

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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RULES OF THE PUBLIC UTILITIES)
COMMISSION OF THE STATE OF COLORADO)
CONCERNING EMERGENCY REPORTING) DOCKET NO. 91R-499T
SERVICES FOR TELECOMMUNICATIONS)
SERVICE PROVIDERS AND TELEPHONE)
UTILITIES.)

COMMISSION STATEMENT OF ADOPTION OF RULES

Mailing date: June 2, 1992
Adopted date: May 27, 1992

This matter has been considered at several rulemaking hearings. The Colorado Public Utilities Commission ("commission") has circulated several proposed drafts of emergency reporting service rules, and hereby adopts the attached rules. The rules will be published by the Colorado Secretary of State on June 10, 1992, and will become effective on June 30, 1992.

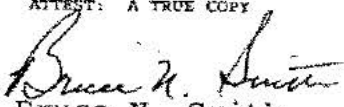
Because this is a rulemaking, this statement of adoption is not subject to rehearing, reargument, or reconsideration under the State Administrative Procedure Act.

ADOPTED IN OPEN MEETING ON May 27, 1992

(S E A L)



ATTEST: A TRUE COPY


Bruce N. Smith
Executive Secretary
and Division Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ARNOLD H. COOK

GARY L. NAKARADO

CHRISTINE E. M. ALVAREZ

Commissioners

**RULES PRESCRIBING THE PROVISION OF
EMERGENCY REPORTING SERVICES FOR
EMERGENCY TELECOMMUNICATIONS
SERVICE PROVIDERS AND TELEPHONE UTILITIES**

BASIS, PURPOSE, AND STATUTORY AUTHORITY

These rules are issued under the authority of Title 40, Articles 1 to 7 and 15, C.R.S. Specifically, § 40-2-108, C.R.S., states, "The commission shall promulgate such rules and regulations as are necessary for the proper administration and enforcement of this title" In § 40-15-201, C.R.S., it states, "The commission may promulgate such rules and regulations as are necessary for the purpose of implementing the provisions of this part 2." Basic Emergency Service is defined as a Part 2 service. (See § 40-15-201(2)(b), C.R.S.) These rules describe the components required in providing Emergency Reporting Services (911), and establish procedures to certify Basic Emergency Service Providers.

Inherent features of 911 increase communications efficiency and community safety. 911 is a simple telephone number, easy to remember, easy to dial, and consistently used throughout North America. The missing element is universality in that 911 is not available in some locations. Most metropolitan areas provide 911 service,

and a handful of states have attained 100 percent coverage. In Colorado 911 service is not universally available. However, the public often has the perception and expectation that it is. This may cause problems for persons attempting to use 911 in areas of Colorado without 911 service. The purpose of these rules is to promote implementation and availability of 911 Emergency Reporting Services to all Governing Bodies throughout Colorado at an affordable rate.

RULE 1: DEFINITIONS AND SERVICE DESCRIPTIONS

A. General Definitions

(1) **911:** A three-digit telephone number used to facilitate the reporting of an incident or a situation requiring a response by a Public Agency such as a fire department or police department.

(2) **Automatic Location Identification (ALI):** The automatic display on equipment at the Governing Body or Public Safety Answering Point ("PSAP") location of the caller's telephone number, the address for the telephone, including non-listed and non-published numbers and addresses, and other supplemental information on the calling party's location.

(3) **ALI Database Provider:** Any person who, on a for-profit or not-for-profit basis, undertakes the provision of the Automatic Location Information ("ALI") to the Basic Emergency Services Provider and the Governing Body for a specific Geographic Area.

(4) **Automatic Number Identification (ANI):** The automatic equipment at a local central office used on customer-dialed calls to identify the calling station. This information also may be sent over the trunk that connects the calling party's central office to other central office switches.

(5) **Basic Emergency Service:** A Part 2 Regulated Telecommunications Service (§ 40-15-201(2)(b), C.R.S.) permitting the use of the basic local exchange system and the single three-digit number 911 for reporting police, fire, medical, or other emergency situations to a Public Safety Answering Point ("PSAP") and referral to a Public Agency. Basic Emergency Service does not include discretionary equipment purchased by, or contracted for, Governing Bodies but not essential to the provision of 911 or E911 service.

(6) **Basic Emergency Service Provider:** Any properly authorized local exchange Provider who undertakes the aggregation and transportation of "911" calls from the local exchange Provider to a Governing Body.

(7) **Basic Local Exchange Service:** The telecommunications service which provides a local dial tone line and local usage necessary to place or receive a call within an exchange area regulated pursuant to part 2 of Title 40, Article 15 of the Colorado Revised Statutes, as further defined by rules of this Commission from time to time. (Source: § 40-15-102(3), C.R.S.)

(8) **E911 Features:** The ANI, ALI database and selective routing capabilities and all other components of an E911 system, not including the transport and switching facilities.

(9) **E911 Tandem:** The switch that receives E911 calls from the originating local exchange central offices, employs the ANI information associated with such calls from the originating central office, determines the correct destination of the call, and forwards the call and the ANI information to that destination.

(10) **E911 Trunks:** The facilities that connect from the central office serving the individual telephone that originates a 911 call to the E911 Tandem and connect the tandem to the PSAP. These may include, but are not limited to point-to-point private line facilities. Common or shared facilities also may be used subject to the provisions of this Rule 5.2.

(11) **Emergency Telephone Service:** A telephone system utilizing the single three-digit number 911 for reporting police, fire, medical or other emergency situations. (Source: § 29-11-102(2), C.R.S.)

(12) **Enhanced 911 (E911):** A telephone system which includes ANI, ALI (including non-listed and non-published numbers and addresses), and (optionally) selective routing, to facilitate public safety response.

(13) **Geographic Area:** The area such as a city, county, municipality, multiple counties, or other areas defined by a Governing Body or other governmental agency for the purpose of providing Public Agency response to 911 calls.

(14) **Governing Body:** A board of county commissioners of a county or the city council or other Governing Body of a city, city and county, or town or the board of directors of a special district. (Source: § 29-11-101(4), C.R.S.)

(15) **Local Exchange Provider:** Any person authorized by the Commission to provide Basic Local Exchange Service. (Source § 40-15-102(18), C.R.S.)

(16) **Master Street Address Guide (MSAG):** The file of street names and ranges defining emergency service agencies particular to a telephone number.

(17) **Non-listed service:** Telephone numbers that are not published in the telephone directory but are available through directory assistance.

(18) **Non-published service:** Telephone numbers that are not published in the telephone directory and are not otherwise available through directory assistance.

(19) **Person:** Any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation (municipal or private and whether

organized for profit or not), governmental agency, state, county, political subdivision, state department, commission, board, or bureau, fraternal organization, nonprofit organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee, or trustee in bankruptcy or any other service user.

(20) **Public Agency:** Any city, city and county, town, county, municipal corporation, public district, or public authority located in whole or in part within this state which provides or has the authority to provide fire fighting, law enforcement, ambulance, emergency medical, or other emergency services. (Source: § 29-11-101(6), C.R.S.)

(21) **Public Safety Answering Point ("PSAP"):** A facility equipped and staffed to receive 911 calls from the Basic Emergency Service Provider. PSAPs operate under the direction of the Governing Body and are responsible to direct the disposition of 911 calls.

(22) **Routing:** The central office programming required to transport a 911 call to the correct 911 Tandem.

(23) **Selective Routing:** The capability of routing a 911 call to a designated PSAP based upon the seven-digit calling telephone number of the subscriber dialing 911.

(24) **TDD:** A telecommunications device for use by deaf persons that employs graphic communication in the transmission of coded signals through a wire or radio communication system.

(25) **TDD Emergency Access:** Provides 911 access to individuals that use TDDs and computer modems.

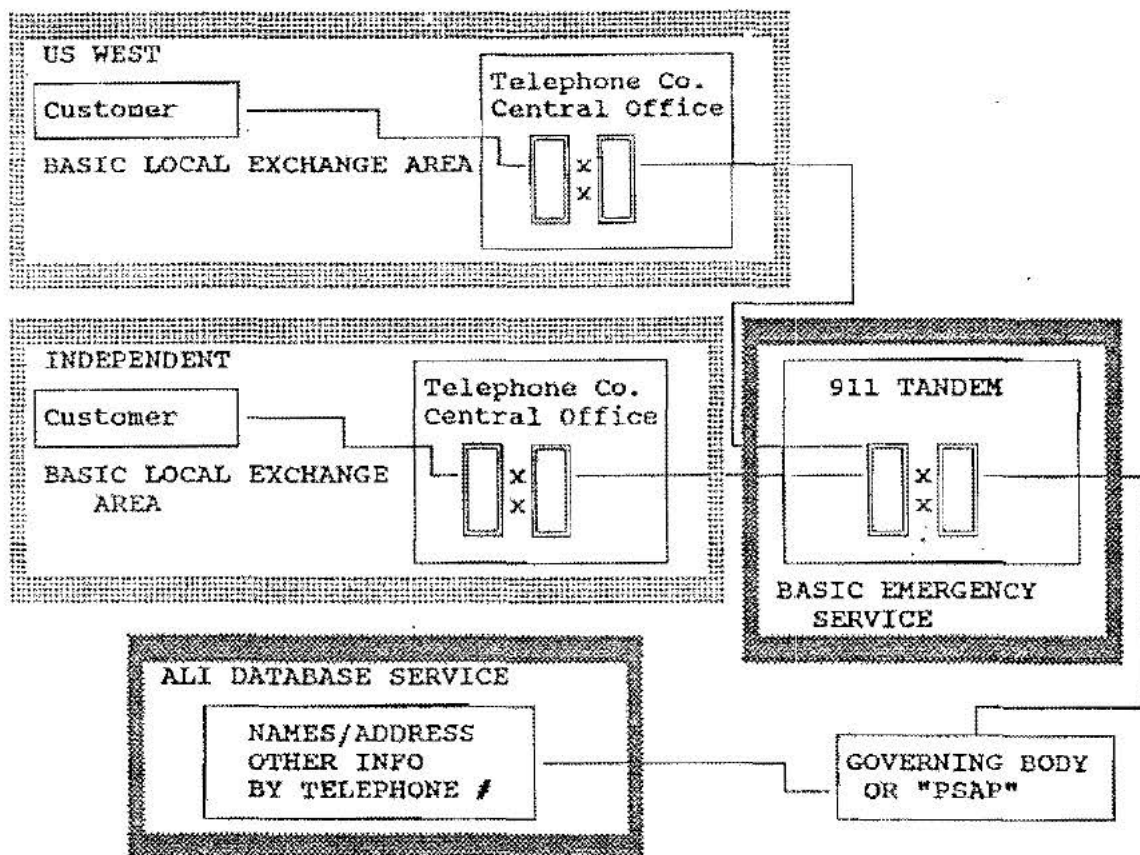
(26) **Telecommunications Relay Services:** Provide the ability for hearing- or speech-impaired individuals to engage in communication, by wire or radio, with a hearing individual in a manner that is functionally equivalent to communication by an individual without a hearing or speech impairment. This includes telecommunication relay services that enable two-way communications between an individual who uses a TDD or other non-voice terminal device and an individual who does not use such a device.

(27) **Transport:** The transmission of a 911 call from the originating caller to the PSAP.

B. Service Descriptions

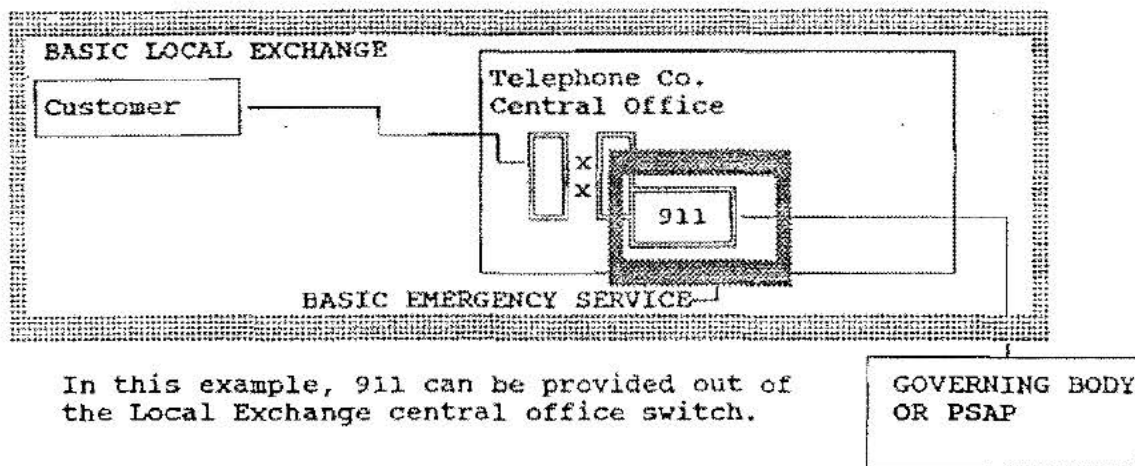
(1) **Basic Emergency Service:** The telecommunications service which provides the means to aggregate and transport "911" calls to a Governing Body. The aggregation of calls is the process of collecting 911 calls from one or more local exchange switches that serve a Geographic Area for the purpose of sending them to the correct authority designated to receive such calls. This service may be provided to a Governing Body by connections between a local exchange central office switch, connections to a 911 Tandem, and connections to the Governing Body. In many instances an ALI Database also may be interconnected with the other components of the service. An example

involving two exchanges serving a Geographic Area and the provision of 911 service to a Governing Body is:



An alternative form of Basic Emergency Service, where a Local Exchange Provider is

also a Basic Emergency Service Provider and is providing "basic" 911 service to a Governing Body, might look like the following:



(2) **ALI Database Service:** This service is "integral" to the provision of Enhanced 911 ("E911") services. An ALI Database Provider shall have access to non-published and non-listed telephone number lists that are maintained by Local Exchange Providers on a timely basis. E911 service is distinguished from 911 service in the ability of the Basic Emergency Service Provider to provide greater routing flexibility for 911 calls based on information that is placed in a computer database. The ALI Database also provides the means for the Governing Body to display the address

as well as the telephone number for incoming 911 calls and additional customer provided information on the 911 caller location.

Due to the requirement for the ALI Database Provider to have access to non-published and non-listed telephone number information from the Local Exchange Providers, and the vested interest of this Commission in the adequacy, installation, and operation of services critical for the provision of emergency calls, this Commission shall require that non-disclosure agreements, consistent with Rule 9, be signed. The Commission will require that all Providers of Basic Local Exchange Service make available all information, as needed to maintain the MSAG, that may be required for the ALI Database Provider to relate telephone numbers to locations for listed as well as for non-listed and non-published telephone subscribers. Provision of such information shall not be limited to a per-call basis.

(3) **Governing Body:** The Governing Body is responsible for receiving the 911 calls from the Basic Emergency Provider and, if applicable, ALI Database information. The Governing Body forwards the 911 call (and where applicable, the ALI Database

RULE 2: APPLICABILITY

Rules 1 through 13 are applicable to all Basic Emergency Service Providers. The components of basic emergency service include, but are not limited to, connections between the central office switch that provides the local dial tone connection to a subscriber placing a 911 call, and the Basic Emergency Service Provider. The Basic Emergency Service Provider then provides, through its own facilities, or through facilities obtained from a Local Exchange Provider ("LEC") or other network service Provider, the facilities to deliver 911 calls to a Governing Body for distribution to the PSAP, Public Agency, or other designated authority for responding to 911 calls originated from a designated Geographic Area. Basic Emergency Service may be provided via features and functions within the same telephone company switch that provides the dial tone switch. Basic Emergency Service does not include components of the Basic Local Exchange network and equipment furnished to and utilized at the Governing Body's location. However, connections between the Basic Local Exchange network and the Basic Emergency Service Provider's system may include common components utilized in the provision of Basic Local Exchange service.

RULE 3: PROCESS FOR CERTIFICATION OF EMERGENCY SERVICE PROVIDERS

(1) The Commission finds and declares that the public convenience and necessity require the provision of Basic Emergency Service within each local exchange area within the State of Colorado, and that such Basic Emergency Service is vital to the public health and safety and shall be provided, as soon as reasonably practicable, but in no event later than December 31, 1992. Basic Emergency Service shall be provided solely by properly certificated Local Exchange Providers.

(2) A Local Exchange Provider certificated to serve a specific Geographic Area pursuant to §§ 40-5-101 through 40-5-103, C.R.S., shall be authorized to provide Basic Emergency Service within its service area without having to obtain a new certificate, but shall file with the Commission a report detailing the means by which it will provide the services, as more specifically required in Rule 3(4).

(a) The Commission, upon receipt of a complaint, or upon its own motion, may determine that the existing certificated Local Exchange Provider in a particular Geographic Area is unwilling or unable to provide adequate basic emergency

service. Where such a determination is made the Commission may, for the limited purpose of providing Basic Emergency Service, certify the application of another Local Exchange Provider to offer the service. The Commission shall determine adequacy of service according to various factors, including the price of such service.

(3) An application for authority to provide Basic Emergency Service in areas outside of its certificated local exchange area shall contain all information required pursuant to Rule 55 of the Rules of Practice and Procedure of the Colorado Public Utilities Commission, in addition to the following information:

(a) The Geographic Area intended to be served pursuant to the application;

(b) The name, address, and telephone number of the Local Exchange Provider certificated to serve the Geographic Area which is the subject of the application;

(c) Where the applicant has previously filed with the Commission current reports which contain the information required in this Rule 3, it may certify that such filing has been previously made, and designate the date and title of such filing for the Commission's reference in lieu of filing in connection with this Rule 3.

(4) A detailed statement of the means by which the applicant will provide the service. This includes, but is not limited to:

(a) The technical specifications for the system that will be utilized to provide the Basic Emergency Services, including information on emergency restoration of the system;

(b) Any inter-company agreement used to implement and operate the service;

(c) Any agreement with ALI Database Providers;

(d) Any inter-governmental agreements regarding Governing Bodies and/or PSAPs; and

(e) Tariffs or proposed tariffs.

(5) A current financial statement showing the applicant's assets, liabilities, and net worth are sufficient to provide Basic Emergency Service and/or ALI Database Service as defined by these rules;

(6) The name and address of the applicant's representative or agent, if any, to whom all inquiries should be made;

(7) Each Basic Emergency Service Provider shall provide Basic Emergency Service in accordance with quality of service rules and regulations as may be later adopted by the Commission.

RULE 4: UNIFORM SYSTEM OF ACCOUNTS AND COST SEGREGATION

All Basic Emergency Service Providers shall maintain their books and records and perform separation of costs as prescribed at 4 CCR 723-27.

RULE 5: BASIC EMERGENCY SERVICE PROVIDERS

(1) The certificated Basic Emergency Service Provider shall arrange to obtain facilities from all Local Exchange Providers that have customers in the area designated by the Governing Body for the aggregation and transmission of 911 calls or E911 calls to the Governing Body for this area. The Basic Emergency Service Provider may obtain facilities from the Local Exchange Provider or other registered interexchange Providers for all or portions of the facilities to interconnect the Basic Emergency Service Provider to the Governing Body.

(2) Facilities required to interconnect the local exchange Service Provider to the Basic Emergency Service Provider shall be provided as follows:

(a) Dedicated Facilities for connecting each Local Exchange telephone switch to the Basic Emergency Service Provider are based on the requirements established by the Basic Emergency Service Provider, and submitted to the Commission, to serve the telephone lines within that local exchange switch.

(b) Where shared or common facility groups are utilized to transport calls from the Local Exchange Provider to the Basic Emergency Service Provider, the shared or common facility groups shall be sized to carry the additional call volume requirements. In addition, common or shared groups shall be so arranged to provide 911 calls on a priority basis where economically and technically feasible.

(3) The Basic Emergency Service Provider shall develop and file with this Commission tariffs that establish statewide averaged cost-based rates for the services provided to the entire Geographic Area where service is provided by such Basic Emergency Service Provider. The costs of such services shall include the costs of facilities furnished to it by all Local Exchange Providers in the Geographic Area as well as the costs of the facilities provided by the Basic Emergency Service Provider.

(4) The Basic Emergency Service Provider shall render a single monthly bill to the Governing Body for service in the requested Geographic Area.

(5) If E911 service requiring the provision of an ALI Database is being provided to a specific area, it is the responsibility of the Basic Emergency Service Provider to coordinate the ALI to Local Exchange Network functions and the transfer of the name and number information from the Local Exchange Provider to the ALI Provider.

(6) In order to make emergency services available to hearing- and speech-impaired individuals, all Basic Emergency Service Providers shall insure that telecommunication services are available, to the extent possible and in the most efficient manner, for transmitting 911 calls to the appropriate Governing Body.

RULE 6: ALI DATABASE PROVIDERS

(1) The ALI Database Provider shall provide sufficient facilities to interconnect their database to the PSAPs to meet the requirements of the Governing Body.

(2) If the ALI Database Provider is not the Basic Emergency Service Provider, it shall provide to the Basic Emergency Service Provider for the Geographic Area for which service is provided, all such information that is required by the Basic Emergency Service Provider to route calls to the correct PSAP where service is provided to multiple PSAPs by a single Basic Emergency Service Provider.

RULE 7: LOCAL EXCHANGE PROVIDERS

(1) All Local Exchange Providers in a Geographic Area for which a Governing Body has requested the provision of 911 service shall provide the certificated Basic Emergency Service Provider facilities at tariffed rates from the local exchange switch to the Basic Emergency Provider and for transporting the calls from the Basic Emergency Service Provider to the Governing Body.

(a) The Local Exchange Provider for each local exchange shall file, within three months, a separate Basic Emergency Services tariff section for the provision of facilities for the transport of 911 calls from the local exchange switch to the Basic Emergency Services Provider.

(b) If the Local Exchange Provider and the Basic Emergency Service Provider agree that common or joint circuits may be used to transport calls from the

Local Exchange Provider switch to the Basic Emergency Service Provider, the Local Exchange Provider shall file cost-based tariff rates for usage on the common or joint circuits.

(2) All Local Exchange Providers shall furnish all name, address and telephone number information and other information that may be required, for all published, non-listed and non-published customers of the Local Exchange Provider to the ALI Database Provider, Basic Emergency Service Provider, and the Governing Body for the provision of 911 services, upon certification by the recipients that the recipient has been authorized to receive such information and that the recipient has complied with Rule 9 of these Rules. Transmission of non-listed and non-published name and number information shall not be limited to a per-call basis. All costs for furnishing this information and updates to this information shall be considered as part of Basic Local Exchange Service and shall be recovered through the basic local exchange rates and/or non-recurring charges for establishing Basic Local Exchange Service, unless provided for in a separate tariff.

RULE 8: COIN PHONE PROVIDERS

All coin phone providers, including providers of coinless pay telephones, shall arrange the instruments, as soon as practicable, such that 911 calls may be placed without the necessity for depositing a coin or the application of other charge. This rule applies to coin instruments provided by the Local Exchange Providers as well as customer-owned and operated coin telephone instruments. However, coin or coinless telephones provided to inmates in penal institutions need not provide access to 911.

RULE 9: NON-DISCLOSURE OF NAME/NUMBER/ADDRESS INFORMATION

(1) Pursuant to the Privacy Rules found at 4 CCR 723-7, no Local Exchange Provider shall disclose personal information of any person to any Basic Emergency Service Provider, ALI Database Provider or Governing Body unless the potential recipients certify to the Local Exchange Provider that they have adopted procedures for non-disclosure of personal information consistent with this Rule 9.

(2) All Basic Emergency Service Providers, ALI Database Providers, and Governing Bodies shall develop a manual that defines the procedures that will be used

to prevent disclosure of personal information, defined in the Privacy Rules, Rule 2.1, 4 CCR 723-13. The manuals should include, but are not limited to, the following:

- (a) A description of the information that is considered personal pursuant to the Privacy Rules;

- (b) A definition of authorized and unauthorized disclosure of personal information;

- (c) The training procedure to inform employees that are the recipient of this information on non-disclosure requirements;

- (d) The procedure for informing the Local Exchange Provider that an unauthorized disclosure of personal information for other than emergency purposes has occurred;

- (3) While the manuals need not be filed with and approved by the Commission, each recipient of personal information for the ALI Database preparation must certify in writing to the Commission that they have prepared a manual which must be made available to the Commission upon request.

- (4) In the event of the disclosure of personal information by the Basic Emergency Service Provider, the ALI Database Provider, or Governing Body, the

applicable tariffed rates for changing a telephone number of the Local Exchange Provider shall be applied to the party responsible for disclosing this information.

RULE 10: PRIORITY SERVICE RESTORATION/DIVERSE ROUTING:

(1) 911 Facilities should be diversely routed, using different circuit routes wherever feasible. When diverse routing is requested by the Governing Body, the Local Exchange Provider and/or Basic Emergency Service Provider shall develop cost-based tariffed rates for diverse routing of 911 circuits. Local Exchange Providers should ensure that current 911 circuit routing profiles are maintained and circuits are individually tagged where possible to prevent inadvertent disruption.

(2) Local Exchange Providers, Basic Emergency Service Providers, and ALI Database Providers shall develop cost-based tariffed rates for priority service restoration of 911 services provided upon request by the Governing Body.

(3) Each Governing Body shall designate a person, agency, or responsible party that shall be notified of a present or potential failure of any of the 911 facilities.

Such designee shall be immediately notified of the nature, extent, and corrective actions being taken to correct the present or potential failure of 911 services. In the event outage of 911 service provided by a Local Exchange Provider and/or Basic Emergency Service Provider exceeds four hours, a written report shall be made to the Commission that outlines the nature, extent, and corrective action taken. This report shall be filed within three business days of such outage.

RULE 11: WAIVERS

The Commission may permit variance from these rules for good cause shown if it finds compliance to be impossible, impracticable, or unreasonable, and if such variance is not otherwise contrary to law.

RULE 12: REPORTS

Within six months after the effective date of these Rules, each Basic Exchange Service Provider and Basic Local Exchange Service Provider shall report to the Commission its progress in the implementation of Basic Emergency Service in each local exchange area of the State. Such reports shall continue to be filed at the end of

each quarter of each year until such time as E911 has been provided in all local exchange areas in this State.

RULE 13: ADVISORY TASK FORCE

The Commission shall establish an Advisory Task Force comprised of customers of Basic Emergency Service and ALI Database Service Providers and the Providers of Basic Emergency Services and ALI Database Services. The purpose of the Advisory Task Force is to provide oversight of the statewide implementation of Basic Emergency Service. The Advisory Task Force shall make future recommendations and report to the Commission regarding, among other things, development of database formatting standards and processes to facilitate the transfer of ALI data, and generally regarding the implementation of 911 services in Colorado. The Advisory Task Force shall be comprised of equal representation from consumer groups, Governing Bodies, Local Exchange Companies, including Independent Telephone Companies, Basic Emergency Service and ALI Database Providers. 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 911 services in a cost effective fashion. The Commission Staff shall provide periodic reports to the Commission on the implementation of 911 services statewide.