

**COMMENTS OF THE ILLINOIS CHAPTER OF THE
NATIONAL EMERGENCY NUMBER ASSOCIATION (INENA)
AND THE ILLINOIS CHAPTER OF THE ASSOCIATION OF
PUBLIC-SAFETY COMMUNICATIONS OFFICIALS (ILAPCO)
TO THE SECOND STAFF REWRITE OF PART 725 OF THE
ILLINOIS ADMINISTRATIVE CODE**

The **Illinois Chapter of the National Emergency Number Association (INENA)** and the **Illinois Chapter of the Association of Public-Safety Communications Officials (ILAPCO)** file these informal comments to the Second Staff Rewrite of Part 725 of the Illinois Administrative Code. As the organizations representing public safety dispatch throughout Illinois, and on behalf of our respective membership, we believe that this rewrite of Part 725 presents an opportunity to open the door for the transition to Next Generation 911. As Staff states in the opening paragraph of the rewrite, the Illinois Commerce Commission (ICC) is responsible, pursuant to the terms of the Emergency Telephone System Act (ETSA), 50 ILCS 750/1, to insure that the 9-1-1 system is used for the benefit and public safety of the residents of Illinois. We believe that the rapidly advancing technology of Next Generation 9-1-1 should be fostered and encouraged by the ICC in Part 725 and that the ICC should be leading the way to the transition to these new technologies.

On December 21, 2010 the Federal Communications Commission (FCC) adopted a Notice of Inquiry in the Matter of Framework for Next Generation 911 Deployment, Docket No. 10-255. In the opening paragraph of the Notice, the FCC stated:

“In the telecommunications industry overall, competitive forces and technological innovation have ushered in an era of advanced Internet-Protocol (IP) based devices and applications that have vastly enhanced the ability of the public to communicate and send and receive information. At the same time, our legacy circuit switched 911 system is unable to accommodate the capabilities embedded in many of these advanced technologies, such as the ability to transmit and receive photos, text messages, and video.”

Next Generation 911 is here today. We believe that the ICC, INENA and ILAPCO should be partnering to expand the 9-1-1 infrastructure and capabilities in Illinois, not limit it.

Proposed Part 725.101 limits the adoption of NG systems to the one approved Regional Pilot Program. While we understand that the legislature has only approved this one program, this is the perfect opportunity to expand the capability to accept NG technologies. In the proposed rules, waivers of Commission rules can only be effective for 1 year. We do not feel that a system,

moving to new technologies should be forced to constantly seek waivers? The Rules should be written to encourage the new technologies.

Another example of the suggested Rules frustration of the change in technology is found in proposed Rule 725.205. This rule focuses on the filing of plans to modify an existing certification of a 9-1-1 system to operate with Next Generation technology. At subsection (f) Staff has set out the requirements for the plan. These include an explanation of the benefits of the technology and a “cost/benefit” analysis of the technology. These rules suggest that the current circuit switched technology is somehow better than NG and a 9-1-1 system should have to justify its change to the new technology. As recognized by the FCC, NG technology is here and systems should not have to justify the transition. Other points in that same section suggest comparison to the legacy networks which, again, as the FCC recognizes; simply do not have the capacity to accommodate these new communication capabilities.

We offer the following specific comments:

SUBPART A: General Provisions

Section 725.100 Application of Part

(Last paragraph, 2nd sentence) This code part pertains to **landline(wireline) 9-1-1 service only** regardless of the technology provisioned by the 9-1-1 system provider and 9-1-1 authority for the delivery of 9-1-1 service.

Last paragraph “TC” excludes NG since a cellular or mobile communication carrier is excluded. Where does Skype, etc fall in? Why can’t we change the verbiage so that Next Gen is allowable?

Definitions: “Network Connections” delete it. In the statute. Anyway, [220 ILCS 750/2.12(a)] no such statute.

“Qualified Governmental Entity” delete it. In the statute.

Section 725.200 General Requirements

- a) Should we change seven digit to ten digit? Or utilize both in the language?
- b) Is the purpose of this to prevent funding a “reverse 911” type mass notification system using ETSB monies? If so, let’s clarify that more to prevent the need to have the AG comment.
- h) Any The following modifications to a 9-1-1 authority’s an existing 9-1-1 system plan shall be formally submitted to the commission for approval etc.

What is of concern here is timeframe. The following Section 725:205 a) tentative plan (which might be required when transitioning to NG9-1-1) shall be submitted at LEAST ONE YEAR prior to the proposed on-line date. Section 725:205 c) requires that a final

plan be formally submitted no later than six months prior to the planned on-line date. Based on a) & c) this could to be extended to total, ONE YEAR and A-HALF.

Section 725.205 Plans: Tentative, Final and Modifications

- a) Is one year too restrictive? What if a 911 Authority through a grant or budgetary constraints has less than a year to complete this? Would they be excluded from obtaining 911?
- e)5) Exhibit 5: 9-1-1 system is responsible to identify all telecommunication carriers and Interconnected VoIP providers.
- e)11) Any contract, intergovernmental agreement requires a modification & final plan which may be extended to ONE YEAR and A-HALF before deployment.
- f) The advancement of modern communication technology has encouraged the development of a more advanced system to access 9-1-1 systems. Modification plan has been submitted, another YEAR and A-HALF.
- f)1) We do not feel a PSAP should have to justify advancing their system to the ICC?

Section 725.210 Order of Authority

(1st paragraph) The ETSB of a proposed 9-1-1 system shall file petition for an order of authority to operate a 9-1-1 system, etc. Section 725.310 ETSB requires the corporate authority must impose a surcharge to establish an ETSB.

(2nd paragraph) The commission was granted authority to set technical standards for provisioning 9-1-1 services, etc. 50 ILCS 750/10 Section 9 requires: the Commission is directed to consult at regular intervals with the State Fire Marshal, the Department of Public Health, the Department of Transportation, the public utilities in this State providing telephone service, the Department of State Police, and the State Division of Forestry. Have these agencies signed off on these standards?

What happens to 9-1-1 Authorities that are currently authorized to provide 9-1-1 service but do not impose a surcharge?

- 9)c&d) This may be a good opportunity to add language that forces Cities/Villages to deposit this in an account separate from the general fund. Some do this and keep a separate ledger. It is our opinion that monies shouldn't co-exist. Providing this language can only ease the audit process.
- 9)e) For PSAPs run by police or fire departments, it may be hard to report the total annual 911 operating costs as they are often split between budgets. This

restriction would put an undue burden on the PSAP to change budgetary methods as they are often dictated by a City/Village/County Finance Department. For example, some PSAPs run with an E911 budget and a Section of the General Budget (Records & Communications). Salaries, contracts and purchase are split, but all go towards maintaining the PSAP.

Section 725.215 Records and Reports

- c)10?) We recommend adding the following: Quarterly accounting of access lines provided to the 9-1-1 authority by Access infrastructure Providers and Telecommunications Carriers.

Section 725.400 9-1-1 Authority

- a) *Shall obtain the Commission's authorization pursuant to Section 725.210.* This continues to indicate that there must be an ETSB to be a 9-1-1 authority, and can only be an ETSB if there is a surcharge imposed.
- f) If the 9-1-1 authority signs a contract with a 9-1-1 service provider, does that void all tariffs?
- h) We feel that "functional equivalent" needs to be better defined here.

Section 725.405 9-1-1 System Provider

- b) If there is not an ETSB due to the fact no surcharge is imposed, can the corporate authority be deemed a 9-1-1 authority?
- c) If contracts are in place, why are their tariffs?
- h)1) Are these tabular databases consistent with landline technology or are these Geo-Spatial Database for NG9-1-1?
- h)21) Same question as h)1); Are the 9-1-1 System Providers able to utilize geo-spatial databases with circuit based technology?

Section 725.410 Telecommunications Carriers

- k)2) Are telecommunications carriers providing tabular database or geo-spatial database downloads? This makes a significant difference.

Section 725.415 Public Safety Answering Points

- a) All 9-1-1 customer premise equipment used by the PSAP must be compatible with 9-1-1 system provider's equipment and transport arrangements.

The 9-1-1 Authority is being forced to the PSTN. The PSTN was never designed, nor capable of passing Session Initiated Protocol (SIP) traffic.

- e) (last sentence) A 9-1-1 system should be designed so that an emergency call will never be transferred more than once. We realize there is always a chance of the caller hanging up or dropped when transferred, but would hate to limit a telecommunicator with the number of transfers.

- j) What is the definition and intent of the virtual PSAP?

- k)1) We feel that minimum training standards should be increased to 80-hours (one month) for newly hired telecommunicators. This would consist of documented in-house or other formalized training/certification. Those PSAPs providing EMD should be increased to 104 hours (to accommodate for the 24 hour/3-day certification). Many current training programs are approximately 240 hours (3 months) so we don't feel this would be an undue burden.

- k)2) 210 ILCS 50 is the Emergency Medical Services (EMS) Systems Act. Correct the typo if EMT.

- k)4?) It is recommended to add a mandate for quality assurance of the PSAP telecommunicators by the 911 Authority. A Q/A program should be in place and monitored by the Authority on a regular basis.

- m) We recommend that this be increased to 90 days. With the technology available and in place this should not be a burden on any PSAP. If there are "reel-to-reel" devices still in place consideration to grandfather would be acceptable. Once replaced they would then need to meet the 90 day standard.

- s) We feel that "emergency calls" should be replaced with "9-1-1 Calls." There is no way to know if a call is an emergency until which time it is answered. A PSAP having multiple 10-digit lines may let them ring while providing EMD or other emergency functions on a 9-1-1 circuit.

- v) Will the Authority management have access to this list to prevent the accidental acceptance into the system? Shouldn't this be the responsibility of the (contracted) 9-1-1 service provider instead of the 9-1-1 Authority?

725.500 Testing Procedures

- e)1) Who will dictate which test is to be completed and the frequency? The Authority or System Provider?

725.510 Electronic Communication Devices

This needs to be clarified. Should we assume that elevator phones, security pole phones, etc are included in this? What about pending EmFinder legislation?

725.515 Physical Security

- c) This needs to be clarified. Does this mean a PSAP located within a secured police/fire department (no access doors to a public area) has to have separate locked doors? Thus preventing immediate access to police, fire personnel unless they have a key or electronic swipe?

725.520 Database

- b) This section requires a court order but does not specify where it is to be sent? Why does the court become involved rather than a contract between the 911 Authority and the Database Provider? it does this court order go?
- l) It is difficult for a 911 Authority to retest/validate errors have been corrected. What is the ultimate goal? This may be a process in which the Database Provider should verify.

This entire section is problematic. It is unclear to us if the section is based on a tabular database or geo-spatial? Additional work will be required for 725.520.

In conclusion, when the Emergency Telephone System Act was first enacted into law by the General Assembly; it was not the intent to regulate Next Generation 9-1-1 Technologies. This technology didn't exist at that time. The intent was to regulate landline (wireline) technology.

Thank you for allowing the opportunity to provide feedback and written comments.