

RULES RELATING TO THE PROVISIONING OF THE ABBREVIATED DIALING CODE 5-1-1 FOR TRAFFIC AND TRANSPORTATION

723-24-6. A governmental entity submitting a petition for use of the 5-1-1 abbreviated dialing code established by the Commission shall be granted use of that abbreviated dialing code if it is found to meet the public benefit standard as delineated in this rule. Any government entity that is granted the authority to offer 5-1-1 abbreviated dialing access to intelligent transportation systems or other transportation information shall comply with this rule and any provisions set out in the Commission's decision granting such authority.

723-24-6.1 Process for Assignment of 5-1-1 Abbreviated Dialing Code. The assignment of the 5-1-1 abbreviated dialing code to provide traffic and transportation information will be considered by the Commission either upon its own motion or upon the filing of a petition by a governmental entity.

723-24-6.2 Petition for Consideration of the Assignment of 5-1-1. A governmental entity filing a petition to request assignment of the 5-1-1 abbreviated dialing code for providing intelligent transportation systems or other transportation information must present evidence that a public benefit exists. The Commission will evaluate the petition based upon this evidence.

723-24-6.3 Contents of the Petition. The petition shall contain the following information and documentation:

- (a) Name and address of the governmental entity filing the petition;
- (b) Name, address, and telephone number of the person filing the petition on behalf of the governmental entity;
- (c) If different than the person identified in response to (b), name, address, and telephone number of the governmental entity's representative to whom inquiries concerning the petition should be addressed;
- (d) Name, address, and telephone number of the person to contact with respect to implementation of the 5-1-1 abbreviated dialing code if the Commission grants the petition;
- (e) Background of the petitioner, including composition of any governing board or agency;
- (f) Demonstration of public need;
- (g) Historic volume of calls seeking transportation information;
- (h) Description of the geographic area, including a list of cities, towns, and counties or, if known, of central offices within the proposed area, to be included within the assignment and a description of any plans for expansion of that geographic area;
- (i) Estimated cost of implementing the 5-1-1 abbreviated dialing code if the Commission grants the petition;

- (j) Proposed cost recovery solution, including funding mechanisms;
- (k) Letters of support;
- (l) Proposed plan for community outreach and notification.

723-24-6.4 If two or more government entities petition the Commission to provide access to intelligent transportation systems or other transportation information using the 5-1-1 abbreviated dialing code in the same or overlapping geographic areas, the Commission shall use the criterion in rule 723-24-6.2 to establish one assignee.

723-24-6.5 When the Commission issues an order assigning the 5-1-1 abbreviated dialing code for providing traffic and transportation information to the public, each jurisdictional telecommunications service provider that provides service in the geographic area covered by the order that receives notice of such an order shall do the following:

723-24-6.5.1 If an affected jurisdictional telecommunications service provider is using 5-1-1 for purposes other than access to intelligent transportation systems or other transportation information, that provider shall discontinue the non-compliant use.

723-24-6.5.2 If an affected jurisdictional telecommunications service provider plans to seek recovery of its costs associated with implementation of the 5-1-1 abbreviated dialing code for providing traffic and transportation information, the provider shall perform all analyses required to quantify the costs for the translations and/or facilities work necessary to implement the 5-1-1 abbreviated dialing code.

723-24-6.5.3 The affected jurisdictional telecommunications service provider shall estimate the time required to perform the translation and/or facilities work necessary to allow 5-1-1 call completion from its subscribers as requested in the Petition.

723-24-6.6 Within 30 days of the date of the Commission order assigning the 5-1-1 abbreviated dialing code, each affected jurisdictional telecommunications service provider that provides service in the geographic area covered by the order shall file with the Commission the information required by rules 723-24-6.5.2 and 723-24-6.5.3.

723-24-6.7 Taking into consideration the jurisdictional telecommunications service providers' filed information, the public need for the assignment of the 5-1-1 abbreviated dialing code for traffic and transportation purposes, and other factors which it may consider relevant, the Commission will establish, by written order, a time line for assignment and implementation of the 5-1-1 abbreviated dialing code in the affected geographic area. Each jurisdictional telecommunications service provider providing service within the affected geographic area shall comply with this assignment date unless a waiver is sought and granted.

723-24-6.8 Not less than 30 days prior to the Commission-ordered implementation date, each jurisdictional telecommunications service provider that offers service within the affected geographic area shall file, on not less than 30 days' notice, an advice letter and accompanying tariff that describes the availability of the 5-1-1 abbreviated dialing code; that contains the terms and conditions of the 5-1-1 abbreviated dialing code service; and,

if the provider desires to recover its costs, the rates for the 5-1-1 abbreviated dialing code service.

723-24-6.9. Discontinuance of 5-1-1 Access

723-24-6.9.1 Any government entity that has been granted the authority to offer 5-1-1 service shall file a notification of discontinuance with the Commission not less than 45 days prior to the effective date of the proposed discontinuance.

723-24-6.9.2 Contents of Discontinuance Notification. The notification shall contain the following information:

- (a) The entity's name, complete mailing address (street, city and zip code), telephone number, and e-mail address;
- (b) Name, mailing address, telephone number and e-mail address of the person to contact for questions regarding the discontinuance;
- (c) The proposed effective date, which shall not be sooner than 45 days after the date on which the notification is filed with the Commission;
- (d) The reason(s) for the discontinuance;
- (e) A detailed description of the affected area, including a map of the affected area;
- (f) A copy of the notice to the affected users of the proposed discontinuance of the 5-1-1 service, and a list of all newspapers of general circulation in which the notice of discontinuance will be published;
- (g) A detailed description of the other means to be utilized to inform and educate the affected users of the discontinuance of 5-1-1 service; Acknowledgment that by signing the notification, it is understood that:
 - i.) Filing the notification does not, by itself, constitute authority to discontinue the offering of service, and
 - ii.) If the discontinuance is granted, it is conditional upon fulfillment of any conditions established by Commission Order.
- (h) An affidavit signed by a person authorized to act on behalf of the provider, stating that the contents of the notification are true, accurate and correct.