

Decision No. C21-0287

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 21A-0148T

IN THE MATTER OF THE APPLICATION OF THE JEFFERSON COUNTY
COMMUNICATIONS AUTHORITY FOR APPROVAL TO INCREASE
CONCURRENT SESSIONS FOR THE COLORADO STATE PATROL
PURSUANT TO RULES 1204, 2002(A)(XVI) AND 2151(F).

COMMISSION DECISION GRANTING APPLICATION

Mailed Date: May 13, 2021
Adopted Date: May 12, 2021

I. BY THE COMMISSION

A. Statement

1. On April 5, 2021, the Jefferson County Emergency Communications Authority (Applicant) filed its application pursuant to § 29-11-102.3(3)(c)(III), C.R.S., and the Commission's temporary rules found in the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 *Code of Colorado Regulations* (CCR) 723-2-2151(f) for approval of an increase in the number of concurrent sessions for which Jefferson County receives 9-1-1 surcharge funds (Application).

2. Through this Decision, we grant the Application as discussed below. An additional four concurrent sessions will be assigned to the Applicant for consideration of the formula to be approved by the Commission by October 1, 2021, pursuant to § 29-11-102.3(3)(c)(III), C.R.S.

II. FINDINGS AND CONCLUSIONS

3. On April 7, 2021, the Commission gave notice of the Application stating that parties wishing to participate in this Proceeding should file an Intervention or other appropriate pleading within 30 days after the date of the Notice. No interventions or public comments were received in response to this Application. The matter is therefore considered unopposed under § 40-6-109(5), C.R.S., and the Commission's Rules of Practice and Procedure, 4 CCR 723-1-1403.

4. The Applicant is a governing body as defined in § 29-11-101(16), C.R.S.

5. The Commission distributes funds deposited into the 9-1-1 surcharge trust cash fund to 9-1-1 governing bodies, using a formula established annually by the Commission by October 1, pursuant to § 29-11-102.3(3)(c)(III), C.R.S. This formula is based upon the number of concurrent sessions a governing body maintained by the public safety answering points (PSAPs) of the governing body. A concurrent session means a channel for an inbound simultaneous 9-1-1 request for assistance.

6. Section 29-11-102.3(3)(c)(III), C.R.S., directs the Commission to promulgate rules concerning changes to the number of concurrent sessions for which a governing body is "reimbursed" from the 9-1-1 surcharge trust cash fund. Temporary rules adopted by the Commission on November 10, 2020, establish the process via application by which a governing body may request an increase in the number of concurrent sessions for which they are being

reimbursed.¹ The Commission will consider changes to the number of concurrent sessions in its next annual issuance of the formula for distribution of 9-1-1 surcharge trust cash funds.²

7. Currently, the Applicant receives reimbursements for 60 concurrent sessions. Through its Application, the Applicant requests reimbursement for four additional concurrent sessions in order to pay for concurrent sessions being purchased by the Colorado State Patrol for its call center in Lakewood, Colorado. Per the Applicant, the Colorado State Patrol wishes to install concurrent sessions in its Lakewood facility to allow the call center to serve as a backup PSAP for other PSAPs on the Colorado State Patrol network.³

8. Each of the Colorado State Patrol's primary communications centers average 4.33 concurrent sessions. The Applicant therefore represents that the Colorado State Patrol has determined that four concurrent sessions at the Lakewood facility are sufficient and necessary to provide adequate backup to the three primary communications centers.⁴ The additional concurrent sessions are intended to allow the Colorado State Patrol to increase its interoperability and redundancy within its communications branch, and will provide the Lakewood facility the ability to receive and transfer emergency call information.

9. Attached as Exhibit B to the Application is a letter of agreement between the Applicant and the Colorado State Patrol, stating that the Colorado State Patrol will order

¹ See Decision No. C20-0795, issued November 10, 2020, Proceeding No. 20R-0480T. A permanent rulemaking regarding full implementation of House Bill 20-1293 and the 9-1-1 statewide surcharge mechanism is ongoing through Proceeding No. 21R-0099T.

² See temporary Rule 4 CCR 723-2-2151(f)(I). Applications for adjustment of the number of concurrent sessions must be filed with the Commission by June 1 to be considered in the distribution formula to be set on October 1.

³ In addition to the added concurrent sessions requested through the Application for the Lakewood facility, the Applicant states that the Colorado State Patrol is planning to seek concurrent sessions for its Pueblo backup center via a separate application.

⁴ Primary communications centers are located in Alamosa, Craig, and Montrose, Colorado.

installation of four additional concurrent sessions from the Basic Emergency Service Provider (BESP), and the BESP will bill the Applicant for the installation costs and the monthly recurring costs for the four additional concurrent sessions.

10. Pursuant to Rule 4 CCR 723-2-2151(f)(II), C.R.S., the Applicant is required to include certain information, including the total volume of calls delivered to the PSAPs associated with the governing body via “the existing concurrent sessions” over the previous 12 months of operations. Because the Colorado State Patrol facility in Lakewood currently has no concurrent sessions, it is not possible for the Applicant to provide call volume data to support the request for four concurrent sessions. However, per the Applicant, Colorado State Patrol has determined that four is the appropriate number due to its plan to provision the Lakewood facility to serve as a backup to the Colorado State Patrol’s existing PSAPs, which have, respectively, seven, four, and two concurrent sessions.

11. The Commission agrees with the Applicant that the installation of four concurrent sessions at the Lakewood facility will better facilitate appropriate redundancy and interoperability. Since the Applicant will be paying for the additional concurrent sessions on Colorado State Patrol’s behalf, as described in the letter agreement attached to the Application as Exhibit B, increasing the number of concurrent sessions for which the Applicant is reimbursed by four is appropriate. The increased number of concurrent sessions may be considered in the October 1 review of the distribution formula for the 9-1-1 surcharge trust cash fund, pursuant to § 29-11-102.3(3)(c)(III), C.R.S.⁵ We therefore find good cause to grant the Application.

⁵ See temporary Rule 4 CCR 723-2-2151(f)(I).

12. An additional four concurrent sessions will be assigned to the Applicant for consideration of the formula to be approved by the Commission by October 1, 2021, pursuant to § 29-11-102.3(3)(c)(III), C.R.S.

III. ORDER

A. The Commission Orders That:

1. The application of the Jefferson County Emergency Communications Authority (Applicant) filed April 5, 2021, seeking to increase the number of concurrent sessions for which it is reimbursed from the 9-1-1 surcharge trust cash fund, is approved.

2. An additional four concurrent sessions will be assigned to the Applicant for consideration of the formula to be approved by the Commission by October 1, 2021, pursuant to § 29-11-102.3(3)(c)(III), C.R.S.

3. The 20-day time period provided by § 40-6-114, C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the effective date of this Decision.

4. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 12, 2021.**

(S E A L)



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

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JOHN GAVAN

MEGAN M. GILMAN

Commissioners