

**Colorado PUC 9-1-1 Task Force Meeting
September 3, 2009**

Call to order

Kimberly Culp called the meeting to order at 10:01

Roll Call, Attendance

Attendees introduced themselves and an attendance sheet was passed around for signatures.

Approval of Minutes for May 14, 2009

Edie Ortega motioned to approve, Mike Bedwell seconded. The July 9, 2009 minutes were approved.

Report from PUC

Lynn Notarianni presented the outage report and asked if there were any questions on the report. None were received.

Lynn stated that the PUC will be posting a checklist of documents that are needed by the PUC when an E911 Authority files for a 9-1-1 surcharge increase. The documents posted by the PUC include; process for surcharge application, 9-1-1 surcharge fees by authority, and list of surcharges on all PSAPs. Executive Director Branson was asked to collect current E911 Surcharge fees for each of the E911 Authorities.

The PUC will be finalizing their proposed rule changes within the next week or so. Gary Klug with the PUC reported that he requested additional input from Intrado on the rules and that input is reflected in the finalized document.

Lynn also reported that Freda Poundstone is working on a ballot initiative that will remove telecommunication fees and cap 9-1-1 fees at their 2009 rates. Ms. Poundstone needs 70,000 signatures which she reports she is close to obtaining. This is something that needs to be monitored and does have an impact on the E911 authorities.

Jeff Gross web site <http://www.cotaxreform.com/> Click on flier under the MAIN MENU on left for ballot language. The email for a contact is: info@cotaxreform.com

Lynn reported that TracFone wireless has applied as an eligible telephone carrier (ETC) in State of Colorado. The docket number is 09A-393T. Attorney Dennis Tharp asked if TracFone could be considered for ETC when they do not remit the 9-1-1 surcharge fee. Lynn stated she could not comment. Daryl Branson indicated that TracFone will be seeking certification directly with the PSAP's and that he has received a phone call from TracFone requesting PSAP contact information. Susan with the PUC stated that the life line program is more than 9-1-1 services in that it allows low income families assistance by providing a telephone in their home.

Susan reported that other wireless carriers are interested in this certification for Life Line and will possibly be seeking certification as well. Two of the carriers interested are: Viaero, and Alltel Wireless. Part of the Life Line funds come from the Universal Service Surcharge, then the carrier asks for reimbursement from FCC. One low income supported device is allowed per qualifying household.

911 Resource center website has additional information on this process also:

<http://www.co9-1-1resourcecenter.org/tracfone%20etc%20push.pdf>

Pre-Paid Wireless Subcommittee Report

Recommendations:

The proposed legislation focuses on collecting the fee at point of sale and remitting the fee at one point which is proposed to be DOR.

Fee structure recommendations would be based upon a percentage.

Sale of a \$50.00 wireless card would be a \$.70, surcharge.

Sale of a \$25.00 wireless card would be a \$.35, surcharge.

Colorado Department of Revenue administering the collection of the fees is a current concern with the State of Colorado taking money out of certain accounts to pay off State budget deficit. Kimberly Culp stated they are looking at a quick sweep of the funds from the account to create an environment that funds are not sitting at the State.

Retail council concerns are another concern if they lobby against point of sale collection of 911 surcharges.

Still waiting on a final draft from wireless committee members on these issues and their recommendations, they are close to having something final.

Kimberly Culp reported that Pre-Paid is a different technology that doesn't fit in the box that we are currently using when we deal with E911 surcharges. She continued that she is optimistic that through discussions and compromise we can work through the concerns.

Question that were raised by the Task Force:

- Will it address internet sales as well as retail stores? Yes, it will address internet sales.
- Will it address wireless companies that are retailers both on the internet and at retail stores? Yes.
- How can we write so State Legislature can't rob money from this account? State took only excess money left in funds at PUC. If funds are distributed and no excess remains the legislature can't get the money.

Resource Center Update

- Daryl Branson briefed on status of local 911 board visits he has visited Silverton, Alamosa, Craig, and Colorado Springs.
- PSAP surveys have gone out by email.
- Sales calls on 911 trunks and robo calls deemed illegal by Federal Trade Commission. There is a link to the FTC web site on the 911 resource centers web site to file these complaints.
- Filed a grant to the National 911 Office for the enhanced 911 act.
- NENA has created three new sub organizations:
 - NextGen Planning Committee
 - NextGen Partnership Committee
 - NextGen Safety Consortium-Role Not Known
- New Brochure created about 911 resource center
- Long term Plan for 911 resource center to be discussed in breakout meeting today
- Grant for upgrading centers to Phase 2 wireless and connecting PSAPs together through high speed networks. Six PSAPs applied, the Governor designated the PUC as coordinator to make sure money goes where it is supposed to go. Quarterly and annual reports from PUC on grant required. There is no guarantee to get the award. Grant wasn't really written with the idea of a State like Colorado that has decentralized 911 authorities. The six centers were Huerfano County, Lincoln County, Larimer County, Adams County, Denver County, and Elbert County. 465,000 Federal Grant requires a 50% match.

At Next 911 PUC Task Force Meeting

Opening up nominations for Chair, Vice Chair and Secretary
 Voting membership of 911 PUC task force:

Email Nominations and openings Final vote will be at next meeting.

Nikki Shears from FCC gave report about FCC

FCC broadband rolls out:

- 7 Million Available
- Former Commissioner changed to a new position and the new commissioner for our territory has not been selected yet.
- Utility Service, USDA, NTOA,
- FCC –six agents cover six states
- FCC notices and commenting is important to shape direction.
- She is trying to get DC engaged in local issues.
- Nike's role is to get answers from DC on issues brought up at local level

Misc Issues / Round table discussion

Further discussion was had on TracFone receiving approval for ETC status when TracFone does not pay the emergency telephone charge. Dennis Tharp made a motion for the 911 Task Force to file a comment on the open docket that it was the formal position of the Task Force that any telecommunication carrier that does not pay the emergency telephone charge should not receive ETC designation. The motion was

seconded by Brian Shepherd and expanded that the comments should state the 911 PUC Task Force believes that all Pre-Paid Wireless Carriers, and VOIP providers should pay the 911 surcharge. The motion passed with four abstentions and zero no votes.

Meeting was adjourned for a presentation to the PUC Commission on the State of 911 by Chair Kimberly Culp and executive Director of the 911 Resource Center, Daryl Branson

Next Meeting

Thu, November 12, 2009; 10am – 12pm

At the: Thornton Police Department, 9551 Civic Center Dr, Thornton, CO 80229-4326
