

HJ 7 Next Generation 911 Implementation Plan
Draft report from the NG 911 Working Group
February 18, 2016

I. HJ 7

(1) assess the state and federal regulatory and statutory environment affecting next-generation 9-1-1;

- Federal statutory and regulatory environment is permissive. No mandates. Yet.
 - NG 911 implementation policies take the form of recommendations and industry standards (e.g., NENA, NARUC, APCO)
 - See 47 CFR 20.18 regarding provider and PSAP location accuracy obligations
- State Statutory environment (MCA 10-4-101, ff)
 - An arcane, complicated statute that needs updating, especially to accommodate NG 911. (see section below on Legislation)
- State Regulatory environment
 - PSSB
 - 911 Council

(2) study and make recommendations for the implementation, management, and operation and ongoing development of next-generation 9-1-1 emergency communications services.

II. Working Group

- members representing a broad spectrum of interested parties
- monthly meetings since October
- consensus-based discussions

III. Definition

- An IP-based system comprised of managed IP-based networks (ESInets), functional elements (applications) and databases...designed to provide access to emergency services from all connected communications sources... (USDOT/NHSTA)

IV. Entry Points

- *Intrado chart:*
 - ESInets,
 - IP-PSAPs,
 - GIS, Enhanced data

V. Technology

- *Vision Net PSAP map (attached)*
- Today's landscape (Where we are today)
 - IP network backbone for 80% of PSAPs (calls) for more than 10 years.
 - One of first in the nation, putting MT ahead of most states

- TDM system for 20%
- 53 PSAPs
 - 15 “legacy” PSAPs on CenturyLink network; 60% of population
 - 41 on Vision Net, IP capable (80% of PSAPs can receive IP)
- 4 Selective Routers, none of which is IP ready
- **Recommendations**
 - Establish a statewide ESInet (statewide IP network backbone)
 - Upgrade/replace existing selective routers with IP routers
 - Upgrade all non-IP-capable PSAPs to IP capability
 - **Costs. Somewhere in the \$5 million neighborhood**

VI. Applications (GIS)

- **Recommendations**
 - Assess the status of GIS adoption/operation Counties
 - **Cost: \$80,000?**
 - The results of assessment will inform policymakers on how to proceed with standardization

VII. Operations

- Protocols, practices & procedures
- This is a wide-ranging discussion that’s taking place on the national level. Too early for state recommendations.

VIII. Funding

- Fee/assessment in an IP environment
 - How do we assess Skype, FaceBook, SnapChat, etc.?
 - Too soon to determine. National discussion
- No more than \$1.00
 - No interest politically in increasing the 911 fee (although there are many ideas regarding how to allocate the money raised)
 - Not enough data to determine if 911 fee is too little, or too much

IX. Migration Plan

- Coordination with other NG 911 platforms, jurisdictions
- National standards (still waiting)
- Measurement and testing
- Legal issues?
 - Privacy
 - Security
 - Liability
 - Cmr. Briggs particularly sensitive to PSAP/county liability if, for example, consumers expect a video 911 “call” to be received and processed when the PSAP county is not yet equipped.

- Need to define expectations, definition of “NG 911” so that counties can meet “baseline” requirements (e.g., text to 911, which most people do not consider “NG,” or some higher, but baseline standard).
- Counties/PSAPs may exceed baseline standard
- No quick resolution to question of how to manage consumer expectations, or how to maintain different capabilities among states, counties, PSAPs
- Wireless call data?
- **Recommendations**
 - Follow the Intrado “Entry Points,” starting with ESInet, IP PSAP upgrades, selective router replacement
 - Pilot project(s)?
 - Leverage Existing Infrastructure/investment
 - Cost efficiency, shared networks
 - Convergence of commercial, 911, public safety, FirstNet objectives and infrastructure
 - Can’t fund multiple, separate networks
 - Use Stranded Fund for initial infrastructure/capital upgrades, to enable compliance with baseline NG 911 deployment
 - e.g., fund ESInet, PSAP and router upgrades, subject to RFP, other sideboards (e.g. prohibition against using stranded funds to build networks)
 - Cannot us for non-911 purposes

X. Legislation

- Current statute is arcane, complicated
- **Recommendations (See 911 Advisory Council recommendations/concepts)**
 - Update statute to authorize Next Gen implementation
 - Establish baseline NG 911 standards
 - delegate implementation to local govt (Counties, PSAPs) to meet baseline expectations, with authority to exceed baseline on case-by-case option
 - Rulemaking: NG 911 principles (not standards)
 - Authorize sate (DoA, PSSB) to promulgate rules, subject to MAPA proceeding
 - Governance
 - Jurisdiction
 - State fund
 - Local authority
 - Distribution
 - 75/25?
 - Discussion (no consensus) on PSAP expectation that 75% of 911 funds raised should flow to PSAPs, and any additional funding necessary should be swept

- from the “wireless account” which comprises the other 25% of funds
- Need for predictability by both PSAPs and providers
 - Should total fund be managed like a grant process, whereby eligible recipients request funding on pre-approval basis, rather than automatic funding?
 - Should certain expenses (structures, personnel) be prohibited as eligible expenses?
- Need for prioritization of funding
 - Allowable costs/Capex
 - “surplus” funds
 - Consider a “minimum distribution” or Reserve fund that is created “off the top.”
 - E.g., 10% of Fund is set aside to fund administration (~3%) and remaining for CAPEX on on-going basis
 - PSAPs, however, reluctant to “fund” the “reserve” if it means reducing the 75% of funds which they receive currently
 - Discussion—no resolution—on administrative fee.
 - Current law allows for 2.74% of fund for DoA administrative expenses, but appropriations process (budget authority) can result in less
- Consolidation is elephant in the room, but should be optional, local decision.
 - General feeling that smaller PSAPs/Counties will recognize the financial necessity of consolidating facilities as compliance with NG 911 becomes more complex, and expensive.
- See recommendations of 911 Council

References

- NENA
- US DOT
- APCO
- NARUC
- Intrado
- GeoComm

Attachments/Appendices

- HJ 7
- Working Group Members
- Intrado Entry Points slide
- Vision Net PSAP map
- St. Library GIS demarcation/jurisdiction flow chart

Glossary (See NENA Master Glossary. 7/29/14)

- ESInet. Emergency Services IP Network. IP transport infrastructure upon which independent application platforms and core functional processes can be deployed.
- IP. Internet Protocol. The method by which data are sent on the Internet.
- PSAP. Public Service Answering Point (911 call center)
- TDM. Time Division Multiplexing. A digital transmission methodology.
- GIS. Geographic Information System. Allows for special reference.

9-1-1 Advisory Council Proposed Legislative Concepts

February 24, 2016

The 9-1-1 Advisory Council has been tasked by the Montana Legislature's, Energy and Telecommunications Interim Committee (ETIC) to provide the Committee with proposed legislative concepts to update the state 9-1-1 program to ensure the program supports current legacy 9-1-1 systems and services and the future deployment of Next Generation 9-1-1 (NG 9-1-1) systems and services. The following Council recommendations are organized by the following sections: Jurisdiction, Governance, Technology and Funding.

JURISDICTION

The "Jurisdiction" section includes recommendations regarding the division of authorities and responsibilities between state and local governments.

Continue to support local decision making and operations of primary PSAPs at the local level.

- Clarify in statute that any local government and 9-1-1 district can host a primary PSAP and provide 9-1-1 services including basic, enhanced and next generation 9-1-1 services;
- Clarify in statute and in administrative rule the definition of a primary PSAP;
- Clarify in statute that local governments and 9-1-1 districts that host a primary PSAP and which meet operational and technical standards that are established by the Department, are eligible recipients of state 9-1-1 program funding; and
- Clarify in statute that local governments may create 9-1-1 districts through an interlocal agreement. 9-1-1 districts are a legal entity that can host a primary PSAP and become an eligible recipient of state 9-1-1 program funding on behalf of local governments.

Continue state role of collecting the 9-1-1 fee from telecommunications providers and allocating and distributing the fees to eligible recipients (local governments, 9-1-1 districts and telecommunication providers).

- Clarify the Department of Administration's duties and powers to include:
 - reviewing and approving telecommunication provider eligibility and cost recovery requests;
 - reviewing and approving local government requests for eligibility to receive program funds;
 - distribution of program funds to telecommunication providers for approved cost recovery;
 - allocation and distribution of program funds to local governments and 9-1-1 districts; and
 - monitoring the expenditure of program funds for allowable uses by local governments and 9-1-1 districts;

Appendix B

- ***develop a statewide 9-1-1 system plan that describes the priorities for 9-1-1 service development and delivery. Develop and or coordinate with appropriate subject matter experts to develop studies and to conduct analyses and assessments to support a statewide plan. The 9-1-1 systems plan should have as a component a proposed budget designed to accomplish the goals and objectives of the plan (dependent on additional administrative funding that has not received consensus).***
- Clarify the Department of Administration’s rulemaking authority in statute specifically for:
 - establishing eligibility requirements for telecommunications providers and allowable costs for cost recovery;
 - establishing eligibility requirements for designating primary PSAPs that are hosted by a local government or 9-1-1 district and eligibility for receiving program funds;
 - establishing allowable uses of program funding by local governments and 9-1-1 districts
 - ***specific uses of program funds by local governments and 9-1-1 districts and the level of oversight by the Department requires additional vetting and discussion to reach a consensus.***

GOVERNANCE

The “Governance” section includes recommendations for engagement of state and local stakeholders in program management.

Continue the 9-1-1 Advisory Council

- Update the Council’s membership requirements and duties in statute.
 - Use the Governor’s Executive Order for reestablishing the advisory council as a model for the membership and duties.
- Recommended duties include participating in the development, review and implementation of the 9-1-1 system plan and advising the Department of Administration in the management of the state 9-1-1 program including the adoption of administrative rules for:
 - establishing eligibility requirements for telecommunications providers and allowable costs for cost recovery;
 - establishing eligibility requirements for designating primary PSAPs that are hosted by a local government or 9-1-1 district and eligibility for receiving program funds; and
 - establishing allowable uses of program funding by local governments and 9-1-1 districts.

TECHNOLOGY

The “Technology” section includes recommendations for maintaining current technologies and supporting the deployment of future next generation technologies.

- Continue to support local decision making in maintaining legacy technologies and deploying new technologies and services by providing for the flexible and or graduated adoption of technology standards, while ensuring primary PSAPs meet minimum service levels; and
- The Department may adopt administrative rules for technology standards for primary PSAPs (i.e. eligible recipients of program funding) that are based on industry standards (ex: National Emergency Number Association (NENA)) and with guidance from the 9-1-1 Advisory Council.

FUNDING

The “Funding” section includes recommendations for the allocation, distribution and expenditure of state 9-1-1 program funding.

The “funding” recommendations require additional vetting and discussion to reach a consensus.