

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 09R-778T

IN THE MATTER OF THE PROPOSED CHANGES TO THE EMERGENCY 9-1-1 SERVICES FOR EMERGENCY TELECOMMUNICATIONS SERVICE PROVIDERS AND BASIC LOCAL EXCHANGE CARRIERS RULES FOUND IN THE RULES REGULATING TELECOMMUNICATIONS PROVIDERS, SERVICES, AND PRODUCTS, 4 CODE OF COLORADO REGULATIONS 723-2.

NOTICE OF PROPOSED RULEMAKING

Mailed Date: October 29, 2009
Adopted Date: October 14, 2009

I. BY THE COMMISSION

A. Statement

1. The Colorado Public Utilities Commission (Commission) hereby issues this Notice of Proposed Rulemaking (NOPR) regarding proposed changes to the rule section concerning Emergency 9-1-1 Services for Emergency Telecommunications Service Providers and Basic Local Exchange Carriers found in Rules Regulating Telecommunications Providers, Services, and Products, 4 *Code of Colorado Regulations* (CCR) 723-2. This rule section is set forth at Rules 2130 to 2159. A copy of the proposed rules is attached to this NOPR.

2. The attached proposed rules appear in legislative (strikeout/underline) format. Amendments are proposed to existing permanent rules.

3. The statutory authority for the proposed rules is found in §§ 29-11-101, 29-11-102(b), 29-11-106(3), 40-2-108, 40-3-102, 40-3-103, 40-4-101(1) and (2); 40-15-101, and 40-15-201, 40-15-301, 40-15-503(2)(a), (b), and (g), C.R.S.

4. The purpose of the proposed rules, among other things, is to incorporate the changes to the definitions contained in the Colorado Revised Statutes that went into effect on August 4, 2008; and to allow for the billing and remittance of 9-1-1 surcharges on services provided through the use of interconnected voice-over-internet-protocol (VoIP) service. The proposed rules also set forth revised procedures to be used by governing bodies when applying to the Commission for approval of a 9-1-1 charge in excess of seventy cents per month.

5. This NOPR generally proposes to make the following amendments, without limitation, to the Rules Regulating Telecommunications Providers, Services, and Products (rule numbers below appear in abbreviated form; *e.g.*, Rule 2130(b) of 4 *Code of Colorado Regulations* 723-2 appears as Rule 2130(b)):

a) Proposed changes to Rule 2130(a) & (b) add the term “service supplier” to broaden the applicability of the Rules to include suppliers of voice-over-internet-protocol service (VoIP). Rule 2130(b) is further modified to clarify that no service provider shall connect directly or indirectly with a Public Safety Answering Point (PSAP) for the aggregation and transport of 9-1-1 calls unless the service provider is certificated by this Commission to provide 9-1-1 services as a Basic Emergency Service Provider (BESP).

b) Rule 2130(a) is also modified to include a reference to a new Rule 2147 that applies to governing bodies requesting approval of 9-1-1 surcharges in excess of \$0.70 per month.

c) Rules 2130(c) is modified to recognize that Multi Line Telephone Systems (MLTS) may connect to the Public Switched Telephone Network (PSTN) in exchange areas or geographic areas other than that in which the caller is located resulting in routing of calls to PSAPs other than the one serving the caller’s location. Language is added to specify that some of the provisions pertaining to resellers may apply to MLTS operators who provide service to third parties.

d) Rule 2131(c) “9-1-1 failure” is modified to clarify what constitutes a reportable 9-1-1 outage and to include a new reporting requirements for facility outages affecting greater than 400 customers or five percent of the customers (whichever is less) within a LEC central office serving area or the service supplier area.

e) Rule 2131(d) “9-1-1 tandem” is modified to include packet switches or other switching platforms within this definition and to clarify that PSAP owned or operated switches or load balancing devices provided by the PSAP are not designated as a 9-1-1 tandem.

f) Rule 2131(e) is expanded to include under the definition of an “ALI database provider” persons or entities that provide routing information used by service suppliers to route 9-1-1 calls to PSAPs directly or indirectly or use pANI numbers to steer 9-1-1 calls to a PSAP.

g) Rule 2131(f) changes clarify that Automatic Location Identification (ALI) is integral to the overall 9-1-1 call response for emergency services and may include other information useful to provide emergency service response to a 9-1-1 call.

h) Rule 2131(i) and (j) are modified to substitute “service supplier” in place of “telecommunications provider”.

i) Rule 2131(j) is also modified to include next generation ESINet and IP facilities into the definition of E9-1-1 facility types. This rule is further modified to clarify that direct trunk connections to LEC central office switches, Mobile Switching Centers (MSCs) or other providers such as VoIP networks are included as E9-1-1 facilities.

j) Rule 2131(l) definition of an E9-1-1 tandem is modified to include packet switches, soft switches or Emergency Service Routing Proxy (ESRP) in the definition of an “E9-1-1 Tandem”.

k) Rule 2131(n) is modified to reference § 29-11-102, C.R.S., which is the source of the charge imposed by all service suppliers for 9-1-1 costs of the PSAPs.

l) Rule 2131(o) adds a new definition for Emergency Service Number (ESN)

m) Rule 2131(p) definition of Emergency Telephone Service is modified to incorporate text messaging or other means for requesting emergency assistance.

n) Rule 2131(r) adds a new definition for ESINet.

o) Rule 2131(u) is expanded to include IP PBXs and IP Centrex hosted service.

p) Rule 2131(v) is expanded to include ESINet.

q) The definition of “other telecommunications provider” (former Rule 2131(v)) is eliminated.

r) Rule 2131(x) now contains a new definition of Pseudo Automatic Number Identification (pANI).

s) Rule 2131(y) changes the definition of a PSAP.

t) Rule 2131(z) contains a new definition of a Record or Shell Record.

u) Rule 2131(cc) adds a definition for the selective routing database (SRDB).

v) Rule 2131(dd) adds a definition for a “service supplier” taken from § 29-11-101(7), C.R.S.

w) Rule 2131(ee) adds a definition for a “service user” taken from § 29-11-101(8), C.R.S.

x) Rule 2132 is modified to correct the address of the Commission and to clarify that NENA standards are recommended standards.

y) In Rule 2133(a) “telecommunications provider” is changed to “service supplier” and the list of 9-1-1 calls is expanded to include text messages, automated voice and data calls. This Rule is further modified to clarify that the facilities and connection between the BESP and the service suppliers and connections from the BESP to the PSAPs are the responsibility of the BESP. Facilities and connections of the BESP are expanded to include connections to interconnected IP Networks of VoIP providers for the aggregation and transport of 9-1-1 calls to the PSAP and includes IP networks the BESP may employ to aggregate and transport 9-1-1 calls to the PSAPs.

z) Rule 2133(b) is modified to clarify the purpose of the ALI database service and to remove the requirement that all basic local exchange carriers provide all telephone numbers to the ALI database provider. The obligation of the LEC to provide name and address information to the ALI database providers is contained in Rule 2138.

aa) Rule 2134 is modified to add the requirement for Commission certification of ALI database providers.

bb) Rule 2135 is modified to require ALI database providers to maintain their books and records and perform separation of cots as prescribed by Rules 2400 through 2459, or as otherwise prescribed by the Commission.

cc) Rule 2136 was modified to substitute service suppliers rather than individual types of service suppliers (e.g., wireless providers, LECs, etc.).

dd) Rule 2136(b)(III) is added to clarify the interconnection points between a BESP and a service supplier.

ee) Rule 2136(c) is modified to further define what is included in the tariffed rates of the BESP and to identify specific items to which the tariffed rates shall not apply, such as billing the PSAP for non-working access lines or pANI records.

ff) Rule 2136(e) is eliminated and 2136(d) is modified to reflect that governing bodies are billed on SRDB record counts rather than access line counts.

gg) Rule 2136(f) is modified to include quality of service metrics for blocking on Time Division Multiplexing (TDM) circuits. This rule was expanded to include new metrics for BESP IP enabled networks to provide the equivalent of P.01 blockage and equivalent quality of service.

hh) Rules 2136(h) and (i) were modified to remove some of the designated responsibilities of the BESP and to clarify the confidentiality of customer specific information and the proper use of ALI information.

ii) Rule 2136(j) is added to clarify that a BESP is not required to interconnect with a service supplier for the provision of 9-1-1 related facilities that does not fulfill the relevant obligations of rules 2130 through 2148.

jj) Rule 2137 is modified to clarify the obligations of the ALI database providers and the confidentiality of the information contained in the ALI database.

kk) Rule 2137(d) is modified to clarify that the ALI database is an integral component of Enhanced 9-1-1. Where ALI database services are not part of the cost component of the overall offerings of a BESP, the ALI database provider shall develop and file state-wide cost based tariffed rates for Commission approval of the services it offers to PSAPs and service suppliers.

ll) Rule 2138(a) is changed to require that interconnection agreements and charges by Local Exchange Carriers (LECs) to the BESP must be approved by the Commission.

mm) Rule 2138(b) is modified to require that on exchange access facilities of the LEC that can originate a 9-1-1 call, the LEC shall furnish name, address and number information to the ALI database providers.

nn) Rule 2138(f) is eliminated, subsequent subsections re-numbered.

oo) Rule 2139(c) is eliminated.

pp) Rule 2140 is changed to define wireless providers as the Commercial Mobile Radio Service (CMRS) and to include provision in this section for Interconnected-Voice-Over-Internet Protocol (VoIP) providers.

qq) Rule 2140(a) sets forth requirements for interconnected VoIP provider data to be loaded into the SRDB and given to the ALI database providers.

rr) Rule 2140(b) & (c) define requirements for treating switching locations located within and outside of Colorado by the BESP.

ss) Rule 2140(d) adds a new requirement that all CMRS and providers of interconnected VoIP register with this Commission and establish a point of contact number for public safety and government officials to be able to reach for issues related to 9-1-1.

tt) Rule 2140(e) is a new requirement that all CMRS and VoIP providers provide formal written notice of the intent to provide telecommunications service within the area served by a PSAP to a governing body responsible for the PSAP within 60 days prior to activating service and for arranging the collection and remittance of the 9-1-1 charges.

uu) Rule 2140(f) recognizes that for any service provider routing 9-1-1 calls directly to a PSAP over local exchange service administrative lines or any other manner than through a BESP selective router, the PSAP may not be able to display ANI or ALI information and may not be able to transfer the call to another PSAP.

vv) Rule 2140(g) requires that all service suppliers, including those using PSAP administrative lines for delivery of 9-1-1 calls, are to bill and remit the appropriate emergency charge to the PSAP.

ww) Rule 2142 has been changed to replace telecommunications provider with service supplier. Additional restrictions are placed on the proper use of ALI and SRDB information.

xx) Rule 2143 replaces LEC with service supplier and further clarifies the application of tariffed rates when the governing body requests additional diverse routing.

yy) Rules 2144 and 2145 replace LEC and telecommunications provider with service supplier and eliminate the requirement of LECs and BESP's to provide reports to the Commission regarding the implementation of 9-1-1 services in each local exchange area of the state.

zz) Rule 2147 has been added to define materials required in Applications by the Governing Body for Approval of a 9-1-1 charge in excess of \$0.70 per month.

6. An Administrative Law Judge (ALJ) will conduct a hearing on the proposed rules and related issues at the below-stated time and place. Interested persons may submit written comments on the proposed rules, including data, views, or arguments, and present these orally at hearing unless the ALJ deems oral presentations unnecessary. The Commission encourages interested persons to file written comments before the hearing scheduled in this matter. In the event interested persons wish to file comments before the hearing, the Commission requests that such comments be filed no later than December 29, 2009. In addition to the filing of written comments, interested persons may submit their comments electronically by floppy disk, compact disk (CD), or email to puc@dora.state.co.us. The Commission may post electronically submitted comments to its website.

7. In their comments, interested persons are invited to suggest changes that will make the subject rules more efficient, rational, or meaningful. We recognize that regulation imposes costs; therefore, suggestions concerning rules that may be unnecessary or unduly burdensome will be fully considered by the Commission.

II. ORDER

A. The Commission Orders That:

1. This Notice of Proposed Rulemaking shall be filed with the Colorado Secretary of State for publication in the November 10, 2009, edition of *The Colorado Register*.

2. A Hearing on the proposed rules and related matters shall be held before an Administrative Law Judge (ALJ) as follows:

DATE: January 12, 2010
TIME: 9:00 a.m.
PLACE: Commission Hearing Room A
Suite 250
1560 Broadway
Denver, Colorado

3. The ALJ may set additional hearings, if necessary.

4. At the time set for hearing in this matter, interested persons may submit written comments and may present these orally unless the ALJ deems oral comments unnecessary. Interested persons may file written comments in this matter before the hearing. Written comments should be filed no later than December 29, 2009. In addition to the filing of written comments, interested persons may submit their comments electronically by floppy disk, compact disk (CD), or email to puc@dora.state.co.us.

5. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 14, 2009.**

(SEAL)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads 'Doug Dean'.

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RONALD J. BINZ

JAMES K. TARPEY

MATT BAKER

Commissioners

COLORADO DEPARTMENT OF REGULATORY AGENCIES

Public Utilities Commission

4 CODE OF COLORADO REGULATIONS (CCR) 723-2

PART 2

RULES REGULATING TELECOMMUNICATIONS PROVIDERS, SERVICES, AND PRODUCTS

* * *

[signifies omission of unaffected rule sections]

2125. – 2129. [Reserved].

Emergency 9-1-1 Services for Emergency Telecommunications Service Providers and Basic Local Exchange Carriers

Basis, Purpose, and Statutory Authority

The basis and purpose of these rules is to: (1) recognize Enhanced 9-1-1 (E9-1-1) as a service regulated by § 40-15-201; (2) prescribe multi-line telephone system (MLTS) operator requirements regarding disclosure to end users of the proper method for accessing 9-1-1 service, and regarding the capability of the MLTS to transmit end users' telephone numbers and location information; (3) prescribe the interconnection environment and relationships between basic emergency service providers (BESPs) and wireless carriers, BESPs and local exchange carriers (LECs, and) BESPs and other telecommunications providers service suppliers; (4) permit use of 9-1-1 databases for outbound wide area notifications in times of emergency; (5) prescribe reporting times of 9-1-1 outages and interruptions; ~~and~~ (6) explicitly recognize the potential for multiple BESPs in Colorado; and (7) provide the procedural requirements for Governing Bodies to seek approval of 9-1-1 surcharges in excess of \$0.70 per line per month.

The statutory authority for the promulgation of these rules is found at §§ 29-11-101; 29-11-102(2)(b); 29-11-106(3); 40-3-102; 40-3-103; 40-4-101(1) and (2); 40-15-201; 40-15-301; 40-15-503(2)(a), (b), and (g); and 40-2-108, C.R.S.

2130. Applicability.

- (a) Rules 2130 through ~~2159~~2146 apply to all basic local exchange carriers, service suppliers and BESPs. Rule 2147 applies to governing bodies requesting approval of 9-1-1 surcharges in excess of \$0.70 per month.
- (b) To the extent these rules specifically refer to ~~wireless carriers as a condition of interconnection with any BESP, such rules apply to wireless carriers who agree to comply with them~~service suppliers other than basic local exchange carriers and BESPs, these rules define various responsibilities and requirements of the interconnected service providers for receiving 9-1-1 services through the network of the certificated BESPs. Service suppliers other than LECs and BESPs include providers of telecommunications service via Commercial Mobile Radio Services (wireless carriers) and providers of interconnected voice-over-internet-protocol service (VoIP) to any service user in this state

either directly or by resale. No service supplier shall connect directly or indirectly with a Public Safety Answering Point (PSAP) for the aggregation and transport of 9-1-1 calls unless the service supplier is certificated by this Commission to provide 9-1-1 service as a BESP.

- (c) Some of the provisions in these rules apply to MLTS operators whose systems do not have automatic number and automatic location identification capability, ~~or~~ whose systems require the dialing of an additional digit(s) to access the public switched telephone network, (PSTN) or whose systems may connect calls to the PSTN in an exchange area or geographic area other than that in which the caller is located, resulting in routing of 9-1-1 calls to PSAPs other than the one serving the caller's location. Some of the provisions of these rules pertaining to resellers may apply to MLTS operators who provide service to third parties.

2131. Definitions.

The following definitions apply only in the context of rules 2130 through 2159:

- (a) "9-1-1" means a three-digit abbreviated dialing code used to report an emergency situation requiring a response by a public agency such as a fire department or police department.
- (b) "9-1-1 facilities" means the facilities (e.g., trunks or transmission paths) that connect from the central office serving the individual telephone that originates a 9-1-1 call to the 9-1-1 tandem and subsequently connect the tandem to a Public Safety Answering Point (PSAP). These may include, but are not limited to, point-to-point private line facilities and E9-1-1 facilities owned, leased or otherwise acquired by a BESP. Common or shared facilities also may be used. These facilities may include private network facilities and governmental facilities (if available) obtained for alternative routing of E9-1-1 calls for temporary use during service interruptions.
- (c) "9-1-1 failure" or "9-1-1 outage" means a situation in which 9-1-1 calls cannot be transported from the end users to the PSAP responsible for answering the 9-1-1 emergency calls. 9-1-1 failures also include the inability to deliver location information to the PSAP from the 9-1-1 Automatic Location Identification (ALI) database or a loss of the 9-1-1 ALI functionality. While central office failures or major system failures constitute a reportable 9-1-1 outage, individual wire line customer loop failures do not constitute a reportable 9-1-1 outage unless a general cable cut or facility outage affects greater than 400 customers or five percent of the customers (whichever is less) within a LEC central office serving area or the service supplier area. General cable cuts or facility outages affecting less than 400 customers or affecting less than five percent of the customers (whichever is less) within a LEC's wire center area or the service supplier area does not constitute a reportable 9-1-1 outage.
- (d) "9-1-1 tandem" or "9-1-1 tandem switch" means the telecommunications switch (circuit switch, packet switch or some other switching platform) dedicated to aggregation of 9-1-1 call traffic from public networks and proper routing of 9-1-1 call traffic to PSAPs. Switches or load-balancing devices provided by the PSAP are not designated as a 9-1-1 tandem switch as long as these devices are owned or operated by the PSAP for load balancing and alternate routing within its authorized emergency service area.
- (e) "ALI database provider" means any person or entity that, on a for-profit or not-for-profit basis, provides ALI to basic emergency service providers and the governing body for a specific geographic area. ALI database providers include persons or entities that provide

9-1-1 routing information used by service suppliers to route 9-1-1 calls to a PSAP directly or indirectly through the use of pANI numbers to steer 9-1-1 calls to a PSAP.

- (f) "Automatic Location Identification" (ALI) means the automatic display, on equipment at the PSAP, of the telephone number and other information concerning the location of the caller. ALI is integral to the overall 9-1-1 call response for emergency service. The ALI database includes non-listed and non-published numbers and addresses, and other information about the caller's location, class of service, service provider and other information useful to provide emergency service response to a 9-1-1 call.
- (g) "Automatic Number Identification" (ANI) means the process used on customer-dialed calls to automatically identify the calling station, and the automatic display of the caller's telephone number on telephone answering equipment used by operators at the PSAP.
- (h) "Basic emergency service" means the Part II telecommunications service (§ 40-15-201(2)(b), C.R.S.) permitting the use of the basic local exchange network and the 9-1-1 abbreviated dialing code for reporting police, fire, medical, or other emergency situations to a PSAP and referral to a public agency.
- (i) "Basic Emergency Service Provider" (BESP) means any person certificated by the Commission to aggregate and transport 9-1-1 calls from the basic LEC, wireless carrier, or other telecommunications providerservice supplier to a PSAP.
- (j) "E9-1-1 facilities" means the facilities provided by a BESP that interconnects to basic local exchange carriers, wireless carriers, and other telecommunications providerservice suppliers (such as VoIP Providers) that are used to aggregate (switch) and transport 9-1-1 calls to the PSAP. These facilities may include ESINet connectivity to an IP PSAP or private network facilities. Transport facilities include the direct trunks connecting the LEC central office switches, Mobile Switching Centers (MSCs) or other provider networks such as interconnected VoIP networks connected to the 9-1-1 network tandem switches that are owned or operated by the BESP to provision 9-1-1 transport service to the PSAPs. The facilities may include the use of 9-1-1 tandem switches orand the direct trunks connecting 9-1-1 calls from the 9-1-1 tandems to the PSAPs and. These E9-1-1 facilities may be owned, leased, or otherwise acquired by a BESP. These facilities may include private network facilities and available governmental facilities (if available) obtained for alternative routing of E9-1-1 calls for temporary use during service interruptions.
- (k) "E9-1-1 features" means the ANI, ALI database and selective routing capabilities and all other components of an E9-1-1 system, not including the transport and switching facilities.
- (l) "E9-1-1 tandem" means the switchcircuit switch or packet switch (e.g., a soft switch such as an IP Selective Router (IPSR) or an Emergency Service Routing Proxy (ESRP)) that receives E9-1-1 calls from the originating local exchange central offices, wireless switch, or any other telecommunications provider's switch,service supplier's switch (circuit switch or packet switch), employs the ANI information associated with such calls, determines the correct destination of the call, and forwardsis used to forward the call and the ANI information to thatthe proper PSAP destination.
- (m) "Emergency notification service" (ENS) means a service in which, upon activation by a public safety agency:
- (l) The 9-1-1 database or database derived from the 9-1-1 database is searched to identify all stations located within a geographic area;

- (II) A call is placed to all such stations or all of a certain class of stations within the geographic area (e.g., to exclude calls to facsimile machines, Internet/data access lines, etc.); and
- (III) A recorded message is played upon answer to alert the public to a hazardous condition or emergency event in the area (e.g., flood, fire, hazardous material incident, etc.).
- (n) "Emergency telephone charge" means a charge ~~to pay for the equipment costs, the installation costs, and the directly related costs of the continued operation of an emergency telephone service according to the rates and schedules filed with the Colorado Public Utilities Commission imposed upon all service suppliers pursuant to § 29-11-102, C.R.S., to pay for various 9-1-1 costs of the PSAPs.~~
- (o) Emergency Service Number (ESN) is defined as a number assigned to specific geographic area within which all E911 calls are routed to one specific PSAP and the residents within the area are served by the same police, fire, and emergency medical agencies.
- (p) "Emergency telephone service" (ETS) means, but is not limited to, a telephone system using the abbreviated dialing code 9-1-1 to report police, fire, medical, or other emergency situations. Such systems may incorporate voice calls, text messaging or other means to convey a request for emergency assistance.
- (pq) "Enhanced 9-1-1" (E9-1-1) means a basic emergency telephone service that includes the association of information such as ANI and ALI (including non-listed and non-published numbers and addresses), and (optionally) selective routing, to facilitate public safety response.
- (q(r) "ESINet" means an interconnected Emergency Services IP (Internet Protocol) network, or a network of networks.
- (s) "Geographic area" means the area such as a city, municipality, county, multiple counties or other areas defined by a governing body or other governmental entity for the purpose of providing public agency response to 9-1-1 calls.
- (ft) "Governing body" means a representative organization responsible for the oversight of 9-1-1 response activities in a specific geographic area. A governing body may be comprised of a board of county commissioners, a board of directors of a special district, a city council or other governing body of a city and/or county, or a separate legal entity established under § 29-1-201, C.R.S., et seq., C.R.S.
- (su) "Multi-line telephone system" (MLTS) means a system comprised of common control units, telephones, and control hardware and software providing local telephone service to multiple customers in businesses, apartments, townhouses, condominiums, schools, dormitories, hotels, motels, resorts, extended care facilities, or similar entities, facilities, or structures. Multi-line telephone ~~system includes~~ systems include, but are not limited to:
- (I) Network and premises-based systems such as Centrex, PBX, ~~and~~ hybrid-key telephone systems, IP PBXs, IP Centrex hosted service; and
- (II) Systems owned or leased by governmental agencies, nonprofit entities, and for-profit businesses.

- (tv) "Multiple-line telephone system operator" means the person that operates an MLTS from which an end user may place a 9-1-1 call through the public switched network or ESINet.
- (uw) "National Emergency Number Association" (NENA) means the international not-for-profit organization whose purpose is to lead, assist, and provide for the development, availability, implementation and enhancement of a universal emergency telephone number or system common to all jurisdictions through research, planning, publications, training and education.
- ~~(v) "Other telecommunications providers" means any provider of exchange service, regardless of the types of technology used.~~
- ~~(w)(x) "Pseudo Automatic Number Identification (pANI)" means a non-dialable phone number, consisting of the same number of digits as ANI, that is not a North American Numbering Plan telephone directory number and that is used to support routing of service suppliers' 9-1-1 calls to a PSAP. pANI numbers may be used to convey special meaning to systems that are used to switch 9-1-1 calls to the various PSAPs such as the identity of a wireless cell, cell sector or other geographic area used to associate a 9-1-1 call with the destination PSAP.~~
- (y) "Public Safety Answering Point" (PSAP) means a facility equipped and staffed to receive and process 9-1-1 calls from a BESS on a 24-hour basis. ~~PSAPs are responsible to direct the disposition of 9-1-1 calls.~~
- ~~(z) "Record or shell record (e.g., SRDB record)" means the data file record created and maintained in the selective routing database (SRDB) for each working telephone number ANI or pseudo telephone number (pANI) used to provide routing instructions to the E9-1-1 tandem for routing 9-1-1 calls to the correct PSAP.~~
- (aa) "Routing" means the central office programming required to transport a 9-1-1 call to the correct 9-1-1 tandem.
- (ybb) "Selective routing" means the capability of routing a 9-1-1 call to a designated PSAP based upon the seven digitdigits or ten-digit telephone number of the subscriber dialing 9-1-1.
- ~~(z)(cc) "Selective routing database (SRDB)" means the database that is used by the BESS to determine routing of 9-1-1 calls to the designated PSAP.~~
- ~~(dd) "Service supplier" means a person who is providing exchange telephone services, a person providing telecommunications service via wireless carrier, or a person providing interconnected voice-over-internet-protocol service to any service user in this state, either directly or by resale.~~
- (ee) "Service user" means a person who is provided exchange telephone service, a person who is provided telecommunications service via wireless carrier, or a person who is provided interconnected voice-over-internet-protocol service in this state.
- (ff) "Telecommunications device for the deaf" (TDD) or "text phone" means an instrument defined by the Communications Act of 1934 as a device that employs graphic communication in the transmission of coded signals through a wire or radio communication system.

(aagg) "Telecommunications device for the deaf emergency access" or "text phone access" mean the provision of 9-1-1 access to individuals that use TDDs and computer modems.

2132. ~~[Reserved].~~ Incorporation by Reference.

References in rules 2130 through 2159 to the Recommended Formats & Protocols For Data Exchange (NENA-02-010), NENA Recommended Data Standards for Local Exchange Carriers, ALI Service Providers & 9-1-1 Jurisdictions (NENA-02-011), NENA Network Quality Assurance (NENA-03-001), NENA Recommendation for the implementation of Enhanced MF Signaling, E9-1-1 tandem to PSAP ((NENA-03-002) and NENA Recommended Standards for Local Service Provider Interconnection Information Sharing (NENA-06-001) are standards issued by the National Emergency Number Association and have been incorporated by reference herein. These recommended standards are found at NENA-02-010, revised as of May 1999, NENA-02-011, original as of March 2000, NENA-03-001, original as of June 12, 1995, NENA-03-002, recommended June 21, 1998, and NENA-06-001, original as of March 1997. References to these recommended NENA standards do not include later amendments to or editions of these standards. A certified copy of these standards is maintained at the Public Utilities Commission, 1560 Broadway Street, Ste 250, Denver, Colorado 80202 and available for inspection during normal business hours. Certified copies of the incorporated standards shall be provided at cost upon request. The Director or the Director's designee will provide information regarding how the incorporated standards may be obtained or examined. These incorporated standards may be examined at any state publications depository library.

2133. Service Components and Requirements.

- (a) Basic emergency service is the telecommunications service that aggregates and transports 9-1-1 calls to a PSAP. 9-1-1 calls include voice calls, text messages, automated voice and data calls for assistance directed to the PSAP. The aggregation of calls is the process of collecting 9-1-1 calls from one or more ~~local exchange, wireless carrier, or other telecommunications providers~~service supplier switches that serve a ~~geographic area or other devices~~ for the purpose of determining and transporting 9-1-1 calls to the PSAP designated to receive such calls. Basic emergency service may be provided using connections between the PSAP and ~~a local exchange central office switch, using connections to a BESP~~ 9-1-1 tandem, ~~using connections between a wireless carrier switch and connections from the 9-1-1 BESP tandem, or by using other technology, to a service supplier's switch.~~ Basic emergency service includes, but is not limited to, the provision of a 9-1-1 tandem switch, connections to each ~~local exchange carrier, wireless carrier, or other telecommunications providers~~service supplier switch ~~(excluding the trunk units on the switches to the 9-1-1 tandem switch),~~ transport between the 9-1-1 tandem switch and the PSAP, ~~and connections to the PSAP (excluding trunk units at the PSAP).~~ E9-1-1 also) and IP connectivity from the originating IP Network to the BESP switch via a Session Initiated Protocol (SIP) trunking interface. While basic emergency service includes the provision of transport facilities from the ALI database to the PSAP. In many instances an ALI database also may be interconnected with the other components of the service. all service supplier switches, it does not include the trunk units on the service supplier switches.
- (b) The ALI database service is integral to the provision of E9-1-1 services. ~~On a timely basis, all basic local exchange carriers shall provide the ALI database provider with access to all telephone numbers, including non-published and non-listed numbers, that are maintained by the services of the basic local exchange carrier, wireless carrier, reseller of a basic local exchange, or other telecommunications provider.~~ E9-1-1 service is distinguished from 9-1-1 service in the ability of the BESP to provide greater routing flexibility for 9-1-1 calls based on information that is placed in a selective routing

computer database. The ALI database ~~also~~ provides the means for the PSAP to display the address as well as the telephone number for incoming 9-1-1 calls and additional customer-provided information about the 9-1-1 caller's location.

- (c) The PSAP(s) is responsible for receiving the 9-1-1 calls from a BESP and, if applicable, ALI database information. The PSAP(s) forwards the 9-1-1 call, and where applicable, the ALI database information to the proper public agency such as the fire department, emergency medical services, sheriff, or police.

2134. Process for Certification of Basic Emergency Service Providers (BESPs) and ALI Database Providers.

- (a) The Commission finds and declares that the public convenience and necessity require the availability, and, when requested, the provision of basic emergency service within each local exchange area in Colorado, and further that such basic emergency service is vital to the public health and safety and shall be provided solely by properly certificated BESPs and ALI database providers.
- (b) The Commission may certify additional or different BESPs and ALI database providers (if different than the certified BESP) to offer basic emergency service if such certification is in the public interest. Each application for certification shall be considered on a case-by-case basis.
- (c) An application for authority to provide basic emergency service and ALI database service shall include, in the following order and specifically identified, the following information, either in the application or in appropriately identified attached exhibits:
- (I) The information required by paragraph 2103(a);
 - (II) The geographic area the BESP or ALI database provider intends to serve;
 - (III) The name, address, and telephone number of each provider offering local exchange services in the geographic area that is the subject of the application;
 - (IV) If the applicant has previously filed with the Commission current reports or material that include the information required in subparagraph (I) and (II), it may confirm this by filing an attestation of completeness and accuracy with proper citation of title and date of the other filed material; and
 - (V) A detailed statement describing the means by which it will provide basic emergency service or ALI database service. This statement shall include, but is not be limited to:
 - (A) The technical specifications for the system that will be used to provide the basic emergency services or ALI database service, including information on emergency restoration of the system;
 - (B) All inter-company agreements used to implement and operate the service;
 - (C) All agreements with BESP or ALI database providers;

- (D) All inter-governmental agreements regarding governing bodies or PSAPs;
 - (E) All interconnection agreements between the BESP and: ~~basic local exchange carriers, wireless carriers, or ALI database provider, on the one hand, and service suppliers and other BESP, and on the other telecommunications providers~~ hand; and
 - (F) Proposed tariffs.
- (d) A current, audited financial statement showing that the applicant's assets, liabilities, and net worth are sufficient to provide emergency services.
 - (e) An acknowledgment that the applicant will provide basic emergency service and/or ALI database service in accordance with these rules and all applicable quality of service rules.

2135. Uniform System of Accounts, Cost Segregation and Collection.

All BESP and ALI database providers shall maintain their books and records and perform separation of costs as prescribed by rules 2400 through 2459, or as otherwise prescribed by the Commission.

2136. Obligations of Basic Emergency Service Providers.

- (a) A BESP certificated by the Commission, ~~for the aggregation (switching) and transmission of 9-1-1 calls or E9-1-1 calls~~ shall obtain facilities from or interconnect with the facilities of all basic local exchange carriers, rule-compliant wireless carriers, and other telecommunications providers ~~service suppliers~~ who have customers in geographic areas designated by governing bodies for the aggregation and transmission of 9-1-1 calls or E9-1-1 calls, in the area served by the BESP: to aggregate and transport 9-1-1 calls to the appropriate PSAP. BESP shall interconnect with all other BESP with facilities in the serving area. A BESP shall create, or amend as necessary, provisions in its interconnection agreements with all basic local exchange carriers, wireless carriers, other BESP, and other telecommunications providers to require compliance with rule 2130 through 2159.
- (b) At the request of a ~~basic local exchange carrier, wireless carrier, other BESP, or other telecommunications provider~~ service supplier or other BESP within the area specified by a governing body, a BESP shall provide and/or arrange for the necessary facilities to interconnect, switch and transport 9-1-1 calls from the ~~basic local exchange carriers, wireless carriers, other BESP, or other telecommunications providers~~ service suppliers to the PSAP that is responsible for answering the 9-1-1 calls. Interconnection shall be accomplished in a timely manner, generally not more than 30 days from the time the BESP receives a written order. Interconnection facilities shall generally be engineered as follows:
 - (I) Dedicated facilities for connecting each ~~basic local exchange, wireless carrier, or other telecommunications provider~~ service supplier switch to a BESP shall be based on the requirements established by the BESP to serve the customers within that local exchange or geographic area; or
 - (II) If shared or common facility groups are used to transport calls from the ~~basic local exchange carrier, wireless, or other telecommunications provider~~ service

supplier switch to a BESP, they shall be sized to carry the additional call volume requirements. Additionally, common or shared groups shall be arranged to provide 9-1-1 calls on a priority basis where economically and technically feasible.

(III) The point of interconnection of the BESP transport facilities to service suppliers that employ switching systems in the geographic areas served by the BESP shall be at the location of the service supplier switch or at a mutually agreed point of interconnection. The point of interconnection for service suppliers that may employ switching systems located outside of the geographic area served by the BESP shall be at or near the locations of each of the BESP's selective routers or at a mutually agreed point of interconnection within the area served by the BESP. In no event shall the BESP be obligated to compensate a service supplier for the cost of transport facilities from the point of interconnection to switch locations outside of the geographic area of service provided by the BESP.

- (c) A BESP shall develop and file with the Commission tariffs that establish cost-based rates for basic emergency services. These rates shall be averaged over the entire geographic area it serves. ~~The costs shall include an aggregation of all costs to the BESP of E9-1-1 related facilities provided to it by all basic local exchange carriers, wireless carriers, resellers, or other telecommunications providers in the geographic area as well as the costs of the E9-1-1 related facilities provided by the BESP itself.~~ The costs shall include an aggregation of all costs to the BESP of its 9-1-1 related facilities and those it may need to obtain from service suppliers to reach service supplier switches within the BESP serving area. The tariffed charges of the BESP may include the provision of ALI database services and associated SRDB costs. The BESP shall develop and file with the Commission tariffs that establish cost-based rates that will apply to service suppliers for establishing and maintaining records in the BESP's ALI database and SRDB associated with working access or pANI numbers used to route calls to PSAPs. PSAPs shall not be billed for non-working access lines or pANI records that are not used for routing calls to the PSAP.
- (d) A BESP shall render a single monthly bill for its ~~tariff~~ tariffed services provided to the appropriate governing body. The monthly bill shall ~~identify the total number of lines billed to the governing body and shall also separately identify the wireless communication~~ total number of 9-1-1 SRDB records for wire line service supplier access and wireline access quantities ~~lines and the number of pANI records used to compute the monthly bill.~~
- ~~(e) On a quarterly basis, 30 days after the end of each quarter, each LEC shall report~~ steer calls from wireless providers or providers of interconnected VoIP using pANI records to steer calls to the BESP the local exchange access line quantities and each wireless provider shall report to the BESP the wireless communications quantities by geographical area in the manner specified by the BESP so that the BESP may compute the monthly billing to the each governing body for the tariffa particular PSAP's SRDB record counts associated with private switched ALI (PS-ALI) services shall only be billed to the PSAP where the PSAP has ordered such services. PS-ALI services provided by the BESP. ~~On a quarterly basis, 60 days after the end of each quarter, the BESP shall re-compute the monthly billing to the governing body and shall furnish to the governing body the detailed quantities, by LEC and wireless provider, that will be used in the computation or other providers of the subsequent monthly billing by the BESP to the governing body. A BESP shall not PS-ALI services shall be required to interconnect with a LEC or wireless provider for the provision of E9-1-1 related facilities that will not identify to the BESP on a quarterly basis, 30 days after the end of each quarter, the quantities of exchange access lines for the LEC and the wireless communications quantities by geographical area in the~~

- manner specified by the BESP, billed directly by the BESP to the end use customers or businesses ordering such services from the BESP.
- (fe) BESP shall ensure, to the extent possible and in the most efficient manner, that telecommunication services are available for transmitting 9-1-1 calls from hearing and speech impaired persons to the appropriate PSAP.
- (gf) A BESP shall ensure that all E9-1-1 facilities, including interconnections between it and the ~~basic local exchange carriers, wireless carriers, and other telecommunications providers~~ service suppliers are engineered, installed, maintained and monitored in order to provide a minimum of two circuits and a minimum grade of service that has ~~4 percent (P.01) or less blocking during the busy hour~~ one percent (P.01) or less blocking during the busy hour for Time Division Multiplexing (TDM) circuits. BESP IP enabled networks shall provide the equivalent quality of service (QoS) as a circuit switched service with P.01 blocking or less. Where technically and economically feasible, E9-1-1 interconnecting facilities shall be diversely routed to avoid single points of failure causing total isolation of customer calls to a PSAP.
- (hg) To expedite the restoration of service following 9-1-1 failures or outages, each BESP shall designate a telephone number for PSAPs, ~~wireless carriers, LECs, or other telecommunications providers~~ and service suppliers to report trouble. Such telephone number shall be staffed seven days a week, 24 hours a day, by personnel capable of processing calls to initiate immediate corrective action.
- (ih) A BESP shall keep on file with the Commission its contingency plan and include in its contingency plan designated phone numbers of the ~~LECs, CLECs, resellers, wireless carriers, other telecommunications providers~~ service suppliers, PSAPs, and governing bodies to expedite the restoration of service as described in rule 2143. ~~These telephones shall be staffed seven days a week, 24 hours a day, by personnel capable of processing calls to initiate immediate corrective action.~~ It shall be the responsibility of the individual ~~LECs, resellers, wireless carriers, other telecommunications providers~~ service suppliers, PSAPs, and governing bodies to convey this information, and any updates or changes, ~~to the Commission and~~ to the BESP for inclusion in the contingency plan.
- (j) — i) The BESP shall treat all customer telephone number information and ALL database providers may request access to customer location information, local exchange carrier line counts and wireless customer counts by geographic area from the LECs, resellers, wireless carriers, and other telecommunications providers who are, pursuant to the request of a governing body, providing 9-1-1 service. Such information allows a BESP and/or ALL database provider to properly bill its appropriate 9-1-1 services to the governing bodies; however, line counts shall be treated and interconnected VoIP information as confidential and not improperly disclosed by the BESP or ALL database provider to any person or entity other than the PSAPs for exclusive use in billing purposes. The BESP or ALL Database Provider. The BESP shall gain obtain an agreement from the PSAPs that, as a condition of receiving this customer specific information, the PSAPs shall not disclose customer specific information or confidential access line and wireless customer or service supplier specific counts, nor use this information for any purpose other than to verify BESP or ALL database provider billing to the PSAP or to verify the accuracy of the emergency telephone charge billing by the carriers to their end users or to respond to emergency requests originated by an end use customer.
- A BESP shall not be required to interconnect with a service supplier for the provision of 9-1-1 related facilities that do not fulfill the relevant obligations of rules 2130 through 2148.

2137. Obligations of ALI Database Providers.

- (a) The ALI database provider shall ~~provide sufficient facilities to interconnect its database to the PSAPs to meet the requirements of the PSAPs or the governing body, treat all service supplier customer specific information as confidential.~~
- (b) If the ALI database provider is not the BESP, it shall provide to BESP, for the geographic areas served, all information required by the BESP to ensure that calls are routed from the end users to the correct PSAP.
- (c) No BESP, ~~LEC, wireless carrier, or other telecommunications provider or service supplier~~ shall interconnect with an ALI database provider unless the ALI database provider provides sufficient facilities to interconnect its database to the PSAPs so that it can meet the requirements of the governing body or PSAP and comply with paragraphs 2137(a) and (b) and the relevant provisions of rule 2141 of these rules.
- ~~(d) If the ALI database provider is also a BESP, basic local exchange carrier, wireless carrier, or other telecommunications provider, the ALI database provider shall interconnect in the manner prescribed for BESP in paragraph 2136(b).~~
- ~~(d) The ALI database is an integral component of Enhanced 9-1-1. Therefore, for all ALI database services that are not part of or a cost component of the overall tariffed offerings of a BESP, the ALI database providers shall develop and file with the Commission cost based tariffs rates that establish statewide averaged rates that it will apply to service suppliers for establishing and maintaining records in its ALI database and for Commission approval of the services it offers to PSAPs and service suppliers within the service area of the PSAP.~~

2138. Obligations of Basic Local Exchange Carriers.

- (a) All basic local exchange carriers (LEC) in a geographic area for which a governing body has requested the provision of 9-1-1 service shall deliver 9-1-1 calls, at an agreed point of interconnection within that geographic area, to a certificated BESP ~~at rates in an approved tariff applicable to BESP.~~ Interconnection agreements and charges by LECs to the BESP must be approved by the Commission. If the BESP and the basic local exchange carrier or reseller agree, direct trunks, tandem switched trunks, common or joint circuits may be used to transport calls from the basic local exchange carrier or reseller to the PSAP.
- (b) All basic local exchange carriers shall furnish name, address and telephone number information for all their exchange access facility ~~customers of the basic local exchange carrier that can originate a 9-1-1 call~~, including non-published or non-listed customers, to all the ALI database providers for the provision of 9-1-1 services and emergency notification services. All basic local exchange carriers shall furnish such information within 24 hours and in accordance with rule 2144 only after each recipient has stated formally in writing that the recipient has complied with rule 2142 of these rules. All costs for providing this customer information and updates to this information shall be considered as part of basic local exchange service and shall be recovered through the non-recurring basic local exchange rates, unless provided for in a separate tariff approved by the Commission.

All basic local exchange carriers shall furnish the BESP and ALI database providers such information (in the manner and format required by the BESP and ALI database providers) necessary to place working telephone numbers of a LEC's customer and the associated

- ESN in the BESP's SRDB and working number location information in the databases of ALI providers. Such initial information or updated information shall be provided to the BESP and ALI providers within 24 hours of service initiation or within 24 hours of a change in service affecting the location of a telephone number thus changing its associated ESN. Non-working numbers or other numbers without 9-1-1 capabilities that the LEC desires to have loaded or retained in the BESP's SRDB and/or in the ALI databases shall be separately and uniquely identified to the BESP and ALI providers. The LEC shall pay the BESP and/or ALI database provider for the provisioning and storage of non-working and other numbers (without 9-1-1 capabilities) placed in the BESP's SRDB and/or ALI database at the request of the LEC. All costs for providing customer specific location information transmitted to the ALI database providers and the development and transmittal of the SRDB data file for initial load or updates transmitted to the BESP shall be recovered through the non-recurring basic local exchange rates and charges, unless provided for in a separate tariff approved by the Commission.
- (c) All local exchange carriers and resellers of local exchange services shall collect and remit the emergency telephone charge as required by § 29-11-100.5, et seq., C.R.S., ~~et seq.~~ to the appropriate governing body.
- (d) The basic local exchange carrier shall ensure that all E9-1-1 facilities and interconnections between it and a BESP are engineered, installed, maintained and monitored to provide a minimum of two circuits and a grade of service that has one percent (P.01) or less blocking.
- (e) To expedite the restoration of service following 9-1-1 failures or outages, each basic local exchange carrier shall designate a telephone number that PSAPs or BESP's can use to report trouble. Such telephone number shall be staffed seven days a week, 24 hours a day by personnel capable of processing the call to initiate immediate corrective action.
- ~~(f) On a quarterly basis and no later than 30 days after the end of each quarter, each LEC shall report, to the BESP, the local exchange access line quantities by geographical area, in the manner specified by the BESP, so that the BESP may compute the monthly billing to each governing body for the tariff services provided by the BESP.~~
- ~~(g)~~ (f) All basic local exchange carriers shall give formal written notice of intent to provide dial tone within an exchange to the governing body responsible for the PSAP within that exchange prior to activating service. This notice is for purposes of the governing body arranging the appropriate connections to a BESP, and arranging for the exchange of seven days per week, 24 hours per day telephone contact information, and arrangements for the arrangement of the collection and remittance of the 9-1-1 emergency telephone charge.
- ~~(h)~~ (g) Interconnections with payphone providers.
- (l) A basic local exchange carrier shall not interconnect with a payphone provider unless that provider:
- (A) Allows customers to place a 9-1-1 call without requiring a coin deposit or other charges; and
- (B) Furnishes the ALI database provider(s), the LEC that provides the dial tone connection, the PSAP, the governing body, and the BESP, the Commission-required name and location information.

- (II) The prohibition in this paragraph (g) shall not apply to payphones provided to inmates in penal institutions where access to 9-1-1 is not required.

2139. Obligations of Resellers Of Basic Local Exchange Service.

- (a) All resellers of basic local exchange service shall ensure that the underlying basic local exchange carrier has sufficient facilities to transport the 9-1-1 calls from the reseller's customers to a BESP.
- (b) If the reseller is using a switch, for example a PBX, to aggregate or switch calls before the calls are in the facilities of a basic local exchange carrier, the reseller shall ensure that its switch is capable of delivering ANI for each telephone extension connected to the switch.
- ~~(c) On a quarterly basis, and no later than 30 days after the end of each quarter, each reseller shall report to the BESP the local exchange access line quantities by geographical area in the manner specified by the BESP so that the BESP may compute the monthly billing to each governing body for the tariff services provided by the BESP.~~

2140. Obligations of Wireless Providers of Commercial Mobile Radio Services (CMRS) and Providers of Interconnected-Voice-Over-Internet Protocol (VoIP).

~~All wireless providers interconnecting to the facilities of the BESP for the provision of Enhanced 9-1-1 services shall on a quarterly basis, 30 days after the end of each quarter, provide a report to the BESP the wireless communications quantities by geographical area in the manner specified by the BESP so that the BESP may compute the monthly billing to each governing body for the tariff services provided by the BESP.~~

- ~~(a) All wireless providers of CMRS and providers of interconnected VoIP shall furnish to the BESP and ALI database providers such information necessary and in the manner and format required by the BESP and ALI database providers, to place working telephone numbers and/or pANIs and their associated ESNs in the BESP's SRDB and place working number and/or pANI location information in the databases of ALI database providers. Such initial information or updated information shall be provided to the BESP and ALI database providers within 24 hours of service initiation or within 24 hours of a change in service affecting the location of a telephone number thus changing its associated ESN. Non-working numbers or pANIs the wireless or VoIP providers desire to have loaded or retained in the BESP's SRDB and/or in the ALI databases shall be separately and uniquely identified to the BESP and ALI database providers. The wireless and VoIP providers shall pay the BESP and/or ALI database providers for the provisioning and storage of non-working and other numbers (e.g., pANIs) placed in the BESP's SRDB and/or ALI database at their request. All costs for providing customer specific location information transmitted to the ALI database providers and the development and transmittal of the SRDB data file for initial load or updates transmitted to the BESP shall be the responsibility of wireless or VoIP provider.~~
- ~~(b) Wireless providers and providers of Interconnected VoIP services that have physical switching locations (mobile switching centers for CMRS and soft switches or circuit switches for VoIP providers) within the geographic area of a BESP shall interconnect their facilities at their switching locations or at some mutually agreed point of interconnection with the transport facilities of the BESP in the manner and with the type of facilities specified by the BESP. Providers of CMRS and VoIP services with switches (MSC, circuit switches, soft switches, or other switching devices) located outside of the geographic area of 9-1-1 service provided by the BESP shall be responsible for~~

- interconnecting their transport facilities at a mutually agreed point of interconnection within the BESP's serving area in the manner specified by the BESP. In no event shall the BESP be responsible for constructing 9-1-1 transport facilities or for compensating a CMRS provider or VoIP provider for transport facilities to switching locations outside of the BESP's service area.
- (c) Some providers of VoIP services and wireless services may employ 9-1-1 location services of a third-party provider that has mapped the serving areas of PSAPs within a state so as to provide the VoIP or wireless service provider with a local telephone number (administrative line) of a PSAP for the PSAP's service area or so as to provide the VoIP or wireless service provider with the telephone number of the closest PSAP to the area identified as the current physical location of the VoIP or wireless subscriber placing a 9-1-1 call that can be used to forward the call for emergency assistance. While PSAPs automatically receive caller location information on 9-1-1 calls placed from Enhanced 9-1-1 LEC central office switches, from VoIP service providers that can provide Enhanced 9-1-1 service and from phase II compliant CMRS providers, PSAP call takers must generally rely on verbal location information obtained from nomadic VoIP customers and non-phase II wireless callers. Providers of interconnected VoIP or wireless services desiring the ability to complete 9-1-1 calls from their subscribers to administrative telephone numbers of the PSAP may purchase local exchange service or other exchange service offerings from LECs or service suppliers for the delivery of non-E9-1-1 calls to administrative telephone numbers of the PSAP through the PSTN. However, for 9-1-1 calls placed through the PSTN, all charges for the delivery of the non-E9-1-1 call shall be the responsibility of the service supplier or its third-party routing provider. All providers of CMRS and providers of VoIP services capable of delivery of Enhanced 9-1-1 calls in the format and manner prescribed by the BESP within the area served by the BESP shall be interconnected at the Mobile Switching Center (MSC) and VoIP provider switches located within the BESP's serving area or at some mutually agreed interconnection point within the BESP's serving area.
- (d) All CMRS providers and providers of interconnected VoIP within Colorado shall apply to register with the Commission and to establish a point of contact number for public safety and government officials to be able to reach for issues related to 9-1-1 and enhanced 9-1-1 service and access.
- (e) All CMRS providers and providers of VoIP shall give formal written notice of the intent to provide telecommunications service within the area served by a PSAP to the governing body responsible for the PSAP within 60 days prior to activating service. The notice is to allow the governing body to arrange the appropriate connections within its equipment and to ensure the PSAP has sufficient facilities between its location and the appropriate BESP switch, to arrange for the exchange of seven-days-per-week, 24 hour per day contact information and to arrange for the collection and remittance of the appropriate 9-1-1 emergency telephone charges imposed by the governing body within the proposed service area of the service supplier.
- (f) Any service supplier routing 9-1-1 calls directly to a PSAP over local exchange service administrative lines or in any other manner than through a BESP selective router and its corresponding trunks to the PSAP recognizes that the PSAP may not be able to display ANI or ALI data associated with this call, that the PSAP may not be able to transfer the call to another PSAP if initially routed incorrectly and that PSAP administrative lines may not be monitored or answered on a 24/7 basis. Any service supplier desiring to route calls to PSAP administrative lines shall:

- (I) Route calls directly to the PSAP over such administrative lines only pursuant to a written agreement with the governing body, a copy of which shall be filed with the Commission. The governing body shall not be obligated to enter into any such agreement.
- (II) Inform the customer that calls to 9-1-1 do not display the caller's telephone number and location to the 9-1-1 call center, and if routed to the incorrect 9-1-1 call center may not be transferrable to the correct call center.
- (III) Not collect from the PSAP charges or costs for routing the calls to the PSAP.
- (g) Service suppliers, including those using PSAP administrative lines for the delivery of 9-1-1 calls, are required to bill and remit the appropriate emergency service charge to the PSAP.

2141. Obligations of Multi-line Telephone Systems (MLTS).

- (a) For purposes of this rule:
 - (I) "End user" means the person making telephone calls, including 9-1-1 calls, from the MLTS that provides telephone service to the person's place of employment, school, or to the person's permanent or temporary residence.
 - (II) "Residence" or "residence facility" shall be interpreted broadly to mean single family and multi-family facilities including apartments, townhouses, condominiums, dormitories, hotels, motels, resorts, extended care facilities, or similar entities, facilities, or structures.
 - (III) "Written information" means information provided by electronic mail, facsimile, letter, memorandum, postcard, or other forms of printed communication.
- (b) When the method of dialing a local call from an MLTS telephone requires the end user to dial an additional number to access the public switched network, MLTS operators shall provide written information to each of their end users describing the proper method of accessing emergency telephone service (ETS), or 9-1-1, in an emergency.
 - (I) Such written information shall be provided to each end user by placing stickers or cards including the appropriate method to access ETS on each MLTS telephone. Additionally, such written information shall be provided to each individual end user annually and at the time of hiring in the case of an employer, at the time of registration in the case of a school, and at the time of occupancy in the case of a residence facility.
 - (II) At a minimum, such written information that is attached to the telephone and provided annually, shall include the following words: "To dial 9-1-1 in an emergency, you must dial #-9-1-1." [# = Insert proper dialing sequence].
- (c) When calls to access ETS from an MLTS do not give one distinctive ANI and one distinctive ALI, or both, for each end user, the MLTS operator shall instruct, in writing, that the end user must stay on the telephone and tell the ETS operator the telephone number and exact location.

- (I) Such written information shall be provided to each individual end user annually and at the time of hiring in the case of an employer, at the time of registration in the case of a school, and at the time of occupancy in the case of a residence facility. Whenever possible, such information also shall be placed on cards or stickers on or next to the MLTS telephone.
 - (II) At a minimum, such written information shall include the following words: "When calling 9-1-1 from this telephone in an emergency, you must stay on the telephone and tell the 9-1-1 operator your phone number and exact location. This telephone does not automatically give the 9-1-1 operator your phone number and exact location. This information is critical for a quick response by police, fire, or ambulance."
 - (III) If an MLTS operator provides telephones that are not assigned to a particular end user, but that may be used by members of the public, the MLTS operator shall place a sticker or card on or next to the pertinent telephone either identifying the method for dialing 9-1-1 from that telephone or stating there is no 9-1-1 access from that telephone.
- (d) Exemption from rules. The disclosure requirements of this rule shall not apply to MLTS provided to inmates in penal institutions, jails, or correctional facilities, to residents of mental health facilities, or to residents of privately contracted community correctional facilities, including substance abuse and mental health treatment facilities, or other such facilities where access to ETS is not required.

2142. Nondisclosure of Name/Number/Address Information.

- (a) ALI database providers, governing bodies and PSAPs shall sign non-disclosure agreements consistent with this rule. If an ALI database provider, governing body or PSAP does not execute a non-disclosure agreement, ~~LECs, wireless carriers, other telecommunications providers, service suppliers~~ and BESP shall not be required to provide telephone numbers and location data, including non-published and non-listed telephone numbers.
- (b) Pursuant to rules 1103, 1104, and 2360 through 2399, no basic local exchange carrier shall disclose personal information of any person to any BESP, ALI database provider, governing body, or PSAP unless each potential recipient of personal information has stated formally in writing to the basic local exchange carrier or reseller of basic local exchange service that it has agreed to non-disclosure of personal information consistent with this rule.
- (c) ALI database or SRDB information shall not be used for purposes other than for responding to requests for 9-1-1 emergency assistance, initiating delivery of emergency warnings using an emergency notification service, or periodic testing of these services. ~~For example, the~~ The ALI database includes listed as well as non-listed and non-published telephone numbers. Use of the ALI database to obtain non-listed or non-published numbers for purposes other than responding to requests for 9-1-1 emergency assistance or emergency notification service is prohibited. However, a query, or reverse search of the ALI database, initiated at the PSAP to electronically obtain the ALI data associated with a known telephone for purposes of handling ~~an~~ a 9-1-1 emergency call is permitted.
- (d) If personal information is improperly disclosed by the BESP, the PSAP, or the ALI database provider, the provider responsible for disclosing it shall pay the applicable ~~tariff~~

rates of the ~~basic local exchange carrier, wireless carrier, reseller, or other telecommunications providers~~ service supplier for changing a customer's telephone number, unless the customer declines such number change.

2143. Diverse Routing and Priority Service Restoration.

- (a) Facilities for 9-1-1 service shall be diversely routed, using different circuit routes wherever feasible. When the governing body requests additional diverse routing, the BESP shall develop cost-based tariff rates for additional diverse routing of 9-1-1 circuits. ~~Basic local exchange carriers~~ Service suppliers and BESPs shall ensure that current 9-1-1 circuit routing profiles are maintained and that circuits are individually tagged where possible to prevent inadvertent disruption. Upon request by the governing body for priority service restoration, basic local exchange carriers and BESP shall develop and implement cost-based tariff rates for priority service restoration of 9-1-1 services.
- (b) ~~BESPs, wireless carriers, basic local exchange carriers, and other telecommunications providers~~ and service suppliers shall work cooperatively with the PSAPs to ensure an effective way of tracking the report of a 9-1-1 failure or outage (e.g., issuance of a trouble ticket number in order to track such a failure or outage).
- (c) A BESP shall notify a person, agency, or responsible party designated by the governing body regarding a present or potential 9-1-1 failure or outage. A BESP shall notify the designee of the governing body immediately of the nature, extent, and actions being taken to correct the present or potential 9-1-1 failure or outage to the extent known by the BESP. In the event the PSAP detects a failure in the 9-1-1 system, the PSAP shall immediately notify the BESP in that geographic area of the failure.
- (d) 9-1-1 ~~contingency plans~~ Contingency Plans.
- (I) ~~Basic local exchange carriers, wireless carriers, other telecommunications providers,~~ (I) Service suppliers and BESP, in cooperation with the governing bodies, shall develop 9-1-1 contingency plans. The plan shall detail the actions to be taken in the event of a 9-1-1 failure or outage. A BESP shall maintain a copy of each of these plans. BESP are required to provide a copy of the plan to the Commission by April 30 each year. The ~~basic local exchange carriers~~ service suppliers and BESP shall notify the PSAPs of any changes in the network which may require a change to the previously agreed upon 9-1-1 contingency plan. Nothing in this rule shall preclude the BESP or ~~the basic local exchange carriers~~ service suppliers from developing and seeking rate recovery for permanent equipment or alternate route solutions to mitigate 9-1-1 failures or outages.
- (II) A 9-1-1 contingency plan shall:
- (A) Include the designated telephone number of the ~~LEC, CLEC, reseller, wireless carrier, other telecommunications providers~~ service supplier, PSAP, or governing body, as required in ~~rule paragraph~~ 2136(h);
- (B) Arrange to temporarily re-route 9-1-1 calls to another PSAP;
- (C) Arrange, with the cooperation of the ~~basic local exchange carrier, wireless carrier, or other telecommunications providers~~ service supplier to route 9-1-1 calls to a local telephone number; or

- (D) Provide another mutually agreed upon temporary solution so that 9-1-1 calls can be answered until 9-1-1 service is restored.
- (e) If a 9-1-1 failure or outage exceeds or is anticipated to exceed 15 minutes from the time a BESP becomes aware of the outage and after notification to the PSAP, the BESP shall implement the contingency plan of rule 2143(d) and shall perform the following actions, if applicable:
- (I) Arrange to temporarily re-route 9-1-1 calls to another PSAP;
 - (II) Arrange, with the cooperation of the ~~basic local exchange carrier~~ service supplier, to route 9-1-1 calls to a local telephone number;
 - (III) Use facilities obtained for alternative routing of 9-1-1 calls for temporary use during service interruptions, such as private network facilities and governmental facilities; or
 - (IV) Provide other mutually agreed upon temporary solutions so that 9-1-1 calls can be answered until 9-1-1 service is restored.
- (f) In the event that the anticipated failure in the provision of 9-1-1 service is in the facilities of the ~~basic local exchange carrier, wireless carrier, or other telecommunications provider~~ service supplier, such provider shall notify the BESP that is responsible for delivering 9-1-1 calls to the PSAP for its customers. In the event that the anticipated failure in the provision of 9-1-1 ~~Service~~ service is in the facilities of the BESP, it shall be responsible for notification ~~of~~ to all ~~basic local exchange carriers, wireless carriers, other telecommunications providers, service suppliers~~ and PSAPs that will be affected by the failure.
- (g) A BESP and the ~~basic local exchange carrier~~ service suppliers shall have qualified service technicians on site, when necessary, within two hours or their best effort, after being notified by the PSAP of a failure of the 9-1-1 system.
- (h) If a 9-1-1 failure or outage exceeds 30 minutes, the responsible BESP or the responsible ~~basic local exchange carrier~~ service supplier shall ~~verbally~~ inform the Commission, in compliance with the policies adopted by the Commission to implement this paragraph, within two hours outlining the nature and extent of the outage, and shall file a written report with the Commission following Commission reporting format and guidelines within 30 days of such outage. As an alternative to the 30-day written report, the Director, or the Director's designee, may request, on a case-by-case basis, a separate written report within five days from the time of the request, outlining the nature, cause, extent, and corrective action taken.

2144. Reports.

- (a) Each BESP and ~~basic local exchange carrier~~ service supplier interconnected into the 9-1-1 network, shall furnish to the Commission at such time and in such form as the Commission may require, a report in which the provider shall specifically answer all questions propounded regarding the implementation, usage, availability, 9-1-1 failures or outages, ~~cost of providing~~, and such other information relevant to the provision of this service. These reports shall be provided ~~at regular intervals, to be determined by the Commission,~~ and on a form approved by the Commission.

(b) Periodic or special reports concerning any matter about which the Commission is concerned relative to the provision of 9-1-1 services, such as the failure or outages of 9-1-1 services, shall be provided ~~in a manner determined by~~ the Commission, and on a form approved by the Commission.

~~(c) Each basic local exchange service carrier and BESP shall report to the Commission its progress in the implementation of basic emergency service in each local exchange area of the state. Such report shall be filed with its Annual Report.~~

2145. 9-1-1 Advisory Task Force.

(a) The Commission shall establish a 9-1-1 Advisory Task Force. The purpose of the Advisory Task Force is to provide oversight of the statewide implementation of basic emergency service. The Advisory Task Force shall include, but is not limited to, the following representative parties directly interested in 9-1-1 services: customer groups, governing bodies, basic local exchange service providers, wireless service providers, providers of basic emergency services, customers of basic emergency service, ALI database providers, and ~~other telecommunications providers.~~service suppliers. The Commission Staff shall be responsible for administering the Advisory Task Force and facilitating its meetings and agenda. The Advisory Task Force shall evaluate alternate technologies, service, and pricing issues related to implementing statewide 9-1-1 services in a cost effective fashion. ~~The Commission Staff shall provide periodic reports to the Commission on the implementation of 9-1-1 services statewide.~~

(b) The Advisory Task Force shall:

- (I) Make future recommendations and report to the Commission concerning, but not limited to the development of database formatting standards, processes to facilitate the transfer of ALI data, and the implementation of 9-1-1 services in Colorado;
- (II) Consider 9-1-1 service quality and the cost of 9-1-1 service to the PSAPs, both urban and rural, and to end-use customers of 9-1-1 service in developing its report and recommendations;
- (III) Investigate and report to the Commission the impact of ~~wireless carriers~~service suppliers on PSAPs;
- (IV) Investigate and report to the Commission the development of new 9-1-1 technologies;
- (V) Study and report to the Commission on the overall costing, funding and billing issues of providing 9-1-1 service, including the 9-1-1 surcharge, tariffs, and PSAP equipment costs; and
- (VI) Monitor and report to the Commission on FCC proceedings that may affect 9-1-1 services in Colorado.

2146. National Emergency Number Association (NENA) Data Standards.

The NENA standards incorporated by reference ~~as identified in rule 2008~~ shall be used for the purpose of defining standard formats for ALI data exchange between basic local exchange carriers, ALI database providers, governing bodies, and BESP.

2147. Applications by the Governing Body for Approval of a 9-1-1 Charge in Excess of Seventy Cents per Month.

- (a) A governing body requesting approval pursuant to § 29-11-102(2)(b), C.R.S., for a charge in excess of seventy cents per month shall file an application with this Commission pursuant to 4 CCR 723-2-2002. Included in the application shall be supporting attachments or exhibits of budget information, cost information and such other information the Commission may rely upon for justification of the proposed increase in surcharge. The attached information should include present and proposed surcharge remittance estimates, all other revenue sources and amounts, and any other information such as audit reports that may be used to justify the proposed increase in the 9-1-1 charge above \$0.70 per month.
- (b) Notice. The governing body filing an application for approval of a 9-1-1 charge in excess of \$0.70 per month shall:
- (I) Within three days after filing the application, publish one notice of the application in at least one newspaper of general circulation in the area of applicability for at least two weeks.
- (II) Ensure that newspaper notice contains:
- (A) The name, address and telephone number of the requesting governing body;
- (B) A statement that the governing body has filed with the Colorado Public Utilities Commission an application to change its currently effective surcharge to a charge in excess of \$0.70 per month;
- (C) The date the application was filed with the Commission;
- (D) The proposed effective date of the new charge;
- (E) A statement of the purpose of the application, including an explanation of the proposed changes;
- (F) A statement that the application is available for inspection at the office of the governing body utility and at the Colorado Public Utilities Commission;
- (G) A statement that any person may file with the Commission a written objection to the application, or an intervention to participate as a party, and an explanation that a mere objection without an intervention shall not be adequate to permit participation as a party;
- (H) A statement that any person filing a written objection within 60 days of the date the application was filed or a person may file an intervention within 30 days of the date the application was filed; and
- (I) A statement that any person may attend the hearing, if any, and may make a statement under oath about the application, even if such person has not filed a written objection or intervention.

(c) All persons other than the Commission who are required to provide notice shall, within 15 days of providing notice, file an affidavit with the Commission stating the date notice was completed, and the method used to provide it. This affidavit shall be accompanied by a copy of the notice or notices provided.

2148. – 2159. [Reserved].

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[signifies omission of unaffected rule sections]