Telephone equipment (CPE etc.) – administration and maintenance costs of CPE will decrease over time
- Equipment Maintenance – equipment located at the PSAPs will decline
- Computer Aided Dispatch – as the increased potential for CAD interoperability may affect CAD costs
- Software Licensing – certain software allows sharing across the ESInet
- MIS for 9-1-1 phone system – sharing of statistical information regarding the 9-1-1 phone system may offer a reduction in costs
- Hosting Services – offering shared CPE to all PSAPs will reduce the cost of buying stand-alone systems for every PSAP

As previously mentioned, we identified up to \$22,155,071 of the annual costs as “impacted by NG9-1-1” and portions that will shift to the NG9-1-1 system. A percentage



of these costs will transition onto the NG9-1-1 network over time. Table 29 quantifies the impact:

**Table 29 – Annual Impacted and Replaced costs**

|  |                      |
|--|----------------------|
| <b>Annual 9-1-1 costs today that will be replaced by NG9-1-1</b> | <b>\$ 13,684,110</b> |
| <b>Annual 9-1-1 costs today that can be impacted by NG9-1-1</b>  | <b>\$ 22,155,071</b> |

The costs identified as “replaced by NG9-1-1” will shift at a more rapid pace than those identified as “impacted by NG9-1-1”.

Comparing the potential cost shifting with the estimated cost of an NG9-1-1 solution offers a snapshot of the potential effect. Based upon the estimates presented, Table 30 provides the estimated annual cost of configuring the solution described in the Concept of Operations:

**Table 30 – Annual NG9-1-1 estimated costs**

|                             |                      |
|-----------------------------|----------------------|
| <b>Annual NG9-1-1 costs</b> | <b>\$ 27,574,347</b> |
|-----------------------------|----------------------|

The line item in Table 30 represents the expected annual costs for the proposed NG9-1-1 system documented in the Concept of Operations and used for the Cost Analysis. The costs compare favorably with other NG9-1-1 implementations and statewide initiatives.

These costs represent the following components:

- ESInet
- NG9-1-1 i3 functional elements and service
- GIS and geo-based call routing
- NMAC
- Hosting

A comparison of the annual NG9-1-1 costs with the costs that may be influenced by NG9-1-1 provides the following conclusions:

- NG9-1-1 has a larger impact on the 9-1-1 fund than just technology and operations
- NG9-1-1 will offer savings over time
- NG9-1-1 will grow and offer additional application and service support that legacy 9-1-1 will not



- NG9-1-1 will allow for connectivity “Murphy to Manteo” over a common configuration

Table 31 provides a summary of NG9-1-1 cost implications when applied to the current expenses for 9-1-1. It is assumed that annual costs may increase with NG9-1-1, but several component costs as identified as *replaced* or *impacted* may be delivered through the NG9-1-1 system. For instance the infrastructure provided with NG9-1-1 will reduce the number of trunks, and increase the available capacity through the network. In addition, the hosted services may reduce the duplication at the PSAP allowing for a greater economy of scale across the state.

Beginning in 2016, 10% of the collected 9-1-1 fees will be directed to support NG9-1-1. HB730 provides the authority for the NC 911 Board to use the funds for establishing NG9-1-1 throughout the state of North Carolina.



**Table 31 – Comparison of current costs and potential costs of NG9-1-1 over time**

| Categories   | FY 2016      | FY2017        | FY2018         | FY2019         | FY2020         | Explanations   |
|--|--------------|---------------|----------------|----------------|----------------|--|
| Projected Total Revenue                                    | \$79,689,047 | \$79,827,053  | \$80,210,836   | \$80,837,009   | \$81,704,599   | From Marsha Tapler   |
| Annual Contributions to NG9-1-1 Fund. 10% of Total Revenue | \$4,068,900  | \$7,982,705   | \$8,021,084    | \$8,083,701    | \$8,170,460    | HB730: § 62A-44. 911 Fund. (b) Allocation of Revenues. "The 911 Board must allocate ten percent (10%) of the total service charges to the Next Generation 911 Reserve Fund..." This Fund began on Jan 1, 2016.   |
| Growth of the NG9-1-1 Fund. Accumulation over Time.        | \$4,068,900  | \$12,051,605  | \$20,072,689   | \$28,156,390   | \$36,326,850   | HB730: Allows for the accumulation of the Next Generation 911 Reserve which amounts to an NG9-1-1 Savings account.   |
| NG9-1-1 Costs in a Phased Implementation                   | \$0          | (\$2,647,137) | (\$10,588,549) | (\$21,177,099) | (\$27,574,348) | Costs incurred from a phased implementation of NG9-1-1. PSAPs will begin to come online in FY 2017 and will continue until FY 2020; at which time the entire State of North Carolina will have access to the NG9-1-1 technology. (12 total in 2017, 48 total in 2018, 96 total in 2019, 125 total in 2020) |
| Impact on NG9-1-1 Fund (only)                              | \$4,068,900  | \$9,404,468   | \$6,837,002    | \$4,332,154    | (\$8,674,485)  | The amount of \$ left in the NG9-1-1 Fund.   |



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**Table 32 – Costs that may reduce gradually**

|                                       | FY 2016             | FY2017              | FY2018             | FY2019             | FY2020             | Explanations  |
|---------------------------------------|---------------------|---------------------|--------------------|--------------------|--------------------|---|
| <b>Legacy 9-1-1<br/>Network Costs</b> | <b>\$13,684,110</b> | <b>\$12,370,435</b> | <b>\$8,429,412</b> | <b>\$3,174,714</b> | <b>\$1,313,675</b> | The 911 Board reimburses PSAPs \$13,684,110 per year on average for 9-1-1 network and 9-1-1 network services. These are for trunks, selective routing and administration of legacy 9-1-1 functionality. These legacy costs to PSAPs will gradually decrease as PSAPs come on to the NG9-1-1 network which is paid for by the 911 Board. |

*- The remainder of this page intentionally left blank –*



# NG 911 Committee Report

Jeff Shipp

Dave Corn

Jim Lockard

*Federal Engineering*

- a) Tabled Motion for Approval of NG911  
Cost Analysis  
*(vote required)*



2016 Goals

*(vote required)*

Richard Taylor

**Statutory**

**(Quality Assurance, Certification, BD)**

**Education (X4)**

**Backup (from last year's goals)**

**NG 911 (from last year's goals)**

**CAD to CAD**

**Funding (X2)**

**Staffing**

Sponsorship of Telecommunicator      David Dodd  
Symposium Class - Disaster  
Operations in the Communications Center  
*(vote required)*

From: Dodd, David D  
Sent: Tuesday, January 12, 2016 5:30 PM  
To: Tammy Watson <twatson@pinevillenc.gov>  
Cc: Taylor, Richard <richard.taylor@nc.gov>  
Subject: RE: Request for class sponsorship at the 2016 TC Symposium

Tammy,

I can certainly submit it for consideration, and as you know the Board will ask for a staff recommendation. So a couple of questions.....

For the \$4.975.00, how many seats does that buy us? Is there a cap on the number of students that can attend?

***The cost quoted pays for 30 registrations. Any registrations over 30 will be \$100.00 per person. Tammy said if they have over 30, the APCO Chapter will pay for the additional students.***

I have always envisioned the TC Symposium as a conference for line telecommunicators. For some reason I'm thinking the subject matter of this class would be more geared toward supervisors and managers.

***Tammy's response: "In reading over the description, the class is geared for the TC providing them with information on a wide range of disasters, their effect on the community and response needs as well as an overview of emergency management and homeland security."***

Is this a first edition class? I know I've got an APCO textbook somewhere at home that goes by the same title, and it's been around for several years.

***Tammy is saying the title of the class they want to sponsor is "Disaster Operations in the Communications Center." I've got an APCO textbook in my hand entitled "Disaster Operations and the Communications Center." It's a first edition, and the date is 2010. I've sent an email to Sheila Wiles to see if this is the same class, and updated version, or a whole new class. I've also got a textbook entitled "the Telecommunicator's Role in Homeland Security," first edition with a date of 2005. Wondering if they maybe combined these two classes into one new one.***

As I stated below, I don't have any major heartburn with sponsoring this class. I have always felt the people that attend the TC Symposium place a higher priority on learning, than partying or going to the beach.....

Let me think a little but I would probably be ok with it. It seems we get a lot more bang for our buck sponsoring classes at the TC Symposium, as compared to Sea Trails.....

David

## Disaster Operations and the Communications Center

The importance of educating today's public safety communications professional on their role and the role of the Communications Center in disaster operations is greater than ever before. There is a defined role for public safety communications in every element of disaster response and recovery. As public safety's ability and need to address disaster situations evolves, the telecommunicator needs to be familiar with all types of disasters—man-made and natural—and how those events can impact the communications function.

This course serves to educate the public safety telecommunicator on a wide range of man-made and natural disasters, their effects on the community and its infrastructure and the response and recovery needs of each. In addition, this course will provide telecommunicators with information on overall emergency management and homeland security and provide guidance on continuity of operations for the Communications Center in the face of a multitude of disaster situations.

### TOPICS INCLUDE:

- Earthquakes
- Tsunamis
- Hurricanes
- Cyber-Terrorism
- Agroterrorism
- Weather-related Disasters
- Incident Management Tools and Resources
- Continuity of Operations Planning for the Comm Center

### PREREQUISITES:

Students should have successfully completed a formal basic telecommunicator training program.

### RECERTIFICATION REQUIREMENTS:

None

#### Perfect for a one day Pre-Conference or Post-Conference Course

Course is taught in the classroom or via Institute Online. Certification fees are included in tuition. Web class registration does not include web access fees or other local internet/web-related costs. Also, Online students will download their course manual.

| COURSE OPTIONS:       | TERM:   | TUITION*:   |
|-----------------------|---------|---|
| Classroom             | 1 day   | \$199.00  |
| APCO Institute Online | 3 weeks | \$249.00 (includes \$50.00 distance learning fee)<br>APCO Member Discount \$20.00 |

*\*Prices subject to change without notice*

Re-numbering of N.C.G.S. § 62A, Article 3

Richard Bradford

CHAPTER 143B. EXECUTIVE ORGANIZATION ACT OF 1973  
ARTICLE 15. DEPARTMENT OF INFORMATION TECHNOLOGY  
PART 10. EMERGENCY TELEPHONE SERVICE

**Go to the North Carolina Code Archive Directory**

*N.C. Gen. Stat. § 143B-1400 (2016)*

**§ 143B-1400. Definitions**

The following definitions apply in this Part.

- (1) 911 Board. -- The 911 Board established in G.S. 143B-1401.
- (2) 911 Fund. -- The North Carolina 911 Fund established in G.S. 143B-1403.
- (3) 911 State Plan. -- A document prepared, maintained, and updated by the 911 Board that provides a comprehensive plan for communicating 911 call information across networks and among PSAPs, addresses all aspects of the State's 911 system, and describes the allowable uses of revenue in the 911 Fund.
- (4) 911 system. -- An emergency communications system using any available technology that does all of the following:
  - a. Enables the user of a communications service connection to reach a PSAP by dialing the digits 911.
  - b. Provides enhanced 911 service.
- (5) 911 system provider. -- An entity that provides a 911 system to a PSAP.
- (6) Back-up PSAP. -- The capability to operate as part of the 911 System and all other features of its associated primary PSAP. The term includes a back-up PSAP that receives 911 calls only when they are transferred from the primary PSAP or on an alternate routing basis when calls cannot be completed to the primary PSAP.
- (7) Call taking. -- The act of processing a 911 call for emergency assistance by a primary PSAP, including the use of 911 system equipment, call classification, location of a caller, determination of the appropriate response level for emergency responders, and dispatching 911 call information to the appropriate responder.
- (8) Commercial Mobile Radio Service (CMRS). -- Defined in 47 C.F.R. § 20.3.
- (9) Communications service. -- Any of the following:
  - a. The transmission, conveyance, or routing of real-time communications to a point or between or among points by or through any electronic, radio, satellite, cable, optical, microwave, wireline, wireless, Internet protocol, or other medium or method, regardless of the protocol used.
  - b. The ability to receive and terminate voice calls, messages, videos, data, or other forms of communication to, from, and between the public switched telephone network, wireless networks, IP-enabled networks, or any other communications network.
  - c. Interconnected VoIP service.
- (10) Communications service connection. -- Each telephone number or trunk assigned to a residential or commercial subscriber by a communications service provider, without regard to technology deployed.
- (11) Communications service provider. -- An entity that provides communications service to a subscriber.
- (12) CMRS connection. -- Each mobile handset telephone number assigned to a CMRS subscriber with a place of primary use in North Carolina.
- (13) CMRS provider. -- An entity, whether facilities-based or nonfacilities-based, that is licensed by the Federal Communications Commission to provide CMRS or that resells CMRS within North Carolina.



(14) Enhanced 911 service. -- Directing a 911 call to an appropriate PSAP by selective routing or other means based on the geographical location from which the call originated and providing information defining the approximate geographic location and the telephone number of a 911 caller, in accordance with the FCC Order.

(15) Exchange access facility. -- The access from a subscriber's premises to the telephone system of a service supplier. The term includes service supplier provided access lines, private branch exchange trunks, and centrex network access registers, as defined by applicable tariffs approved by the North Carolina Utilities Commission. The term does not include service supplier owned and operated telephone pay station lines, Wide Area Telecommunications Service (WATS), Foreign Exchange (FX), or incoming only lines.

(16) FCC Order. -- The Order of the Federal Communications Commission, FCC Docket No. 94-102, adopted on December 1, 1997, and any consent decrees, rules, and regulations adopted by the Federal Communications Commission pursuant to the Order.

(17) GIS mapping. -- Computerized geographical information that can be used to assist in locating a person who calls emergency assistance, including street centerlines, ortho photography, and oblique imaging.

(18) Interconnected VoIP service. -- Defined in 47 C.F.R. § 9.3.

(19) Local exchange carrier. -- An entity that is authorized to provide telephone exchange service or exchange access in North Carolina.

(20) Next generation 911 system. -- An IP-enabled emergency communications system using Internet Protocol, or any other available technology, to enable the user of a communications service to reach an appropriate PSAP by sending the digits 911 via dialing, text, or short message service (SMS), or any other technological means.

(21) Next generation 911 system provider. -- An entity that provides a next generation or IP-enabled 911 system to a PSAP.

(22) Prepaid wireless telecommunications service. -- A wireless telecommunications service that allows a caller to dial 911 to access the 911 system, which service must be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount.

(23) Primary PSAP. -- The first point of reception of a 911 call by a public safety answering point.

(24) Proprietary information. -- Subscriber lists, technology descriptions, technical information, or trade secrets that are developed, produced, or received internally by a communications service provider or by a communications service provider's employees, directors, officers, or agents.

(25) Public safety answering point (PSAP). -- The public safety agency that receives an incoming 911 call and dispatches appropriate public safety agencies to respond to the call.

(26) Retail transaction. -- The sale of prepaid wireless telecommunications service for any purpose other than resale.

(27) Service supplier. -- An entity that provides exchange telephone service to a telephone subscriber.

(28) Subscriber. -- A person who purchases a communications service and is able to receive it or use it periodically over time.

(29) Voice communications service. -- Any of the following:

a. The transmission, conveyance, or routing of real-time, two-way voice communications to a point or between or among points by or through any electronic, radio, satellite, cable, optical, microwave, wireline, wireless, or other medium or method, regardless of the protocol used.

b. The ability to receive and terminate voice calls to and from the public switched telephone network.

c. Interconnected VoIP service.

(30), (31) Repealed by Session Laws 2015-261, s. 4(a), effective January 1, 2016.

(32) VoIP provider. -- An entity that provides interconnected VoIP service.

**HISTORY:** 2007-383, s. 1(a); 2010-158, s. 1; 2011-122, s. 2; 2014-66, s. 1.1; 2015-241, s. 7A.3(2); 2015-261, ss. 1(a), 4(a).

#### **§ 143B-1401. 911 Board**

(a) Membership. -- The 911 Board is established in the Department of Information Technology. Neither a local government unit that receives a distribution from the fund under G.S. 143B-1406 nor a telecommunication service provider may have more than one representative on the 911 Board. The 911 Board consists of 17 members as follows:

(1) Four members appointed by the Governor as follows:

- a. An individual who represents a municipality where a primary PSAP is located, appointed upon the recommendation of the North Carolina League of Municipalities.
- b. An individual who represents a county where a primary PSAP is located, appointed upon the recommendation of the North Carolina Association of County Commissioners.
- c. An individual who represents a VoIP provider.
- d. An individual who represents the North Carolina chapter of the National Emergency Number Association (NENA).

(2) Six members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives as follows:

- a. An individual who is a sheriff, appointed upon the recommendation of the North Carolina Sheriffs' Association, Inc.
- b. An individual who represents CMRS providers operating in North Carolina.
- c. An individual who represents the North Carolina chapter of the Association of Public Safety Communications Officials (APCO).
- d. Two individuals who represent local exchange carriers operating in North Carolina, one of whom represents a local exchange carrier with less than 50,000 access lines.
- e. A fire chief with experience operating or supervising a PSAP or a director/manager of a fire-based PSAP, appointed upon the recommendation of the North Carolina Firemen's Association.

(3) Six members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate as follows:

- a. An individual who is a chief of police, appointed upon the recommendation of the North Carolina Association of Chiefs of Police.
- b. Two individuals who represent CMRS providers operating in North Carolina.
- c. A Rescue or Emergency Medical Services Chief with experience operating or supervising a PSAP, appointed upon the recommendation of the North Carolina Association of Rescue and Emergency Medical Services.
- d. Two individuals who represent local exchange carriers operating in North Carolina, one of whom represents a local exchange carrier with less than 200,000 access lines.

(4) The State Chief Information Officer or the State Chief Information Officer's designee, who serves as the chair.

(b) Term. -- A member's term is four years. No member may serve more than two terms. Members remain in office until their successors are appointed and qualified. Vacancies are filled in the same manner as the original appointment. The Governor may remove any member for misfeasance, malfeasance, or nonfeasance in accordance with *G.S. 143B-13(d)*.

(c) Meetings. -- Members of the 911 Board serve without compensation. Members receive per diem, subsistence, and travel allowances at the rate established in *G.S. 138-5*. A quorum of the 911 Board is nine members. The 911 Board meets upon the call of the chair.

(d) Public Servants. -- The members of the 911 Board are public servants under *G.S. 138A-3* and are subject to the provisions of Chapter 138A of the General Statutes.

**HISTORY:** 2007-383, s. 1(a); 2010-158, s. 2(a); 2013-286, s. 2; 2015-241, ss. 7A.3(2), 7A.4(f); 2015-264, s. 46.

## § 143B-1402. Powers and duties of the 911 Board

(a) Duties. -- The 911 Board has the following powers and duties:

(1) To develop the 911 State Plan. In developing and updating the plan, the 911 Board must monitor trends in communications service technology utilized for the 911 system and in enhanced 911 service technology, investigate and incorporate GIS mapping and other resources into the plan, ensure individual PSAP plans incorporate a back-up PSAP, and formulate strategies for the efficient and effective delivery of enhanced 911 service.

(2) To administer the 911 Fund and the monthly 911 service charge authorized by *G.S. 143B-1403*.

(3) To distribute revenue in the 911 Fund to CMRS providers and PSAPs in accordance with this Part and advise CMRS providers and PSAPs of the requirements for receiving a distribution from the 911 Fund.

(4) To establish cooperative purchasing agreements or other contracts for the procurement of goods and services, to establish policies and procedures to fund advisory services and training for PSAPs, to set operating standards for PSAPs and back-up PSAPs, and to provide funds in accordance with these policies, procedures, and standards.

(5) To investigate the revenues and expenditures associated with the operation of a PSAP to ensure compliance with restrictions on the use of amounts distributed from the 911 Fund.

(6) To make and enter into contracts and agreements necessary or incidental to the performance of its powers and duties under this Part and to use revenue available to the 911 Board under *G.S. 143B-1404* for administrative expenses to pay its obligations under the contracts and agreements.

(7) To use funds available to the 911 Board under *G.S. 62-47* [143B-1407] to pay its obligations incurred for statewide 911 projects.

(8) To accept gifts, grants, or other money for the 911 Fund.

(9) To undertake its duties in a manner that is competitively and technologically neutral as to all communications service providers.

(10) To design, create, or acquire printed or Web-based public education materials regarding the proper use of 911.

(11) To adopt rules to implement this Part. This authority does not include the regulation of any enhanced 911 service, such as the establishment of technical standards for telecommunications service providers to deliver 911 voice and data.

(12) To take other necessary and proper action to implement the provisions of this Part.

(b) Prohibition. -- In no event shall the 911 Board or any other State agency construct, operate, or own a communications network for the purpose of providing 911 service. The 911 Board may pay private sector vendors for provisioning a communications network for the purpose of providing citizens access to 911 services and completing call-taking processes through one or more PSAPs.

**HISTORY:** 2007-383, s. 1(a); 2010-158, s. 3; 2014-66, s. 1.2; 2015-241, s. 7A.3(2); 2015-261, ss. 1(b), (c), 2, 4(b).

**§ 143B-1403. Service charge for 911 service**

(a) Charge Imposed. -- A monthly 911 service charge is imposed on each active communications service connection that provides access to the 911 system through a voice communications service. The service charge for service other than prepaid wireless telecommunications service is seventy cents (70 cent(s) ) or a lower amount set by the 911 Board under subsection (d) of this section. The service charge is payable by the subscriber to the provider of the voice communications service. The provider may list the service charge separately from other charges on the bill. Partial payments made by a subscriber are applied first to the amount the subscriber owes the provider for the voice communications service.

(b) Prepaid Wireless. -- A 911 service charge is imposed on each retail purchase of prepaid wireless telecommunications service occurring in this State of seventy cents (70 cent(s) ) for each retail transaction of prepaid wireless telecommunications service or a lower amount set as provided by subsection (d) of this section. The service charge is collected and remitted as provided in G.S. 143B-1414.

(c) Remittance to 911 Board. -- A communications service provider must remit the service charges collected by it under subsection (a) of this section to the 911 Board. The provider must remit the collected service charges by the end of the calendar month following the month the provider received the charges from its subscribers. A provider may deduct and retain from the service charges it receives from its subscribers and remits to the 911 Board an administrative allowance equal to the greater of one percent (1%) of the amount of service charges remitted or fifty dollars (\$ 50.00) a month.

(d) Adjustment of Charge. -- The 911 Board must monitor the revenues generated by the service charges imposed by this section. If the 911 Board determines that the rates produce revenue that exceeds or is less than the amount needed, the 911 Board may adjust the rates. The rates must ensure full cost recovery for communications service providers and for primary PSAPs over a reasonable period of time. The 911 Board must set the service charge for prepaid wireless telecommunications service at the same rate as the monthly service charge for nonprepaid service. A change in the rate becomes effective only on July 1. The 911 Board must notify providers of a change in the rates at least 90 days before the change becomes effective. The 911 Board must notify the Department of Revenue of a change in the rate for prepaid wireless telecommunications service at least 90 days before the change becomes effective. The Department of Revenue must provide notice of a change in the rate for prepaid wireless telecommunications service at least 45 days before the change becomes effective only on the Department's Web site.

(e) Collection. -- A communications service provider has no obligation to take any legal action to enforce the collection of the service charge billed to a subscriber. The 911 Board may initiate a collection action, and reasonable costs and attorneys' fees associated with that collection action may be assessed against the subscriber. At the request of the 911 Board, but no more than annually, a communications service provider must report to the 911 Board the amount of the provider's uncollected service charges. The 911 Board may request, to the extent permitted by federal privacy laws, the name, address, and telephone number of a subscriber who refuses to pay the 911 service charge.

(f) Restriction. -- A local government may not impose a service charge or other fee on a subscriber to support the 911 system.

**HISTORY:** 2007-383, s. 1(a); 2010-158, s. 4; 2011-122, ss. 1(a), 3; 2015-241, s. 7A.3(2); 2015-261, s. 4(c).

*N.C. Gen. Stat. § 143B-1404 (2016)*

**§ 143B-1404. 911 Fund**

(a) Fund. -- The 911 Fund is created as an interest-bearing special revenue fund within the State treasury. The 911 Board administers the Fund. The 911 Board must credit to the 911 Fund all revenues remitted to it from the service charge imposed by G.S. 143B-1403 on communications service connections in the State. Revenue in the Fund may only be used as provided in this Part.

(b) Allocation of Revenues. -- The 911 Board may deduct and retain for its administrative expenses a percentage of the total service charges remitted to it under G.S. 143B-1403 for deposit in the 911 Fund. The percentage may not exceed two percent (2%). The percentage is one percent (1%) unless the 911 Board sets the percentage at a different amount. The 911 Board must monitor the amount of funds required to meet its financial commitment to provide technical assistance to primary PSAPs and set the rate at an amount that enables the 911 Board to meet this commitment. The 911 Board must allocate ten percent (10%) of the total service charges to the Next Generation 911 Reserve Fund to be administered as provided in G.S. 143B-1407. The remaining revenues remitted to the 911 Board for deposit in the 911 Fund are allocated as follows:

(1) A percentage of the funds remitted by CMRS providers, other than the funds remitted by the Department of Revenue from prepaid wireless telecommunications service, to the 911 Fund are allocated for reimbursements to CMRS providers pursuant to G.S. 143B-1405.

(2) A percentage of the funds remitted by CMRS providers, all funds remitted by the Department of Revenue from prepaid wireless telecommunications service, and all funds remitted by all other communications service providers are allocated for monthly distributions to primary PSAPs pursuant to G.S. 143B-1406 and grants to PSAPs pursuant to G.S. 143B-1407.

(3) The percentage of the funds remitted by CMRS providers allocated to CMRS providers and PSAPs shall be set by the 911 Board and may be adjusted by the 911 Board as necessary to ensure full cost recovery for CMRS providers and, to the extent there are excess funds, for distributions to primary PSAPs.

(c) Report. -- In February of each odd-numbered year, the 911 Board must report to the Joint Legislative Commission on Governmental Operations and the Revenue Laws Study Committee. The report must contain complete information regarding receipts and expenditures of all funds received by the 911 Board during the period covered by the report, the status of the 911 system in North Carolina at the time of the report, and the results of any investigations by the Board of PSAPs that have been completed during the period covered by the report.

(d) Nature of Revenue. -- The General Assembly finds that distributions of revenue from the 911 Fund are not State expenditures for the purpose of *Section 5(3) of Article III of the North Carolina Constitution*. Therefore, the Governor may not reduce or withhold revenue in the 911 Fund.

**HISTORY:** 2007-383, s. 1(a); 2008-134, s. 1(a); 2010-158, s. 5; 2011-122, s. 4; 2011-291, s. 2.17; 2015-241, s. 7A.3(2); 2015-261, ss. 1(d), 4(d).

*N.C. Gen. Stat. § 143B-1405 (2016)*

#### **§ 143B-1405. Fund distribution to CMRS providers**

(a) Distribution. -- CMRS providers are eligible for reimbursement from the 911 Fund for the actual costs incurred by the CMRS providers in complying with the requirements of enhanced 911 service. Costs of complying include costs incurred for designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining all necessary data, hardware, and software required to provide service as well as the recurring and nonrecurring costs of providing the service. To obtain reimbursement, a CMRS provider must comply with all of the following:

- (1) Invoices must be sworn.
- (2) All costs and expenses must be commercially reasonable.
- (3) All invoices for reimbursement must be related to compliance with the requirements of enhanced 911 service.
- (4) Prior approval must be obtained from the 911 Board for all invoices for payment of costs that exceed the lesser of:
  - a. One hundred percent (100%) of the eligible costs allowed under this section.

b. One hundred twenty-five percent (125%) of the service charges remitted to the 911 Board by the CMRS provider.

(b) Payment Carryforward. -- If the total amount of invoices submitted to the 911 Board and approved for payment in a month exceeds the amount available from the 911 Fund for reimbursements to CMRS providers, the amount payable to each CMRS provider is reduced proportionately so that the amount paid does not exceed the amount available for payment. The balance of the payment is deferred to the following month. A deferred payment accrues interest at a rate equal to the rate earned by the 911 Fund until it is paid.

(c) Grant Reallocation. -- If the amount of reimbursements to CMRS providers approved by the 911 Board for a fiscal year is less than the amount of funds allocated for reimbursements to CMRS providers for that fiscal year, the 911 Board may reallocate part of the excess amount to the PSAP Grant and Statewide 911 Projects Account established under G.S. 143B-1407. The 911 Board may reallocate funds under this subsection only once each calendar year and may do so only within the three-month period that follows the end of the fiscal year. If the 911 Board reallocates more than a total of three million dollars (\$ 3,000,000) to the PSAP Grant and Statewide 911 Projects Account in a calendar year, it must consider reducing the amount of the service charge in G.S. 143B-1404 to reflect more accurately the underlying costs of providing 911 system services.

The 911 Board must make the following findings before it reallocates funds to the PSAP Grant and Statewide 911 Projects Account:

(1) There is a critical need for additional funding for PSAPs in rural or high-cost areas to ensure that enhanced 911 service is deployed throughout the State.

(2) The reallocation will not impair cost recovery by CMRS providers.

(3) The reallocation will not result in the insolvency of the 911 Fund.

**HISTORY:** 2007-383, s. 1(a); 2010-158, s. 6; 2015-241, s. 7A.3(2).

*N.C. Gen. Stat. § 143B-1406 (2016)*

#### **§ 143B-1406. Fund distribution to PSAPs**

(a) Monthly Distribution. -- The 911 Board must make monthly distributions to primary PSAPs from the amount allocated to the 911 Fund for PSAPs. A PSAP is not eligible for a distribution under this section unless it complies with the requirements of this Part, provides enhanced 911 service, and received distributions from the 911 Board in the 2008-2009 fiscal year. The Board may reduce, suspend, or terminate distributions under this subsection if a PSAP does not comply with the requirements of this Part. The Board must comply with all of the following:

(1) Administration. -- The Board must notify PSAPs of the estimated distributions no later than December 31 of each year. The Board must determine actual distributions no later than June 1 of each year. The Board must determine a method for establishing distributions that is equitable and sustainable and that ensures distributions for eligible operating costs and anticipated increases for all funded PSAPs. The Board must establish a formula to determine each PSAP's base amount. The formula must be determined and published to PSAPs in the first quarter of the fiscal year preceding the fiscal year in which the formula is used. The Board may not change the funding formula for the base amount more than once every year.

(2) Reports. -- The Board must report to the Joint Legislative Commission on Governmental Operations and the Revenue Laws Study Committee within 45 days of a change in the funding formula. The report must contain a description of the differences in the old and new formulas and the projected distributions to each PSAP from the new formula.

(3) Formula. -- The funding formula established by the Board must consider all of the following:

a. The population of the area served by a PSAP.

b. PSAP reports and budgets, disbursement histories, and historical costs.

c. PSAP operations, 911 technologies used by the PSAP, compliance with operating standards of the 911 Board, level of service a PSAP delivers dispatching fire, emergency medical services, law enforcement, and Emergency Medical Dispatch.

d. The tier designation of the county in which the PSAP is located as designated in *G.S. 143B-437.08*.

e. Any interlocal government funding agreement between a primary PSAP and a secondary PSAP, if the secondary PSAP was in existence as of June 1, 2010, receives funding under the agreement, and is within the service area of the primary PSAP.

e1. Any expenditure authorized by the 911 Board for statewide 911 projects or the next generation 911 system.

f. Any other information the Board considers relevant.

(4) Additional distributions. -- In the first quarter of the Board's fiscal year, the Board must determine whether payments to PSAPs during the preceding fiscal year exceeded or were less than the eligible costs incurred by each PSAP during the fiscal year. If a PSAP receives less than its eligible costs in any fiscal year, the Board may increase a PSAP's distribution in the following fiscal year above the base amount as determined by the formula to meet the estimated eligible costs of the PSAP as determined by the Board. The Board may not distribute less than the base amount to each PSAP except as provided in subsection (c) of this section. The Board must provide a procedure for a PSAP to request a reconsideration of its distribution or eligible expenses.

(b) Percentage Designations. -- The 911 Board must determine how revenue that is allocated to the 911 Fund for distribution to primary PSAPs and is not needed to make the base amount distribution required by subdivision (a)(1) of this section is to be used. The 911 Board must designate a percentage of the remaining funds to be distributed to primary PSAPs on a per capita basis and a percentage to be allocated to the PSAP Grant Account established in *G.S. 143B-1407*. If the 911 Board does not designate an amount to be allocated to the PSAP Grant Account, the 911 Board must distribute all of the remaining funds on a per capita basis. The 911 Board may not change the percentage designation more than once each fiscal year.

(c) Carryforward. -- A PSAP may carry forward distributions for eligible expenditures for capital outlay, capital improvements, or equipment replacement. Amounts carried forward to the next fiscal year from distributions made by the 911 Board may not be used to lower the distributions in subsection (a) of this section unless the amount is greater than twenty percent (20%) of the average yearly amount distributed to the PSAP in the prior two years. The 911 Board may allow a PSAP to carry forward a greater amount without changing the PSAP's distribution.

(d) Use of Funds. -- A PSAP that receives a distribution from the 911 Fund may not use the amount received to pay for the lease or purchase of real estate, cosmetic remodeling of emergency dispatch centers, hiring or compensating telecommunicators, or the purchase of mobile communications vehicles, ambulances, fire engines, or other emergency vehicles. Distributions received by a PSAP may be used only to pay for the following:

(1) The lease, purchase, or maintenance of:

a. Emergency telephone equipment, including necessary computer hardware, software, and database provisioning.

b. Addressing.

c. Telecommunicator furniture.

d. Dispatch equipment located exclusively within a building where a PSAP or back-up PSAP is located, excluding the costs of base station transmitters, towers, microwave links, and antennae used to dispatch emergency call information from the PSAP or back-up PSAP.

(2) The nonrecurring costs of establishing a 911 system.

(3) Expenditures for in-State training of 911 personnel regarding the maintenance and operation of the 911 system. Allowable training expenses include the cost of transportation, lodging, instructors, certifications, improvement programs, quality assurance training, training associated with call taking, and emergency medical, fire, or law enforcement procedures, and training specific to managing a PSAP or supervising PSAP staff. Training outside the State is not an eligible expenditure unless the training is unavailable in the State or the PSAP documents that the training costs are

less if received out-of-state. Training specific to the receipt of 911 calls is allowed only for intake and related call taking quality assurance and improvement. Instructor certification costs and course required prerequisites, including physicals, psychological exams, and drug testing, are not allowable expenditures.

(4) Charges associated with the service supplier's 911 service and other service supplier recurring charges. The PSAP providing 911 service is responsible to the communications service provider for all 911 installation, service, equipment, operation, and maintenance charges owed to the communications service provider. A PSAP may contract with a communications service provider on terms agreed to by the PSAP and the provider.

(e) Local Fund. -- The fiscal officer of a PSAP to whom a distribution is made under this section must deposit the funds in a special revenue fund, as defined in *G.S. 159-26(b)(2)*, designated as the Emergency Telephone System Fund. The fiscal officer may invest money in the Fund in the same manner that other money of the local government may be invested. Income earned from the invested money in the Emergency Telephone System Fund must be credited to the Fund. Revenue deposited into the Fund must be used only as permitted in this section.

(f) Compliance. -- A PSAP, or the governing entity of a PSAP, must comply with all of the following in order to receive a distribution under this section:

(1) A county or municipality that has one or more PSAPs must submit in writing to the 911 Board information that identifies the PSAPs in the manner required by the FCC Order.

(2) A participating PSAP must annually submit to the 911 Board a copy of its governing agency's proposed or approved budget detailing the revenues and expenditures associated with the operation of the PSAP. The PSAP budget must identify revenues and expenditures for eligible expense reimbursements as provided in this Part and rules adopted by the 911 Board.

(3) A PSAP must be included in its governing entity's annual audit required under the Local Government Budget and Fiscal Control Act. The Local Government Commission must provide a copy of each audit of a local government entity with a participating PSAP to the 911 Board.

(4) A PSAP must comply with all requests by the 911 Board for financial information related to the operation of the PSAP.

(5) By July 1, 2016, a PSAP must have a plan and means for 911 call-taking in the event 911 calls cannot be received and processed in the primary PSAP. If a PSAP has made substantial progress toward implementation of the plan and means, the 911 Board may grant the PSAP an extension until July 1, 2017, to complete implementation of the plan and means. The plan must identify the alternative capability of taking the redirected 911 calls. This subdivision does not require a PSAP to construct an alternative facility to serve as a back-up PSAP.

(6) A primary PSAP must comply with the rules, policies, procedures, and operating standards for primary PSAPs adopted by the 911 Board.

(g) Application to Cherokees. -- The Eastern Band of Cherokee Indians is an eligible PSAP. The Tribal Council of the Eastern Band is the local governing entity of the Eastern Band for purposes of this section. The Tribal Council must give the 911 Board information adequate to determine the Eastern Band's base amount. The 911 Board must use the most recent federal census estimate of the population living on the Qualla Boundary to determine the per capita distribution amount.

**HISTORY:** 2007-383, s. 1(a); 2008-134, ss. 1(b), (c); 2010-158, ss. 7(a)-(d); 2011-291, s. 2.18; 2014-66, s. 1.3; 2015-219, s. 1; 2015-241, s. 7A.3(2); 2015-261, ss. 1(e), 4(e).

*N.C. Gen. Stat. § 143B-1407 (2016)*

#### **§ 143B-1407. PSAP Grant and Statewide 911 Projects Account; Next Generation 911 Reserve Fund**

(a) Account and Fund Established. -- A PSAP Grant and Statewide 911 Projects Account is established within the 911 Fund for the purpose of making grants to PSAPs in rural and other high-cost areas and funding projects that provide statewide benefits for 911 service. The PSAP Grant and Statewide 911 Projects Account consists of revenue allocated



by the 911 Board under G.S. 143B-1405(c) and G.S. 143B-1406. The Next Generation 911 Reserve Fund is established as a special fund for the purpose of funding the implementation of the next generation 911 systems as approved by the 911 Board.

(b) PSAP Grant and Statewide 911 Projects Grant Application. -- A PSAP may apply to the 911 Board for a grant from the PSAP Grant and Statewide 911 Projects Account. An application must be submitted in the manner prescribed by the 911 Board. The 911 Board may approve a grant application and enter into a grant agreement with a PSAP if it determines all of the following:

(1) The costs estimated in the application are reasonable and have been or will be incurred for the purpose of promoting a cost-effective and efficient 911 system.

(2) The expenses to be incurred by the applicant are consistent with the 911 State Plan.

(3) There are sufficient funds available in the fiscal year in which the grant funds will be distributed.

(4) The costs for consolidating one or more PSAPs with a primary PSAP, the relocation costs of primary PSAPs, or capital expenditures that enhance the 911 system, including costs not authorized under G.S. 143B-1406(e) and construction costs.

(c) PSAP Grant and Statewide 911 Projects Grant Agreement. -- A PSAP Grant and Statewide 911 Projects agreement between the 911 Board and a PSAP must include the purpose of the grant, the time frame for implementing the project or program funded by the grant, the amount of the grant, and a provision for repaying grant funds if the PSAP fails to comply with any of the terms of the grant. The amount of the grant may vary among grantees. If the grant is intended to promote the deployment of enhanced 911 service in a rural area of the State, the grant agreement must specify how the funds will assist with this goal. The 911 Board must publish one or more notices each fiscal year advertising the availability of grants from the PSAP Grant and Statewide 911 Projects Account and detailing the application process, including the deadline for submitting applications, any required documents specifying costs, either incurred or anticipated, and evidence demonstrating the need for the grant. Any grant funds awarded to PSAPs under this section are in addition to any funds reimbursed under G.S. 143B-1406.

(d) Statewide 911 Projects. -- The 911 Board may use funds from the PSAP Grant and Statewide 911 Projects Account and funds from the Next Generation 911 Reserve Fund for a statewide project if the Board determines the project meets all of the following requirements:

(1) The project is consistent with the 911 plan.

(2) The project is cost-effective and efficient when compared to the aggregated costs incurred by primary PSAPs for implementing individual projects.

(3) The project is an eligible expense under G.S. 143B-1406(e).

(4) The project will have statewide benefit for 911 service.

(e) Next Generation 911 Fund. -- The 911 Board may use funds from the Next Generation 911 Fund to fund the implementation of next generation 911 systems. Notwithstanding Article 8 of Chapter 143C of the General Statutes, the 911 Board may expend funds from the Next Generation 911 Fund to provide for a single data network to serve PSAPs. The 911 Board may provide funds directly to PSAPs to implement next generation 911 systems. By October 1 of each year, the 911 Board must report to the Joint Legislative Commission on Governmental Operations on the expenditures from the Next Generation 911 Fund for the prior fiscal year and on the planned expenditures from the Fund for the current fiscal year.

**HISTORY:** 2007-383, s. 1(a); 2010-158, s. 8; 2015-241, s. 7A.3(2); 2015-261, s. 1(f).

*N.C. Gen. Stat. § 143B-1408 (2016)*

#### **§ 143B-1408. Recovery of unauthorized use of funds**

The 911 Board must give written notice of violation to any communications service provider or PSAP found by the 911 Board to be using monies from the 911 Fund for purposes not authorized by this Part. Upon receipt of notice, the communications service provider or PSAP must cease making any unauthorized expenditures. The communications service provider or PSAP may petition the 911 Board for a hearing on the question of whether the expenditures were unauthorized, and the 911 Board must grant the request within a reasonable period of time. If, after the hearing, the 911 Board concludes the expenditures were in fact unauthorized, the 911 Board may require the communications service provider or PSAP to refund the monies improperly spent within 90 days. Money received under this section must be credited to the 911 Fund. If a communications service provider or PSAP does not cease making unauthorized expenditures or refuses to refund improperly spent money, the 911 Board must suspend funding to the provider or PSAP until corrective action is taken.

**HISTORY:** 2007-383, s. 1(a); 2015-241, s. 7A.3(2); 2015-261, s. 4(f).

*N.C. Gen. Stat. § 143B-1409 (2016)*

#### **§ 143B-1409. Conditions for providing enhanced 911 service**

In accordance with the FCC Order, no CMRS provider is required to provide enhanced 911 service until all of the following conditions are met:

- (1) The provider receives a request for the service from the administrator of a PSAP that is capable of receiving and utilizing the data elements associated with the service.
- (2) Funds for reimbursement of the CMRS provider's costs are available pursuant to G.S. 143B-1405.
- (3) The local exchange carrier is able to support the requirements of enhanced 911 service.

**HISTORY:** 2007-383, s. 1(a); 2015-241, s. 7A.3(2).

*N.C. Gen. Stat. § 143B-1410 (2016)*

#### **§ 143B-1410. Audit**

The State Auditor may perform audits of the 911 Board pursuant to Part 5A of Chapter 147 of the General Statutes to ensure that funds in the 911 Fund are being managed in accordance with the provisions of this Part. The State Auditor must perform an audit of the 911 Board at least every two years. The 911 Board must reimburse the State Auditor for the cost of an audit of the 911 Board.

**HISTORY:** 2007-383, s. 1(a); 2015-241, s. 7A.3(2).

*N.C. Gen. Stat. § 143B-1411 (2016)*

#### **§ 143B-1411. Subscriber records**

Each CMRS provider must provide its 10,000 number groups to a PSAP upon request. This information remains the property of the disclosing CMRS provider and must be used only in providing emergency response services to 911 calls. CMRS communications service provider connection information obtained by PSAP personnel for public safety purposes is not public information under Chapter 132 of the General Statutes. No person may disclose or use, for any purpose other than the 911 system, information contained in the database of the telephone network portion of a 911 system.

**HISTORY:** 2007-383, s. 1(a); 2015-241, s. 7A.3(2); 2015-261, s. 4(g).

*N.C. Gen. Stat. § 143B-1412 (2016)*

#### **§ 143B-1412. Proprietary information**

All proprietary information submitted to the 911 Board or the State Auditor is confidential. Proprietary information submitted pursuant to this Part is not subject to disclosure under Chapter 132 of the General Statutes, and it may not be released to any person other than to the submitting communications service provider, the 911 Board, and the State Auditor without the express permission of the submitting communications service provider. Proprietary information is considered a trade secret under the Trade Secrets Protection Act, Article 24 of Chapter 66 of the General Statutes. General information collected by the 911 Board or the State Auditor may be released or published only in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual communications service provider.

**HISTORY:** 2007-383, s. 1(a); 2015-241, s. 7A.3(2); 2015-261, s. 4(h).

*N.C. Gen. Stat. § 143B-1413 (2016)*

#### **§ 143B-1413. Limitation of liability**

(a) Except in cases of wanton or willful misconduct, a communications service provider, and a 911 system provider or next generation 911 system provider, and their employees, directors, officers, vendors, and agents are not liable for any damages in a civil action resulting from death or injury to any person or from damage to property incurred by any person in connection with developing, adopting, implementing, maintaining, or operating the 911 system or in complying with emergency-related information requests from State or local government officials. This section does not apply to actions arising out of the operation or ownership of a motor vehicle. The acts and omissions described in this section include, but are not limited to, the following:

- (1) The release of subscriber information related to emergency calls or emergency services.
- (2) The use or provision of 911 service, E911 service, or next generation 911 service.
- (3) Other matters related to 911 service, E911 service, or next generation 911 service.

(b) In any civil action by a user of 911 services or next generation 911 services arising from an act or an omission by a PSAP, and the officers, directors, employees, vendors, agents, and authorizing government entity of the PSAP, in the performance of any lawful and prescribed actions pertaining to their assigned job duties as a 911 or public safety telecommunicator or dispatcher at a PSAP or at any public safety agency to which 911 calls are transferred from a primary PSAP for dispatch of appropriate public safety agencies, the plaintiff's burden of proof shall be by clear and convincing evidence.

**HISTORY:** 2007-383, s. 1(a); 2015-241, s. 7A.3(2); 2015-261, s. 3.

*N.C. Gen. Stat. § 143B-1414 (2016)*

#### **§ 143B-1414. Service charge for prepaid wireless telecommunications service; seller collects 911 service charge on each retail transaction occurring in this State; remittances to Department of Revenue and transfer to 911 Fund**

(a) Retail Collection. -- A seller of prepaid wireless telecommunications service shall collect the 911 service charge for prepaid wireless telecommunications service from the consumer on each retail transaction occurring in this State. The 911 service charge for prepaid wireless telecommunications service is in addition to the sales tax imposed on the

sale or recharge of prepaid telephone calling service under *G.S. 105-164.4(a)(4d)*. The amount of the 911 service charge for prepaid wireless telecommunications service must be separately stated on an invoice, receipt, or other reasonable notification provided to the consumer by the seller at the time of the retail transaction. For purposes of this Part, a retail transaction is occurring in this State if the sale is sourced to this State under *G.S. 105-164.4B(a)*.

(b) Administrative Allowance; Remittance to Department of Revenue. -- A seller may deduct and retain from the 911 service charges it collects from consumers and remits to the Department of Revenue an administrative allowance of five percent (5%). A seller shall remit the 911 service charge for prepaid wireless telecommunications service collected by it under subsection (a) of this section in either of the following ways:

(1) Monthly to the Department of Revenue. The service charges collected in a month are due by the 20th day of the month following the calendar month covered by the return.

(2) Semiannually to the Department of Revenue. The service charges collected in the first six months of the calendar year are due by July 20. The service charges collected in the second six months of the calendar year are due by January 20.

(c) Administration. -- Administration, auditing, requests for review, making returns, collection of tax debts, promulgation of rules and regulations by the Secretary of Revenue, additional taxes and liens, assessments, refunds, and penalty provisions of Article 9 of Chapter 105 of the General Statutes apply to the collection of the 911 service charge for prepaid wireless telecommunications service. An audit of the collection of the 911 service charge for prepaid wireless telecommunications service shall only be conducted in connection with an audit of the taxes imposed by Article 5 of Chapter 105 of the General Statutes. Underpayments shall be subject to the same interest rate as imposed for taxes under *G.S. 105-241.21*. Overpayments shall be subject to the same interest rate as imposed for taxes under *G.S. 105-241.21(c)(2)*. Excessive and erroneous collections of the service charge will be subject to *G.S. 105-164.11*. The Department of Revenue shall establish procedures for a seller of prepaid wireless telecommunications service to document that a sale is not a retail transaction, and the procedures established shall substantially coincide with the procedures for documenting a sale for resale transaction under *G.S. 105-164.28*. The Secretary of Revenue may retain the costs of collection from the remittances received under subsection (b) of this section, not to exceed five hundred thousand dollars (\$500,000) a year of the total 911 service charges for prepaid wireless telecommunications service remitted to the Department. Within 45 days of the end of each month in which 911 service charges for prepaid wireless telecommunications service are remitted to the Department, the Secretary of Revenue shall transfer the total 911 service charges remitted to the Department less the costs of collection to the 911 Fund established under *G.S. 143B-1404*.

(d) Liability of Consumer. -- The 911 service charge for prepaid wireless telecommunications service is the liability of the consumer and not of the seller or of any provider, except that the seller shall be liable for remitting to the Department of Revenue all 911 service charges for prepaid wireless telecommunications service that the seller collects from consumers as provided in subsection (b) of this section.

**HISTORY:** 2011-122, s. 5; 2013-414, s. 30; 2014-66, s. 2.1; 2015-241, s. 7A.3(2).

*N.C. Gen. Stat. § 143B-1415 (2016)*

#### **§ 143B-1415. Limitation of liability, prepaid wireless**

In addition to the limitation of liability provided in subsection *G.S. 143B-1413*, each provider and seller of prepaid wireless telecommunications service is entitled to the following limitations of liability:

(1) No provider or seller of prepaid wireless telecommunications service shall be liable for damages to any person resulting from or incurred in connection with the provision of or the failure to provide 911 service, or for identifying or failing to identify the telephone number, address, location, or name associated with any person or device that is accessing or attempting to access 911 service.

(2) No provider or seller of prepaid wireless telecommunications service shall be liable for damages to any person resulting from or incurred in connection with the provision of any lawful assistance to any investigative or law enforcement officer of the United States, this State or any other state, or any political subdivision of this State or any other state in connection with any lawful investigation or other law enforcement activity by the law enforcement officer.

**HISTORY:** 2011-122, s. 5; 2015-241, s. 7A.3(2).

*N.C. Gen. Stat. § 143B-1416 (2016)*

**§ 143B-1416. Exclusivity of 911 service charge for prepaid wireless telecommunications service**

The 911 service charge for prepaid wireless telecommunications service imposed by this Part is the only 911 funding obligation imposed with respect to prepaid wireless telecommunications service in this State, and no tax, fee, surcharge, or other charge shall be imposed in this State, any subdivision of this State, or any intergovernmental agency for 911 funding purposes upon any provider, seller, or consumer with respect to the sale, purchase, use, or provision of prepaid wireless telecommunications service.

**HISTORY:** 2011-122, s. 5; 2015-241, s. 7A.3(2).

**911 Funding Committee**

Monday, February 1, 2016

2:00 pm

Banner Elk Room

3514A Bush Street

Raleigh, NC

**911 Standards Committee**

Tuesday, February 2, 2016

10:00 am

Banner Elk Room

3514A Bush Street

Raleigh, NC

**NG911-GIS Sub-Committee**

Wednesday, February 10, 2016

2:30 pm

Pinehurst Room

3514A Bush Street

Raleigh, NC

**NG911-GIS Sub-Committee**

Wednesday, February 17, 2016

10:30 am

Pinehurst Room

3514A Bush Street

Raleigh, NC

**911 Education Committee**

Wednesday, February 17, 2016

2:30pm

Banner Elk Room

3514A Bush Street

Raleigh, NC

**NG911 Committee**

Thursday, February 18, 2016

10:00am

Banner Elk Room

3514A Bush Street

Raleigh, NC

**PSAP Funding Sub-Committee**

Friday, February 19, 2016

10:30am

Emerald Isle Room

3514A Bush Street

Raleigh, NC

Other Items

Adjourn

**Next 911 Board Meeting**

**February 26, 2016  
911 State Office  
3514A Bush Street**