

Text changes are highlighted for ease of review.

09 NCAC 06C .0101 is proposed for adoption 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.

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0102 is proposed for adoption as follows:

2 **09 NCAC 06C .0102** **PHYSICAL ADDRESS OF 911 BOARD**

3 (a) The physical address of the 911 board is:

4 911 Board

5 c/o NC Office of Information Technology Services

6 P.O. Box 17209

7 Raleigh, NC 27609

8 This is not a physical address^[BR1].

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

10

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

12 Eff.

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Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .0103 is proposed for adoption as follows:

09 NCAC 06C .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 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(2) “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(3) “Back-up PSAP” means a facility equipped with automatic number identification, automatic location identification displays and all other features common to of a the[BR2]? primary PSAPs that it serves. A 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 PSAP facility is normally may be that isn't correct “is normally may be”? unattended, is remote from the Public Safety Answering Point and used to house equipment necessary for the functioning of an emergency communications system.

d(4) “Circuit” means the conductor or radio channel and associated equipment used to perform a specific function in connection with a 911 call system.

e(5) “CMRS” means a commercial mobile radio service.

f(6) “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(7) “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(8) “Comprehensive Emergency Management Plan (CEMP)” means a disaster recovery plan that conforms to guidelines established by the Public Safety Answering Point and is designed to address natural, technological, and man-made disasters.

i(9) “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. Who does this analysis[BR3]?

j(10) “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 or network.

k(11) “Control Console” means a wall-mounted or desktop panel or cabinet containing controls to operate communications equipment.

Text changes are highlighted for ease of review.

1 ~~l~~(12) “Coordinated Universal Time” means a coordinated time scale, maintained by the Bureau International des
2 Poids et Mesures (BIPM), which forms the basis of a coordinated dissemination of standard frequencies and time
3 signals.

4 ~~m~~(12) “Dispatch Circuit” means a circuit over which a signal is transmitted from the Public Safety Answering
5 Point to an Emergency Response Facility or Emergency Response Unit to notify the emergency response unit to
6 respond to an emergency.

7 ~~n~~(13) “Emergency 911 Call Processing/Dispatching” means a process by which a 911 call answered at the PSAP
8 is transmitted to Emergency Response Facilities (ERFs) or to Emergency Response Units (ERUs) in the field. I
9 wouldn’t use these yet. Wait until they are defined. If you want to use these here, put (ERF) and (ERU) back
10 into 12.

11 ~~o~~(14) “Emergency Response Facility (ERF)” means a structure or a portion of a structure that houses PSAP
12 equipment and personnel for receiving and dispatching 911 calls.

13 ~~p~~(15) “Emergency Response Unit (ERU)” means a first responder, such as a police vehicle, a fire truck, ~~and~~ or an
14 ambulance. It also includes personnel who respond to fire, medical, law enforcement, or other emergency
15 situations for the preservation of life and safety.

16 (16) FCC Order” means the Order in FCC Docket 94-102 adopted by the Federal Communications Commission
17 on December 1, 1997, and subsequent Orders, decisions, consent decrees rules and regulations including 47
18 C.F.R. 20.18 which are incorporated by reference in these rules. The FCC Order and regulations may be obtained
19 free of charge from the FCC website: [http://transition.fcc.gov/pshs/services/](http://transition.fcc.gov/pshs/services/911-services/)
20 <http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services> and [http://www.fcc.gov/encyclopedia/rules-](http://www.fcc.gov/encyclopedia/rules-regulations-title-47)
21 [regulations-title-47.](http://www.fcc.gov/encyclopedia/rules-regulations-title-47)

22 ~~q~~(17) “Geographic Information Systems (GIS)” means computer programs linking features commonly seen on
23 maps, such as roads, town boundaries, water bodies, with related information not usually presented on maps, such
24 as type of road surface, population, type of agriculture, type of vegetation, or water quality information.

25 ~~r~~(18) “GIS Base Map” means a map comprising streets and centerlines used in a Geographic Information System.

26 ~~s~~(19) “Local Exchange Carrier” or “LEC” has the same meaning as set forth in G.S. 62A-40. You may want to
27 keep this if you’re going to say “LEC” later. But if you do, “Local Exchange Exchange Carrier (LEC)”

28 ~~t~~(19) “Logging Voice Recorder” means a device that records voice conversations and automatically logs the time
29 and date of such conversations; normally, why not “generally[BR4]”? a multichannel device that keeps a semi-
30 permanent record of operations.

31 ~~u~~(20) “Notification” means the time at which a 911 call is received and acknowledged I think you should define
32 acknowledged[BR5] at a PSAP.

33 ~~v~~(21) “Operations Room” means the room in the PSAP where 911 calls are received and processed and
34 communications with emergency response personnel are conducted.

35 ~~w~~(22) “Phase I Wireless Enhanced 911 Service” has the same meaning as provided in the FCC Order and FCC
36 regulations. The FCC Order and regulations may be obtained free of charge from the FCC website:

Text changes are highlighted for ease of review.

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

3 ~~*(23)~~ “Phase II Wireless Enhanced 911 Service” has the same meaning as provided in the FCC Order and FCC
4 regulations. The FCC Order and regulations may be obtained free of charge from the FCC website:
5 <http://transition.fcc.gov/pshs/services/911-services/>, <http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services>
6 and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.

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

10 ~~z(25)~~ “Public Safety Agency” means an organization that provides law enforcement, emergency medical, fire,
11 rescue, communications, or related support services.

12 ~~aa(27)~~ “Public Safety Answering Point (PSAP)” means the public safety agency that receives incoming 911 calls.

13 ~~bb(27)~~ “PSAP Nonrecurring Costs” means non-repetitive charges incurred by a Primary PSAP to pay for
14 equipment or services which do not occur on a fixed schedule. Examples include computer equipment that has
15 become functionally outdated, software upgrades, or repair costs that are not covered by any maintenance
16 agreement.

17 ~~ee(28)~~ “PSAP Recurring Costs” means repetitive charges incurred by a primary PSAP, such as database
18 management, lease of access lines, lease of equipment, network access fees, and applicable maintenance costs.

19 ~~dd(30)~~ “Security Vestibule” means a compartment provided with two or more doors where the intended purpose
20 is to prevent continuous and unobstructed passage by allowing the release of only one door at a time.

21 ~~ee(29)~~ “Standard Operating Procedures (SOPs)” means written organizational directives that establish or
22 prescribe specific operational or administrative methods that are to be followed routinely for the performance of
23 designated operations or actions.

24 ~~ff(30)~~ “Selective Routing” or “Tandem Routing” means routing a 911 call to the appropriate designated PSAP
25 based upon the caller’s location.

26 ~~gg(31)~~ “Stored Emergency Power Supply System (SEPSS)” means a system consisting of a UPS Uninterruptible
27 Power Supply, or a motor generator, powered by a stored electrical energy source, together with a transfer switch
28 designed to monitor preferred and alternate load power source and provide desired switching of the load, and all
29 necessary control equipment to make the system functional.

30 ~~hh(32)~~ “Sworn Invoice” means an invoice prepared by a CMRS service provider’s vendor that describes the
31 goods or services and identifies the costs that the CMRS service provider submits for cost recovery pursuant to an
32 approved cost recovery plan, and that is accompanied by an affidavit that substantially complies with a form
33 provided by the Board.

34 ~~ii(33)~~ “911 Line/Trunk” means a telephone line/trunk which is dedicated to providing a caller with access to the
35 appropriate designated PSAP by dialing the digits 911.

36 ~~jj(34)~~ “service provider” means an entity that provides voice communications service, including resellers of such
37 service.

Text changes are highlighted for ease of review.

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

3 ~~ll~~(35) “Telecommunicator” means any person engaged in or employed as a full time or part time 911
4 ~~communications center call taker,~~ whether called by that or another term, such as emergency communications
5 ~~specialist or emergency dispatcher.~~

6 ~~mm~~(36) “Uninterruptible Power Supply (UPS)” means a system designed to provide power, without delay or
7 ~~transients, during any period when the primary power source is incapable of performing.~~

8 ~~nn~~(37) “Voice Communication Channel” means a single path for communication by spoken word that is distinct
9 ~~from other parallel paths.~~

10
11 *History Note:* Authority G.S. 62A-42; 47 C.F.R. 20.18;

12 Eff.

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 ~~09 NCAC 06C.0103 is proposed for adoption as follows:~~

2
3 ~~**09 NCAC 06C.0103 — ADMINISTRATION**~~

4 ~~(a) The purposes of rules regarding PSAP operations are as follows:~~

5 ~~(1) — To specify operations, facilities, and communications systems that receive emergency 911 calls~~
6 ~~from the public.~~

7 ~~(2) — To provide requirements for the retransmission of such emergency 911 calls to the appropriate~~
8 ~~emergency response agencies.~~

9 ~~(3) — To provide requirements for dispatching of appropriate emergency response personnel.~~

10 ~~(4) — To establish the required levels of performance and quality of installations of emergency services~~
11 ~~communications systems.~~

12 ~~(b) The rules for PSAP operations apply to emergency 911 systems that include dispatching systems, telephone~~
13 ~~systems, and public reporting systems that provide the following functions:~~

14 ~~(1) — Communication between the public and emergency response agencies.~~

15 ~~(2) — Communication within the emergency response agency under emergency and non-emergency~~
16 ~~conditions.~~

17 ~~(3) — Communication among emergency response agencies.~~

18 ~~(c) The rules for PSAP operations do not prevent the use of systems, methods, or devices of equivalent or superior~~
19 ~~quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by these rules.~~

20 ~~(1) — Technical documentation shall be submitted to the local government to demonstrate equivalency.~~

21 ~~(2) — The system, method, or device shall be approved for the intended purpose by the local~~
22 ~~government.~~

23 ~~*History Note:* — Authority G.S. 62A-20;~~

24 ~~*Eff.*~~

25

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0104 is proposed for adoption as follows:

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3 **09 NCAC 06C .0103 .0104** **FAILURE TO COMPLY WITH RULES**

4 ~~If through the review process~~ the Board determines that a PSAP or CMRS service provider is not adhering to an
5 approved plan or is not using funds in the manner prescribed in these rules or G.S. 62A ~~G.S. 150B 21.6~~. ~~This~~
6 ~~citation does not belong here.~~ the Board may, ~~after notice and hearing, and notice is how long and the hearing info~~
7 ~~found where? Give your citation here, even if it's "as set forth in Rules XXXX of this Section/Subchapter"~~ after
8 ~~completing procedures as set forth in Rules .0105 or .0106 of this Section~~, suspend distributions or reimbursements
9 until satisfactory evidence of compliance is provided to the Board.

10

11 *History Note:* Authority G.S. 62A-42; ~~62A-46~~, 62A-48;

12 *Eff.*

13

14

Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .0104-0105 is proposed for adoption as follows:

09 NCAC 06C .0104-5 SERVICE PROVIDER FAILURE TO COMPLY WITH RULES

(a) If the Board determines that a service provider does not appear to have complied with N.C. General Statutes Chapter 62A, these rules or the requirements of the FCC Report and Order 94-102 ("Report and Order"), You need to keep that language here 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.

(1) 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 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.

(2) 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. A reasonable solution shall be defined as one that ~~will comply~~complies with applicable law, these rules or the FCC Order within thirty days or upon such other conditions as the Board may find reasonable.

(3) 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 or the FCC Order has been completed.

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

~~(b) If the Board determines that a Primary PSAP does not appear to have complied with N.C. General Statutes Chap. 62A, these rules or the requirements of FCC Report and Order 94-102 ("Report and Order"), 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 calendar days to respond to the letter.~~

~~(1) Board staff shall initially assess the Primary PSAP's response and 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 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) 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~~

Text changes are highlighted for ease of review.

1 ~~its discretion file a complaint with any other regulatory body exercising jurisdiction over the~~
2 ~~PSAP. A reasonable solution shall be defined as one that will comply with applicable law, these~~
3 ~~rules or the FCC Order within thirty days or upon such other conditions as the Board may find~~
4 ~~reasonable.~~

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

8 (4) ~~If after notice and hearing, the Board determines that the Primary PSAP is not at fault, the Board~~
9 ~~shall take additional action to determine the cause of failure.~~

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

14
15 History Note: Authority G.S. 62A-42; 62A-48;

16 Eff.
17

Text changes are highlighted for ease of review.

09 NCAC 06C .010~~2-6~~ is proposed for adoption as follows:

09 NCAC 06C .010~~2-6~~ PSAP FAILURE TO COMPLY WITH RULES

If the Board determines that a Primary PSAP does not appear to have complied with N.C. General Statutes Chap. 62A, these rules or the requirements of FCC Report and Order 94-102 (~~“Report and Order”~~), 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 calendar days to respond to the letter.

(1) Board staff shall initially assess the Primary PSAP's response and 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 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) 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. A reasonable solution shall be defined as one that ~~will comply~~complies with applicable law, these rules or the FCC Order within thirty days or upon such other conditions as the Board may find reasonable.

(3) 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 or the FCC Order has been completed.

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

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

Eff.

Text changes are highlighted for ease of review.

09 NCAC 06C.0105-0107 is proposed for adoption as follows:

9 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 ~~for a period sufficient define this~~ to support Fund distributions, reviews or audits, in accordance with ~~any-the~~ funding formula adopted by the Board pursuant to G.S. 62A-46(a)(3). ~~If you're relying upon statute, put the citation in here "adopted by the Board pursuant to G.S. 62A-46(a)(3). And if you're relying upon another Rule for guidance on keeping books, give the citation to the Rule, as well.~~ All books and records shall be available for review by the Board or its representatives, or audit by other governmental entities with such authority ~~upon reasonable notice define this and during normal business hours.~~ PSAPs shall cooperate fully ~~define this with any such review or audit.~~ 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 ~~immediately define this~~ 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 ~~define this~~ related to service charges remitted, and records necessary to support requested reimbursements in accordance with applicable law and generally accepted accounting principles. ~~You removed this above[BR7].~~ CMRS service providers shall maintain these books and records for 5 years. All books and records shall be available for review by the Board or its representatives or audit by ~~the Board, its representatives, and~~ other governmental entities with such authority upon reasonable notice ~~define this~~ and during normal business hours. CMRS service providers shall cooperate fully with any such review or audit. If any audit or review indicates excess distributions to a CMRS service provider, or subcontractor, the Board shall adjust future or final distributions otherwise due. If no distributions are due and owed to a CMRS service provider, or if the excess distribution exceeds the amount otherwise due during that fiscal year, the CMRS service provider shall immediately ~~define this~~ refund all amounts that may be due to the 911 Fund.

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

Eff.

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0106-0108 is proposed for adoption as follows:

2
3 **9 NCAC 06C .0106-0108 WAIVER OF RULES**

4 The Board may waive any rule in this Chapter after receiving a written request. The factors which the Board shall
5 use in determining whether to grant a waiver are:

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

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16 History Note: Authority G.S. 62A-42; 150B-19(6);

17 Eff.
18

Text changes are highlighted for ease of review.

09 NCAC 06C .0107-0109 is proposed for adoption as follows:

9 NCAC 06C .0107-0109 HEARINGS

(a) A PSAP or service provider aggrieved in connection with any action by the Board but only those covered by 62A-48, and you need to state that may request a hearing before the Board.

(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 ~~should 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) Any additional information requested by the Board shall be submitted within the time periods established where? Tell where they're found in order to expedite consideration of the request. Failure of the requesting party to comply expeditiously with a request for information by the Board within 30 days may I think you mean shall. If only "may", when won't it result in this? 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.

I'm fine with you setting firm deadlines here.

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

Eff.

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0108-01010 is proposed for adoption as follows:

2
3 **9 NCAC 06C .0102-10 DECLARATORY RULINGS**

4 (a) Any request for a determination regarding the application of a relevant rule, statute or order established by the
5 911 Board to a specific factual situation ~~must shall~~ be directed to the Board Chair or Executive Director ~~at the~~
6 ~~address in Rule .0102 of this Section.~~ The request for a ruling ~~will shall~~ follow the Rules .0108 through .0112 of this
7 Section and applicable statutes. ~~What applicable statutes?~~ A declaratory ruling proceeding may include written
8 submissions, an oral hearing, or other procedure as may be appropriate in the circumstances of the particular request.
9 ~~as determined by whom?~~

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

13 (c) As used in this Section, ~~I believe you mean "Rule" or "Rules .0108 through .0112"~~ "standard" shall refer to and
14 include such standards adopted by the Board pursuant to authority found in Article 3 of Chapter 62A of the N.C.
15 General Statutes.

16 (d) The petitioner ~~must shall~~ possess such an interest in the question to be ruled on that the petitioner's need to
17 have such a ruling in order to comply with statutory requirements, ITS rules, or standards shall be apparent from the
18 petition and shall be explained therein. ~~If you're trying to use this to establish "person aggrieved" state that clearly.~~

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20
21 *History Note:* Authority G.S. 62A-4; 150B-4

22 *Eff.*

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0109-01011 is proposed for adoption as follows:

2
3 **09 NCAC 06C .0102-11 REQUESTS FOR DECLARATORY RULINGS**

4 (a) Requests for a declaratory ruling shall be in writing, and dated ~~and verified by the person submitting the same.~~

5 ~~Where is your authority for verified request?~~

6 (b) The request shall contain:

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

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

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

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

12 (c) The Board may request the following in addition to information required in (b) of this Rule:

13 (1) A statement of any legal authorities, in support of the interpretation given the statute or rule by the
14 petitioner;

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

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

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

20
21 (d) All requests for declaratory rulings shall be ~~written and~~ mailed to the Board at the address listed in .0102 of this
22 Section.

23 Executive Director, 911 Board

24 c/o NC Office of Information Technology Services

25 P.O. Box 17209

26 Raleigh, NC 27609

27
28 History Note: Authority G.S. 62A-42; 150B-4;

29 Eff.:

Text changes are highlighted for ease of review.

09 NCAC 06C .0110-0112 is proposed for adoption as follows:

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 Board finds, in a request concerning the validity of a rule, that the rulemaking record shows that the agency considered all factors identified by the petitioner as specific or relevant when the rule in question was adopted;
- (3) When the Board finds that the person requesting the ruling is not directly or indirectly affected substantially in his person, property, or public office or employment by the rule, statute, or order of the Board which is the subject of the request;
- (4) When the petition does not state with enough specificity the factual situation involved, or 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 ~~will~~shall be binding on all parties;
- (5) 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
- (6) 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 45th 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 rule at any meeting convened to consider the request, or defer the ruling until a later date, but not later than the 45th day after the request for a ruling is received. 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.

Text changes are highlighted for ease of review.

1 09 NCAC 06C .~~0111~~0113 is proposed for adoption as follows:

2
3 **09 NCAC 06C .0113** **EFFECT OF A DECLARATORY RULING**

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

5 (1) The portion of the statute or rule interpreted by the declaratory ruling is amended or repealed;

6 (2) The State CIO changes the declaratory ruling prospectively; or

7 (3) Any court sets aside the ruling.

8
9 *History Note:* Authority G.S. 62A-42; 150B-4;

10 Eff.

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 09 NCAC 06C .~~0112-0114~~ is proposed for adoption as follows:

2

3 **09 NCAC 06C .0113-14 RECORD OF RULING**

4 A record of all declaratory ~~rule-ruling making~~ proceedings shall be maintained at the Board's office and shall be
5 available for public inspection during business hours. ~~You don't give a physical address, so where is it?~~

6

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

8 Eff.

9

Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .0201 is proposed for adoption as follows:

SECTION .0200 – PUBLIC SAFETY ANSWERING POINTS (PSAPS)

09 NCAC 06C .0201 PSAP ELIGIBILITY

Before receiving distributions from the 911 Fund, a primary PSAP ~~must~~shall meet the following criteria and certify to the same:

- (a) 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.
- (b) The PSAP meets the definition of primary PSAP under G.S. 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.
- (c) The PSAP equipment vendor or a 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 911 service. If neither an equipment vendor nor a 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. ~~Has this been incorporated by reference yet? If not, do so here.~~
- (d) 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.

Text changes are highlighted for ease of review.

09 NCAC 06C .0202 is proposed for adoption 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 ~~say who determines the necessity~~ for wireline 911 and wireless Phase I or Phase II compliance may be fully paid from a PSAP's 911 Fund distributions ~~if approved by the Board~~. 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.

(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.

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

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

(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) 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 and submitting the request to the Executive Director. The 911 Board may create and periodically revise a list of eligible expenditures. While I understand the need for this, I do not see you have any authority to do this outside of rulemaking, and that is essential to my review. Without this authority, I would not recommend approval of this Rule because of this sentence.~~

(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 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;

Text changes are highlighted for ease of review.

- 1 (5) Private line circuit costs;
- 2 (6) Directory listings; and
- 3 (7) Maintenance costs for radio equipment ~~and/or~~ other miscellaneous equipment that is not
- 4 necessary ~~state who determines this in the Rule~~ to provide the user of a voice communications
- 5 service connection access to a PSAP by dialing the digits 911.

6

7 History Note: Authority G.S. 62A-46(c);

8 Eff.

9

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0203 is proposed for adoption as follows:

2

3 **09 NCAC 06C .0203 TERMINATION AND SUSPENSION OF 911 FUND DISTRIBUTIONS**

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

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

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

11 (d) Primary PSAPs that cease independent operation due to consolidation with other such PSAPs, or that are
12 consolidated with newly formed PSAPs, shall give notice to the Board. Distributions for such PSAPs shall be
13 allocated to the consolidated PSAP upon the Board's approval of such distributions.

14

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

16

Eff.

17

Text changes are highlighted for ease of review.

09 NCAC 06C .0204 is proposed for adoption as follows:

09 NCAC 06C .0204 PSAP REPORTING

(a) ~~The 911 Board shall establish annual reporting dates for PSAPs to~~ shall provide information necessary ~~what is that? What's in Paragraph (b)(BR8)?~~ for determining 911 Fund distributions ~~on or before September 1 of each year.~~

(b) ~~Information submitted shall include Any PSAP receiving or requesting 911 Fund distributions must submit a copy of its the PSAP's governing agency's approved budget to the Board detailing the revenues and expenditures associated with the operation of its 911 system by the annual reporting date established by the Board each year or as requested by the Board. The and a 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 expenses and other information deemed necessary by the Board or by the PSAP to ensure funding in compliance with G.S. 62A-46.~~

(c) ~~If a PSAP fails to report its revenues and expenditures of the annual reporting date of each year or as requested by the Board, the Board shall inform the PSAP's governing agency. by certified mail. 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.~~

(d) ~~If after 60 days from September 1 the annual reporting date of each year or the date requested by the Board under (b) above the financial information is still not received, the Board shall submit written notice to the North Carolina Local Government Commission 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.~~

(e) ~~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;

Eff.

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0205 is proposed for adoption as follows:

2

3 **09 NCAC 06C .0205 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP).**

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

5 **(1) An emergency fire plan;**

6 **(2) A damage control plan;**

7 **(3) A back-up PSAP plan as stated in .0206; and**

8 **(4) A comprehensive regional emergency communications plan that includes alternate 911 call**
9 **routing conforming to 47 C.F.R. 20.18 and G.S. 62A-49.**

10 **(b) The emergency communications plan shall provide for real-time communications between organizations**
11 **responding to the same emergency incident.**

12 **(c) The PSAP shall test each component plan and the CEMP at least once annually.**

13

14 **History Note: Authority G.S. 62A-42; 62A-46; 62A-49; 47 C.F.R. 20.18;**

15 **Eff.**

16

17

Text changes are highlighted for ease of review.

09 NCAC 06C .0206 is proposed for adoption 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. ~~A Primary PSAP must establish an alternate method for have a back up PSAP for receiving and processing 911 calls to ensure 911 service continues when at the Primary PSAP becomes inoperable.~~

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

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

~~(1) A written determination for the need of a back up PSAP is provided to the 911 Board;~~

~~(2)(1) A back-up PSAP plan supporting the written determination is submitted to the 911 Board. The plan shall include detailed define start-up costs, projected recurring expenses, and any local agreements which may exist, or which are anticipated, which provide for the back-up PSAP. The Board approves the plan submitted;~~

~~(3) The plan includes any local agreements which may exist, or which are anticipated, which provide for the back up PSAP;~~

~~(3)(2) Once the plan has been approved, regular define annual reports regarding the back-up PSAP and what is in that? are made to the 911 Board; and~~

~~(4)(3) 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 continuous 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 use of portable equipment which 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.

Text changes are highlighted for ease of review.

1 History Note: Authority G.S. 62A-42(a):

2 Eff.

3

Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .0207 is proposed for adoption as follows:

09 NCAC 06C .0207 PSAP OPERATIONS AND MANAGEMENT

(a) Personnel:

(1) All systems shall be under the control of a responsible employee or employees of the PSAP served by the systems.

(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 complete 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)~~ (3) The PSAP shall have a written local management approved access control plan. This is? If there's a rule on it, give the citation.

~~(6)~~ (4) Maintenance personnel other than an employee of the PSAP shall be approved by the PSAP pursuant to the approved access control plan as offering no threat to the security of the facility or the employees and equipment within it.

~~(7)~~ (5) All equipment shall be accessible to the PSAP for the purpose of maintenance.

~~(8)~~ (6) At least one supervisor or lead qualified and trained as a telecommunicator shall be available to respond immediately define at all times 24 hours per day, 7 days per week, 52 weeks per year.

(b) Time:

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

(2) All timekeeping devices in the PSAP shall be maintained within ±5 plus or minus five seconds of the main recordkeeping device clock.

(c) Recording:

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

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

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

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

Text changes are highlighted for ease of review.

1 (2) Each telecommunicator position workstation shall have the ability to instantly immediately define
2 recall telephone and radio recordings from that position workstation.

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

5 (d) Quality Assurance/Improvement:

6 (1) PSAPs shall establish a quality assurance/improvement program to ensure the consistency and
7 effectiveness of 911 call processing. What does this mean[BR9]?

8 (2) Statistical analysis of 911 call and dispatch performance measurements shall be completed
9 monthly and compiled over a one (1) year period. Kept how long? And what is the analysis?
10 Does your regulated public know[BR10]?

11
12 History Note: Authority G.S. 62A-42(a)(4), 62A-46(3), 62A-46(e);

13 Eff.
14

Text changes are highlighted for ease of review.

09 NCAC 06C .0208 is proposed for adoption as follows:

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

(a) Telecommunicators, supervisors and other personnel that receive 911 calls shall be qualified and trained in the knowledge, skills, and abilities necessary to complete the call taking process. I appreciate the change, but again where is the authority in the current statute to set any training requirement? And even so, saying “be trained” is ambiguous- trained where, by whom, for how long[BR11]?

~~(1) Telecommunicators and supervisors shall be qualified and trained 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.~~

(b) Staffing.

~~(1) There shall be sufficient telecommunicators available to effect the prompt receipt and processing of emergency complete the call taking process for 911 calls needed to meet this Rule.~~

~~(2) 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 use of those resources for 911 operations.~~

~~(A) A PSAP shall handle emergency 911 calls for service and completing the call taking process dispatching in preference shall have priority above 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. The PSAP shall provide standard operating procedures to its telecommunicators.~~

~~(C) The PSAP shall provide standard operating procedures to its telecommunicators.~~

(3) Telecommunicators shall not be assigned any duties prohibiting them from immediately receiving and processing emergency 911 calls and completing the call taking process for service in accordance with the time frame specified in 06C.020 (a) [the call answering times] and the PSAP standard operating procedures.

Text changes are highlighted for ease of review.

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2
3
4

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

Eff.

Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .020 ~~9~~ is proposed for adoption as follows:

09 NCAC 06C .0209 PSAP 911 CALL OPERATING PROCEDURES

(a) Operating Procedures.

(a) Ninety ~~(90)~~ percent of 911 calls received on emergency lines shall be answered within ten ~~(10)~~ seconds, and ninety-five ~~(95)~~ percent of 911 calls received on emergency lines shall be answered within twenty ~~(20)~~ seconds. Compliance with ~~(d)(1)~~ the call answering times shall be evaluated monthly state by whom [BR12] using data from the previous month.

(b) The PSAP ~~is required to~~ shall provide pre-arrival medical protocols state to whom [BR13] 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.~~

(c) When emergency 911 calls need to be transferred to another PSAP, the telecommunicator ~~will~~ shall transfer the call without delay. *I am better with this than "immediately" and I think it really makes sense in this context.* The telecommunicator ~~will~~ shall advise the caller: "Please do not hang up; I am connecting you with (name of the agency)." The telecommunicator shall remain on the line until it is certain that the transfer is ~~affected~~ should stay on the line until the connection is complete and verified. By whom [BR14]?

~~(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 affected.~~

~~(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.~~

(d) An indication of the status of all Emergency Response Units (ERU) 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) En route time of each ERU;~~

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

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

~~(F) Time each ERU is returned to service; and~~

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

Text changes are highlighted for ease of review.

1 (10) ~~This shouldn't be here, should it?~~ When the device monitoring the system for integrity indicates
2 that trouble has occurred, the telecommunicator shall act as follows:

3 (A) Take appropriate steps to repair the fault; ~~and~~

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

6 (e) The PSAP shall establish and maintain standard operating procedures including: ~~but not be limited to the~~
7 following:

8 (1) ~~All standardized~~ Procedures that the telecommunicator is expected to perform without direct
9 supervision. To specify operations, facilities, and communications systems that receive 911 calls
10 from the public;

11 (2) An implementation plan that meets the requirements of a formal plan to maintain and operate the
12 backup PSAP for testing and fail-over operation to a back-up PSAP pursuant to Rule 06C.0206;

13 (3) Procedures related to the CEMP ~~required in Rule Rule .0205 of this Section; of this Section;~~

14 (4) Emergency response personnel emergencies;

15 (5) Activation of an emergency distress function;

16 (6) Assignment of incident radio communications plan;

17 (7) Time limit for acknowledgment by units that have been dispatched;

18 (8) Responding to and processing TDD /TTY calls or other calls from hearing impaired callers;

19 (9) To provide requirements for dispatching of appropriate emergency response personnel.
20 Communications between the PSAP and emergency response agencies;

21 (10) Procedures for answering open-line or "silent calls"; ~~and~~

22 (11) Maintaining training records for each employee as required by the PSAP. ~~For training required by~~
23 the PSAP?

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

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

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

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

32 (i) Attempt to contact the ERU(s) by radio;

33 (ii) Re dispatch the ERU (s) using the primary dispatch system;

34 (iii) Dispatch the ERU(s) using the secondary dispatch system; or

35 (iv) Initiate two way communication with the ERU's supervisor.

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

Text changes are highlighted for ease of review.

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

3

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

5 *Eff.*

6

Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .0208-0210 is proposed for adoption as follows:

09 NCAC 06C .020802010 PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES

(a) General. To establish the required levels of performance and quality of installations of emergency services communications systems. ~~This isn't a sentence. What are you saying?~~

(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) All 911 system equipment, software, and services used in the daily operation of the PSAP shall be kept in working order at all times.

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

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

Text changes are highlighted for ease of review.

1 ~~(8) The design of the PSAP shall be based on the number of personnel needed to handle peak~~
2 ~~workloads 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)~~ (4) Penetrations people know what this means^[BR15]? Should you define it more? into the PSAP shall
11 be limited to those necessary for the operation of the center.

12 (b) Power.

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

15 (2) ~~Power sources shall be monitored for integrity, with annunciation provided in the operations room.~~
16 ~~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~~
22 ~~on duty or available at all times.~~

23 (3) ~~Secondary Power Source. Primary Power Source. One of the following shall supply primary~~
24 ~~power:~~

25 (A) ~~The secondary power source shall consist of one or more standby engine-driven~~
26 ~~generators. The PSAP shall ensure that a person specifically trained in its operation is on~~
27 ~~duty or available at all times. A feed from a commercial utility distribution system;~~

28 (B) ~~Upon failure of primary power, transfer to the standby source shall be automatic. An~~
29 ~~engine driven generator installation or equivalent designed for continuous operation,~~
30 ~~wherewith a person specifically trained in its operation is on duty at all times; or~~

31 (C) ~~An engine driven generator installation or equivalent arranged for cogeneration with~~
32 ~~commercial light and power, wherewith a person specifically trained in its operation is on~~
33 ~~duty or available at all times.~~

34 (4) ~~Engine-driven generators shall be sized to supply power for the operation of all functions of the~~
35 ~~PSAP.~~

Text changes are highlighted for ease of review.

- 1 (A) When installed indoors, engine-driven generators shall be located in a ventilated and
2 secured area that is separated from the PSAP by fire barriers having a fire resistance
3 rating of at least 2 hours.
- 4 (B) When installed outdoors, engine-driven generators shall be located in a secure enclosure.
- 5 (C) The area that houses an engine-driven generator shall not be used for storage other than
6 spare parts or equipment related to the generator system.
- 7 (D) Fuel to operate the engine-driven generator for a minimum of 24 hours at full load shall
8 be available on site.
- 9 (E) Equipment essential to the operation of the generator shall be supplied with standby
10 power from the generator.
- 11 (F) Generators shall not use the public water supply for engine cooling.
- 12 (5) A Stored Emergency Power Supply System (SEPSS) shall be provided for telecommunications
13 equipment, two-way radio systems, computer systems, and other electronic equipment determined
14 to be essential to the operation of the PSAP.
- 15 (A) The SEPSS shall be of a class that is able to maintain essential operations long enough to
16 implement the formal Comprehensive Emergency Management Plan.
- 17 (B) The instrumentation required to monitor power shall be remotely annunciated in the
18 operations room.
- 19 (6) Power circuits shall include their associated motors, generators, rectifiers, transformers, fuses, and
20 controlling devices.
- 21 (7) The power circuit disconnecting means shall be installed so that it is accessible only to authorized
22 personnel of the PSAP^[BR16]?
- 23 (8) “Surge Arresters” otherwise known as “Transient Voltage Surge Suppression (TVSS)” shall be
24 provided for protection of telecommunications equipment, two-way radio systems, computers, and
25 other electronic equipment determined by the PSAP^[BR17] to be essential to the operation of the
26 PSAP.
- 27 (9) Isolated Grounding System. Telecommunications equipment, two-way radio systems, computers,
28 and other electronic equipment determined to be essential by the PSAP^[BR18] to the operation of
29 the PSAP shall be connected to an isolated grounding system.
- 30 (10) Engine driven generators shall be sized to supply power for the operation of all functions of the
31 PSAP.
- 32 (A) When installed indoors, engine driven generators shall be located in a ventilated and
33 secured area that is separated from the PSAP by fire barriers having a fire resistance
34 rating of at least 2 hours.
- 35 (B) When installed outdoors, engine driven generators shall be located in a secure enclosure.
- 36 (C) The area that houses an engine driven generator shall not be used for storage other than
37 spare parts or equipment related to the generator system.

Text changes are highlighted for ease of review.

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

3 ~~(E) Equipment essential to the operation of the generator shall be supplied with standby~~
4 ~~power from the generator.~~

5 ~~(F) Generators shall not use the public water supply for engine cooling.~~

6 ~~(H)~~ (10) Uninterruptible Power Supply (UPS) and Battery Systems. A UPS and battery system shall be
7 installed in accordance with local, State, and the Federal safety regulations and be sufficient to
8 prevent power surges from damaging equipment in the PSAP as well as provide power for all
9 essential 911 Center operations until the back-up power source can be fully activated.

10 (A) Each UPS shall be provided with a bypass switch that maintains the power connection
11 during switch over and is capable of isolating all UPS components while allowing power
12 to flow from the source to the load.

13 (B) The following UPS conditions shall be annunciated in the operations room:

14 (i) Source power failure, overvoltage, and under-voltage;

15 (ii) High and low battery voltage; and

16 (iii) UPS in bypass mode.

17 (C) The UPS and Battery Systems shall be capable of providing power for the PSAP when
18 the Primary Power Source is not functioning but the duration of the outage is not
19 sufficient to activate the Secondary Power Source.

20
21 History Note: Authority G.S. 62A-42;

22 Eff.
23

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0209-0211 is proposed for adoption as follows:

2
3 **09 NCAC 06C .020902100211 TELEPHONES**

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

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

7 (1) PSAPs shall be equipped with telephone lines and telephone devices shall be provided as follows:

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

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

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

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

16 (2) 911 lines and 911 telephone devices willshallshall be answered prior to non-emergency telephone
17 lines and non-emergency telephone devices.

18 (3) When all 911 telephone lines and 911 telephone devices are in use, 911 calls shall hunt to other
19 predetermined telephone lines and telephone devices that are approved by the PSAP.

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

21 (5) When transferring a 911 call pursuant to .0209-0211(a)(4, 5) a PSAP receives an emergency 911
22 call for a location or an agency that is not in its jurisdiction, the PSAP shall transfer the call data
23 directly to the responsible designated PSAP when possible. When possible the call data will be
24 transferred with the emergency 911 call. If the call data transfer method is not possible, call
25 information data shall be relayed by the telecommunicator.

26 (A) The telecommunicator shall remain on the line until it is certain that the transfer has been
27 made and the originating telecommunicator verifies the transfer has been successfully
28 completed by hearing both parties speaking to each other.

29 (6) All 911 calls shall be recorded.

30 ~~(e)~~ (b) Circuits/Trunks.

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

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

36 (3) The PSAP shall have sufficient 911 trunk capacity to receive 99.9% of all calls during the busiest
37 hour of the average week of the busiest month of the year.

Text changes are highlighted for ease of review.

1 ~~(d)~~ (c) 911 Number Alternative Routing.

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

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

6 ~~(3)~~ Where overflow calls to 911 emergency telephone lines and emergency telephone devices are
7 routed to alternative telephone lines and alternative telephone devices within the PSAP, the
8 alternative telephone lines and alternative telephone devices shall be monitored for integrity and
9 recorded as required by these Rules, and by the Board's standards, policies and procedures for the
10 replaced lines and devices.

11
12 *History Note: Authority G.S. 62A-42;*

13 *Eff. July 1, 2012*
14

Text changes are highlighted for ease of review.

09 NCAC 06C .0210-0212 is proposed for adoption as follows:

09 NCAC 06C .021002110212 DISPATCHING SYSTEMS

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

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

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

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

~~(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 an 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.~~

~~(e)(b) The radio communications system, dispatch paths and devices necessary to complete 911 call taking shall be monitored by the PSAP [BR19]? for integrity shall to detect faults and failures, in the following ways: Detected faults and failures in the radio communications system shall cause audible or visual indications to to do what [BR20]? be provided an attended location within the PSAP.~~

~~(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, 2012

Text changes are highlighted for ease of review.

09 NCAC 06C .021~~43~~ is proposed for adoption as follows:

09 NCAC 06C .021~~1021~~20213 COMPUTER AIDED DISPATCHING (CAD) SYSTEMS

(a) General:

(1) PSAPs shall use computer-aided dispatching (CAD) systems. These systems shall conform to the Rules in this Section. The CAD system shall contain all hardware and software components necessary for interface with the 911 system.

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

(1) The PSAP shall provide software that is for or part of The CAD system shall that will provide 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.

(2) The CAD system shall include a data back-up system, utilizing either removable media or independent disk storage arrays dedicated to the back-up task and additional equipment as needed.

(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 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 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 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.

(4) Monitoring for Integrity:

(A) The system shall continuously monitor the CAD interfaces for equipment failures, device exceptions, and time-outs. Upon detection of faults or failures, the system shall send an appropriate message to whom and what do you mean by appropriate? consisting of visual and audible indications. The system shall provide A log of system messages and transactions shall be generated and retained, for how long [BR21]?

Text changes are highlighted for ease of review.

1 ~~(B) — The system shall, upon detection of faults or failures, send an appropriate message~~
2 ~~consisting of visual and audible indications.~~

3 ~~(3) — The system shall provide a log of system messages and transactions.~~

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

6 ~~(b) Secondary Method.~~

7 ~~(b) PSAPs shall maintain a secondary CAD method and shall be available for use in the event of a failure of~~
8 ~~the CAD system.~~

9 ~~(c) Security.~~

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

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

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

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

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

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

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

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

25 ~~(e) The CAD system should~~ Rules are not aspirational statements; you need to state what is required. This is
26 ~~because rules establish standards; the Board may punish someone if they don't do what is required. If "shall"~~
27 ~~won't work, then we need to discuss what you can mandate and have you put that in rule.~~[BR22] have the capability
28 ~~to allow 911 call data exchange between the CAD system and other CAD systems, and between the CAD system~~
29 ~~and other systems.~~

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

32 ~~(e) CAD Capabilities.~~

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

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

Text changes are highlighted for ease of review.

1 ~~before, during, and after emergency calls, preserving records of those emergency 911 calls and~~
2 ~~status changes for later 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) performance shall include:

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

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

11 (B) ~~The CAD system shall~~ 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~~
14 ~~emergency operations take precedence.~~

15 (2) ~~The CAD system shall~~ Detecting errors, faults or failures. by:

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-two seconds, measured~~
21 ~~from the time a telecommunicator completes a keyboard entry to the time of full display of the~~
22 ~~system 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~~
24 ~~planned maintenance.~~

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

26 (g) Backup.

27 (1) ~~— The CAD system shall include a data backup system, utilizing either removable media or~~
28 ~~independent disk storage arrays dedicated to the backup task.~~

29 (h) Redundancy.

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

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

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

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

Text changes are highlighted for ease of review.

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

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

9 ~~(2) Monitoring for Integrity.~~

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

12 ~~(B) The system shall, upon detection of faults or failures, send an appropriate message~~
13 ~~consisting of visual and audible indications.~~

14 ~~(3) The system shall provide a log of system messages and transactions.~~

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

17
18 *History Note: Authority G.S. 62A-42;*

19 *Eff. July 1, 2012*

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Text changes are highlighted for ease of review.

1 09 NCAC 06C .0212-0214 is proposed for adoption as follows:

3 **09 NCAC 06C .021202130214 TESTING**

4 (a) ~~General.~~

5 (1) Tests and inspections of all systems necessary for receiving 911 calls and completing the call
6 taking process shall be made at the regular ~~define this term~~ intervals specified in a PSAP standard
7 operating procedures established under Rule .0209 of this Section.

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

10 (3)(c) When tests indicate that trouble has occurred, detect failure or poor performance anywhere on the system,
11 one of the following shall be required: the PSAP shall take appropriate steps within their scope of training
12 to repair the fault or isolate the failure or poor performance fault and to notify the person(s) responsible for
13 repair/maintenance.

14 (A) The telecommunicator shall take appropriate steps within their scope of training to repair
15 the fault.

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

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

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

21 (b) ~~Acceptance Testing.~~

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

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

27 (c) ~~Power.~~

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

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

32 *Eff. July 1, 2012*

33

Text changes are highlighted for ease of review.

09 NCAC 06C .0213-0215 is proposed for adoption as follows:

09 NCAC 06C .021302140215 RECORDS

(a) General.

(1) ~~Complete~~ Write in the active voice. ~~“PSAPs shall maintain records”~~ Records ~~to ensure operational capability of all system functions shall be maintained for a minimum of at least five (5) years~~ or the life of the system.

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

(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. 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.

(d) Operational Records.

(1) Call and dispatch performance statistics shall be compiled and 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 911 calls and dispatched 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 911 call receiving equipment and 911 call dispatching equipment.

(2) All maintenance records shall include the date, time, nature of maintenance, and repairer's name and affiliation.

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

Text changes are highlighted for ease of review.

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Eff. July 1, 2012

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0216 is proposed for adoption as follows:

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3 **09 NCAC 06C .0216 ASSESSING PSAP OPERATIONS**

4 (a) The Board shall conduct reviews of PSAP operations to determine whether a PSAP meets Section .0200 of these
5 rules.

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

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

9

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

11 Eff.

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Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 06C .0301 is proposed for adoption as follows:

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

9 NCAC 06C .0301 REGISTRATION OF CMRS SERVICE PROVIDERS

(a) CMRS service providers, or any reseller of any commercial mobile radio service, which receive authority to serve any area within the State of North Carolina, shall register within 30 calendar days 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 name of CMRS service provider;

(2) All business names used by the CMRS service provider in North Carolina;

(3) 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 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 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.

If you are relying upon the FCC Order, you need to give the citation in the History Note

History note: Authority: G.S. 62A-42; 62A-45; Title 47 Code of Federal Regulations

Eff.

Text changes are highlighted for ease of review.

09 NCAC 06C .0302 is proposed for adoption as follows:

9 NCAC 06C .0302 CMRS SERVICE PROVIDER REIMBURSEMENT PLANS

(a) Any CMRS service provider desiring reimbursement of eligible expenses from the 911 Fund ~~must~~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 informed~~its decision, CMRS service providers seeking reimbursement shall:

- (1) Upon receipt of a request for wireless Enhanced 911 service from a primary PSAP, the CMRS service provider ~~will~~shall develop an implementation plan as set forth in ~~paragraph~~ Paragraph (b) below 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, excluding confidential information, ~~will~~shall be presented to the requesting PSAP. Upon acceptance of the Plan by the PSAP, the CMRS service provider ~~will~~shall present the Plan to the Board for approval.

(b) The 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 areas, or statewide, as may be appropriate and relevant to the cost recovery plan;
- (3) Indicate all counties and ~~or You cannot use "and/or" in rule. State one or the other.~~ municipalities of the state in which the CMRS service provider provides wireless Enhanced 911 service and where deployment is expected;
- (4) Indicate areas of the state, if any, where deployment has already occurred;
- (5) List the known cost elements for the deployment, including non-recurring and recurring charges;
- (6) Provide statewide costs, if possible;
- (7) Describe personnel costs (estimated number of hours and rates) and actual or proposed third party service rates, if any; and
- (8) Include an accounting of the estimated total of service charges that the CMRS 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 this Rule, it may submit its request and documentation supporting its request to the Board at least 15 days prior to the Board's next scheduled meeting. The Board ~~will~~shall consider the exception request at its next scheduled meeting and shall convey its decision in writing to the requesting CMRS service provider.

Text changes are highlighted for ease of review.

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History note: Authority G.S. 62A-45; 62A-52;
Eff.

Draft changes with RRC comments

Text changes are highlighted for ease of review.

09 NCAC 6C .0303 is proposed for adoption as follows:

09 NCAC 06C .0303 Cost Recovery Plan Review

(a) The Board may establish a committee to review CMRS service providers' cost recovery plans.

(b) Any committee shall include the Board's Executive Director, 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 cannot be members of this committee.

(1) The initial plan presented to the Cost Recovery committee is intended to allow for the recovery of a CMRS service provider's cost on a one-time basis ~~and/or~~ recurring (monthly) basis. The Board may create and periodically revise a list of permitted expenditures consistent with G.S. 62A-45.

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

(3) The committee 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, the committee shall provide the reason, in writing, to both the Board and the CMRS service provider. The subcommittee shall indicate whether the Plan complies with the limitations of G.S. 62A-45(a).

(c) After review by the committee, the CMRS service provider 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 shall not approve reimbursement of any amount in excess of the actual cost of the CMRS service provider in providing Enhanced 911. The Board shall vote on the plan and provide the CMRS service provider, in writing and within 5 working days, either approval or denial. If rejected, the Board shall provide documented reasons. 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, shall be reimbursed upon submission of sworn invoices. Reimbursements shall be made in accordance with the approved plan.

(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 or Board requires.

(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.

History Note: Authority G.S. 62A-45;

Eff.

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0304 is proposed for adoption as follows:

2

3 **9 NCAC 6C .0304 CMRS SERVICE PROVIDER REIMBURSEMENT**

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

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

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

18

19 ~~If you are relying upon the FCC Order for authority for this, you need to have it in the History Note.~~

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

21 Eff.

22

Text changes are highlighted for ease of review.

1 ~~09 NCAC 06C.0305 is proposed for adoption as follows:~~

2
3 **9 NCAC 6C.0305 — CMRS SERVICE PROVIDER REPORTING**

4 ~~(a) CMRS service providers shall submit quarterly reports to the Board that identify or graphically depict areas of~~
5 ~~the state in which wireless or enhanced wireless 911 services have been implemented and indicating the schedule, if~~
6 ~~known, for implementing such services in the CMRS service providers' remaining service areas.~~

7 ~~(b) Each CMRS service provider shall file an annual report with the Board, by February 15th of each year that~~
8 ~~provides total customer count as of December 31 of the preceding year. This annual report, as well as the required~~
9 ~~monthly reports, shall be Both reports are subject to verification by the Board.~~

10
11 ~~History note: Authority G.S. 62A-45; 62A-51;~~

12 ~~Eff.~~

Draft changes with RRC comment

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0306-0305 is proposed for adoption as follows:

2
3 **9 NCAC 06C .030603050305 REMITTANCE OF SERVICE CHARGES**

4 (a) Service providers shall remit service charges to the 911 Board at the address listed in 06C .RuleRule .0102 of
5 this Subchapter.

6 911 Board

7 Information Technology Services

8 P.O. Box 17209

9 Raleigh, NC 27619 7209

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

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

14 (d) The Office of Information Technology Services (ITS) Fiscal Services willshallshall act as the receiving agent
15 for the service providers' monthly reimbursements and as the administrator of the 911 Fund.

16 (e) Funds willshallshall be deposited in accordance with the State Cash Management Plan. ~~If this is internal~~
17 ~~management and does not meet the definition of rule, then you don't need it here.~~

18
19 History note: Authority G.S. 62A-43; 147-86.11;

20 Eff.

21

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0307-0306 is proposed for adoption as follows:

2
3 **09 NCAC 06C .030703060306 PREPAID WIRELESS SERVICE**

4 (a) A voice communications service provider of prepaid wireless service is not responsible for collecting and
5 remitting the service charge to the Board for deposit in the 911 Fund.

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

8 (c) Rules .0109 and .0110 through .0114 governing hearings and declaratory rulings shall not apply to a voice
9 communications service provider of prepaid wireless service for issues arising under the administration authority of
10 the Department of Revenue. ~~This does not convey what you intend to state.~~

11 (d) Contract or other information submitted to the Board by a voice communications service provider of prepaid
12 wireless service may be proprietary under G.S. 62A-52. Service providers ~~must~~shall mark any proprietary or
13 other non-public information as such before sending to the Board.

14
15 History Note: Authority G.S. 62A-43; 62A-44; 62A-54;

16 Eff.
17

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0401 is proposed for adoption as follows:

2
3 **SECTION .0400 – GRANT FUND**

4
5 **09 NCAC 06C .0401 PSAP GRANTS**

6 (a) After establishing a Grant Account, the Board shall publish a notice on its website^[BR23] of grant availability to
7 primary PSAPs and governing entities operating primary PSAPs.

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

9 (c) Each applicant applying for grant funds shall complete and submit an application, in the form prescribed by the
10 Board, which is incorporated herein by reference and which may be obtained from the Board office at the following
11 address listed in 06C .0102.

12 e/o NC Office of Information Technology Services

13 P.O. Box 17209

14 Raleigh, NC 27609

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

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

22
23 History note: Authority G.S. 62A-47;

24 Eff.

Text changes are highlighted for ease of review.

09 NCAC 06C .0402 is proposed for adoption 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, PSAP Grants for Construction, shall apply only to new construction and construction renovations funded by the North Carolina 911 Board. ~~Existing PSAP facilities are encouraged to meet these rules, but are not required to meet these rules. Rules are not aspirational statements. You cannot have this sentence.~~

(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) 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.

(3) Exterior entryways to the PSAP that lead directly from the exterior shall be protected by have a security vestibule. "Security Vestibule" means comprising a compartment provided with two or

Text changes are highlighted for ease of review.

1 more doors ~~where the intended purpose is~~ to prevent continuous and unobstructed passage by
2 allowing the release of only one door at a time.

3 (4) Door openings shall be protected by listed, self-closing fire doors that have a fire resistance rating
4 of not less than 1 hour.

5 (5) Where a PSAP has windows, the following requirements shall apply:

6 (A) Windows shall be a minimum of 4 ft (1.2 m) above floor level.

7 (B) Windows shall be rated for bullet resistance to Level 4 as defined in UL 752, Standard
8 for Safety Bullet-Resistant Equipment. ~~Incorporate by reference? If you want to use this,~~
9 do that.

10 (C) Windows that are not bullet resistant shall be permitted provided that they face an area
11 that cannot be accessed or viewed by the general public.

12 (D) Windows that are required to be bullet resistant shall be configured so that they cannot be
13 opened.

14 (E) Walls with bullet-resistant windows shall be required to provide the same level of
15 protection as the window.

16 (6) Means shall be provided to prevent unauthorized vehicles from approaching the building housing
17 the PSAP to a distance of no less than 82 ft (25 m).

18 (7) As an alternative to prevent unauthorized vehicles, unauthorized vehicles shall be permitted to
19 approach closer than 82 ft (25 m) if the building has been designed to be blast resistant.

20 What is the point of (6) and (7)? And it appears they should be combined.

21 (e) Lighting.

22 (1) Artificial lighting shall be provided to enable personnel to perform their assigned duties.

23 (2) The PSAP shall be equipped with emergency lighting that shall illuminate automatically
24 immediately upon failure of normal lighting power.

25 (3) Illumination levels shall be sufficient to allow all essential operations.

26 (f) Circuit Construction and Arrangement.

27 (1) As-built drawings shall be provided.

28 (2) Circuits shall not pass over, under, through, or be attached to buildings or property that are not
29 owned by, or under the control of, the PSAP or the entity that is responsible for maintaining the
30 system.

31 (3) 911 call instruments installed in buildings not under control of the PSAP shall be on separate
32 dedicated circuits.

33 (4) The combination of public emergency services communication and signaling (C&S) circuits in the
34 same cable with other circuits shall comply with the following:

35 (A) Other municipally controlled C&S circuits shall be permitted; or

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

Text changes are highlighted for ease of review.

1 (g) Underground Cables.

- 2 (1) Underground communication and signal cables shall be brought above ground only at points
3 where the PSAP has determined there is no potential for mechanical damage or damage from fires
4 in adjacent buildings.
- 5 (2) All cables that are installed in manholes, vaults, and other enclosures intended for personnel entry
6 shall be racked and marked for identification.
- 7 (3) Cable splices, taps, and terminal connections shall be located only where accessible for
8 maintenance and inspection and where no potential for damage to the cable due to falling
9 structures or building operations exists.
- 10 (4) Cable splices, taps, and terminal connections shall be made to provide and maintain levels of
11 conductivity, insulation, and protection that are at least equivalent to those afforded by the cables
12 that are joined.

13 (h) Aerial Cables and Wires. Protection ~~what kind of protection?~~ shall be provided where cables and wires pass
14 through trees, under bridges, and over railroads, and at other locations where damage or deterioration is possible.

15 (i) Wiring Inside Buildings.

- 16 (1) Wiring at the PSAP shall extend to the operations room in conduits, ducts, shafts, raceways, or
17 overhead racks and troughs of a construction type that protects against fire and mechanical
18 damage.
- 19 (2) Cables or wiring exposed to fire hazards shall be protected from the hazards.
- 20 (3) Wiring at the PSAP, cable terminals and cross connecting facilities shall be located either in or
21 adjacent to the operations room.
- 22 (4) All wired dispatch circuit devices and instruments whose failure can adversely affect the operation
23 of the system shall be mounted in accordance with the following:
- 24 (A) On noncombustible bases, pedestals, switchboards, panels, or cabinets; and
25 (B) With mounting designed and constructed so that all components are readily accessible.

26 (j) Circuit Protection.

- 27 ~~(1)~~ All surge arresters shall be connected to earth ground.
- 28 ~~(2)~~ (1) All protective devices shall be accessible for maintenance and inspection.
- 29 ~~(3)~~ (2) Wired surge arresters shall be designed and listed for the specific application.
- 30 ~~(4)~~ (3) Each conductor that enters a PSAP from a partial or entirely aerial line shall be protected by a
31 surge arrester.

32 (k) Grounding.

- 33 (1) Sensitive electronic equipment determined by the PSAP to be essential to the operation of
34 telecommunications and dispatching systems shall be grounded.
- 35 (2) Listed isolated ground receptacles shall be provided for all cord-and-plug-connected essential and
36 sensitive electronic equipment.
- 37 (3) Unused wire or cable pairs shall be grounded.

Text changes are highlighted for ease of review.

1 (4) Ground connection for surge suppressors shall be made to the isolated grounding system.

2 (5) All surge arresters shall be connected to earth ground.

3 (1) All equipment shall be accessible to PSAP personnel and contractors^{[BR24]?} for the purpose of maintenance.

4

5 History Note: Authority G.S. 62A-42; 62A-47;

6 Eff.

7

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0403 is proposed for adoption as follows:

2

3 **9 NCAC 06C .0403 GRANT AGREEMENTS**

4 (a) Grant agreements shall comply with ~~requirements of N.C.G.S. 143C and administrative rules~~ **N.C.G.S. 62A-47.**

5 (b) Unless otherwise determined by the Board ~~based upon what?~~ **based upon the grant application,** grant agreements
6 ~~will have~~ **shall be for** a term not to exceed one year.

7 (c) Grant agreements shall include terms ensuring compliance with N.C.G.S. 159-26, 159-28, and 159-34.

8

9 *History note:* Authority G.S. 62A-42; 62A-47; 143C-6-22,-23;

10 Eff.

11

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 09 NCAC 06C.0404 is proposed for adoption as follows:

2

3 ~~9 NCAC 6C.0404~~ **GRANT APPLICATION APPROVAL**

4 ~~(a) The Board will approve grants for leased equipment only if the applicant can demonstrate that a lease agreement~~
5 ~~would be financially beneficial to the grant program.~~

6 ~~(b) Priorities for awarding of grants will be determined by the Board.~~

7

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

9 ~~Eff.~~

10

Draft changes with RRC comments

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0405 is proposed for adoption as follows:

2

3 **9 NCAC 06C .04050404 GRANT FUNDS**

4 (a) Grant funds shall be deposited in a bank account maintained by the applicant, ~~they're not really an applicant~~
5 ~~anymore, are they? More like grantee?~~ and the grantee shall assign each grant ~~shall be assigned~~ a unique
6 accounting code designation for deposits, disbursements, and expenditures. All ~~Grant-grant~~ funds in the account
7 shall be accounted for separately from other grantee funds. Grant funds may be used only between the beginning
8 and ending dates of the grant, ~~unless a grantee requests an extension how? Just in writing?~~ and it is granted by the
9 **Board.**

10 (b) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or
11 transferred within three years of the end of the grant period, the grantee ~~must~~~~shall~~ return the grant funds to the
12 Board on a pro-rata basis.

13

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

15 *Eff.*

16

Text changes are highlighted for ease of review.

1 09 NCAC 06C .0406 is proposed for adoption as follows:

2

3 **09 NCAC 06C .04060405 GRANTEE REPORTS**

4 (a) Grantees ~~must~~shall submit reports to the Board summarizing expenditures of the grant funds and the
5 activities supported by the grant funds.

6 (b) Unless otherwise stated in a Grant Agreement, the reports are due 15 days after the end of the reporting periods,
7 which end September 30, December 31, March 31, and June 30.

8 (c) A final report ~~must~~shall be submitted to the Board no more than 45 days after completion of the grant,
9 detailing the activities, expenditures of the funds, and the ways in which the needs identified in the grant application
10 were met. The final report ~~must~~shall be accompanied by supporting documentation for all expenditures of the
11 grant funds.

12

13 History Note: Authority G.S. 62A-47; 143C-6-22; 143C-6-23;

14 Eff.