



**911 Coordinating Council
Walter Way, Chair**

**PRESENTATION TO THE SENATE UTILITIES COMMITTEE ON
2012 ACTIVITIES OF THE 911 COORDINATING COUNCIL**

January 30, 2013

Chairman Apple and Members of the Committee:

Thank you for this opportunity to provide the Committee with an update upon the implementation of the *911 ACT* and of the activities of the 911 Coordinating Council during 2012.

The *911 ACT* was signed by Governor Brownback on May 18, 2011, and was amended with several clean-up provisions in SB 384 in the 2012 legislative session. The Act replaced a number of old statutes enacted between 1980 through 2006 for the provision of 911 services by legacy analog telephone providers, wireless carriers and VoIP digital service providers. The *911 ACT* represented a significant advance in the statutory and funding framework necessary to transition the 118 Kansas Public Safety Answering Points (PSAPs) from the current 1970's technologies to the emerging digital, Next Generation 911 (NG911) systems that will be implemented throughout the United States in the next five to ten years.

Key legislative goals shared by local jurisdictions and the telecommunications providers in working together upon the *911 ACT* included: (1) Provision of a stable and sufficient 911 funding stream for Kansas PSAPs; (2) Creation of an equitable and consistent 911 fee for each type of telephone service capable of calling 911; (3) Continuance of a 911 grant fund, and (4) Establishment of a coordinating body to monitor the delivery of 911 service in the state as well as to develop strategies for the transition of Kansas PSAPs to providing NG911 services in their communities.

The *911 ACT* of 2011 established a 911 Fee of \$.53 per month per phone device capable of calling 911 and a prepaid wireless 911 fee of 1.06% per retail transaction, and it also contained a provision to ensure that each county jurisdiction received a minimum of \$50,000 in 911 revenue per year, or \$12,500 per calendar quarter. During 2012, an average of 50 local Kansas jurisdictions received additional 911 revenues at the end of each quarter to ensure they received the minimum of \$12,500. That additional funding comes from 911 funds collected in larger population counties which receive between 82% to 97% of the 911 Fees collected in their jurisdictions. The larger population counties agreed to that provision in order to help provide for an equitable level of 911 service by all PSAPs in Kansas.

The Legislative Research Department had estimated in 2011 that the new 911 Fees would raise approximately \$19,909,000 in 2012 and that the Prepaid Wireless 911 fees would generate about \$1,431,000, for a total of \$21,340,000 in 911 revenues. It appears that those revenue projections for 911 Fees may meet those projections and that will be determined after December's 911 fees are received from carriers by mid-February, 2013. I would point out that those revenues are equivalent to the 911 fees received in 2009 and were not intended to cover all PSAP operating expenses.

The *911 ACT* created a 911 Coordinating Council comprised of 26 members. Twenty-two members are appointed by the Governor and four legislators are appointed by their leadership. The Council has broad statutory responsibilities that include monitoring the delivery of 911 services, developing strategies for future enhancements to the 911 system, distribution of 911 grant funds, adoption of Administrative Regulations, selection of the Local Collection Point Administrator (LCPA) and providing guidance to PSAPs.

In 2012, the Council oversaw the implementation of the financial system needed to receive and disburse 911 fees to the 118 PSAPs by the Local Collection Point Administrator (LCPA); adopted several Administrative Regulations required to administer the Act; worked closely with the LCPA and KDOR to educate PSAPs, telecommunications carriers and retailers upon the requirements of the *911 ACT* and procedures to implement the financial systems to receive and disburse 911 Fees. The Council developed guidance to PSAPs on the statutorily allowable usage of 911 fees for PSAPs because of the potential penalties in the statute for inappropriate usage of such funds, and it assisted in writing Senate Bill 384 which was a clean-up bill that was passed in the 2012 session.

The Council oversaw the implementation of a federally funded pilot project designed to test a proof-of-concept for implementation of NG911 service and accepted the consultant's final report on that pilot project. The purpose of this pilot project was to identify viable approaches using existing resources that could be used to cost-effectively implement NG911 service in the state. The final report contains a number of recommendations for proceeding with NG911 in Kansas, and those include: (1) Kansas should proceed with NG911 deployment as funding and organization consideration allow; (2) Kansas should construct a statewide GIS database meeting national technical standards as soon as feasible to establish the foundation for NG911; (3) The Kansas Office of Technology Services (OITS) should be charged with constructing and operating the NG911 capable IP network on a site-demand basis, and (4) The Council should encourage PSAPs to look at using hosted services that will allow PSAPs to process their 911 calls in accordance with their procedures but reduce their local costs for back-room equipment and network services they would individually have to fund. The full report is on the Council's website at www.Kansas911.org

An additional reason for Kansas communities to plan for transition to NG911 service is the eventual loss of the copper based, legacy switched telephone networks as citizens and businesses convert fully to wireless and broadband services. The Federal Communications Commission (FCC) has opened proceedings to evaluate the impact of this trend which will eventually result in legacy phone systems not having sufficient revenue to maintain their networks after 2018. These coming changes in how telephone service will be provided in Kansas communities is a heads up to begin planning for the eventual loss of the legacy telephone system and to plan for providing 911 and other communication services on a IP based network. That also means that PSAPs will have to upgrade their 911 equipment to receive 911 calls transmitted primarily on a digital network.

The pilot project report identified specific building blocks necessary to transition Kansas PSAPs to a NG911 system. Those building blocks include: (1) creation of a shared GIS databases that meet national NG911 standards for all counties; (2) develop a Emergency Services Internet Network (ESInet) that transports all 911 calls and associated data, images and video from the caller to the PSAP as well as to the emergency responders; (3) upgrade the 911 equipment in PSAPs to receive NG911 calls and associated information, and (4) obtaining the services of a NG911 service provider that can manage the applications and functions within the ESInet.

One of the most immediate actions the Council can take toward building a NG911 capability in the state is to start enhancing the GIS databases used in our PSAPs to locate wireless 911 callers. An NG911 GIS Standards Task Force comprised of members from local jurisdictions in Kansas has developed a number of documents to inform PSAPs of the enhancements needed for GIS data in our existing E911 systems, and has developed a Request For Information (RFI) document that has been sent out to GIS vendors to obtain information about what professional services will

be needed to create, upgrade and most importantly, to maintain the GIS data of PSAPs to meet national E911 GIS standards. The information obtained from the RFI may later be used in 2013 to develop and issue a Request For Proposal for GIS services that may benefit all interested PSAPs and that may be funded with 911 State Grant Funds. Presently, it is estimated that a minimum of \$1.8 million will be needed statewide to bring GIS databases into compliance with National Emergency Number Association (NENA) standards. I would note that these GIS databases can also be used for other local uses such as land records, zoning and planning, and computer aided dispatch maps.

The 911 Coordinating Council is responsible for awarding 911 State Grant Funds which are restricted by statute for implementation of NG911 services; PSAP consolidation and cost-sharing projects; Council operating expenses, and for other authorized uses of 911 funds. It is the Council's understanding that the legislative intent was to use grant funds to build the common network infrastructure and common GIS database that would serve regions of the state if not the whole state. Due to the nature of NG911, it operates most effectively and cost-efficiently if it is a shared system used by a large number of PSAPs.

The Council is pursuing a strategic approach to implementation of NG911 services throughout Kansas, and in a manner that allows for significant use of state data networks such as KANWIN and KCJIS, as well as for shared infrastructure and GIS databases. Such a common NG911 network infrastructure can also allow for PSAPs to share expensive back-room 911 equipment, Computer Aided Dispatch (CAD) systems and serve as back-ups to each other as agreed upon by local leadership.

To encourage a strategic approach for a NG911 transition, the Council adopted a "911 State Grant Fund Award Philosophy and Criteria" policy which contains policies and criteria for awarding 911 grant funds and identifies 2013 priorities for use of grant funds. Those priorities include: (1) Allocating \$2 million in 2013 for demonstrated needs by PSAPs to replace or upgrade essential equipment in order to maintain delivery of current E911 services. (2) Fund regional and statewide NENA compliant GIS databases that will be stored at the state level and will be available to local jurisdictions. (3) Fund regional and statewide ESInets that will transport NG911 calls and provide required network related services for PSAPs. (4) Fund technical consulting services needed to implement NG911 service in Kansas, and assist with relevant training for PSAP personnel. (5) Fund upgrades or replacements for 911 workstation equipment that complies with NENA i3 standards. The Council realizes that a statewide transition to NG911 service will occur in stages over a period of 5 to 10 years. Because future 911 grant fund revenues are expected to be approximately \$2 million annually, the Council has taken a stewardship position of focusing existing and future 911 grant funds on what best serves a majority of PSAPs in their transition toward NG911 service.

The Council will finalize the criteria and process for awarding 911 State Grant Funds in early 2013 and plans on opening the grant process in May and awarding grants by July, 2013.

The Council is in the process of developing a strategic plan for transitioning Kansas PSAPs to NG911 services, and has selected an experienced consulting firm to provide the knowledge, experience and expertise necessary to shape such a complex plan involving 118 PSAPs, coordinated GIS databases and IP networks throughout the state. A number of opportunities will be provided for the many stakeholders of 911 service to participate in the plan's development and the Council intends to have the strategic plan completed by April, 2013 to guide how the Council awards grant funds and works with local jurisdictions on collaborative and regional efforts.

A key concept within the NG911 Strategic Plan will be the furtherance of intergovernmental partnerships and regionalization by counties and cities to build shared networks and technical services which can significantly reduce their individual costs for 911 services while allowing each PSAP to provide NG911 services to their communities. Such partnerships will range from voluntary consolidations of PSAPs to virtual consolidations where

cities and counties share networks, GIS databases and 911 equipment. The core objective with regionalization efforts will be to provide for a highly available and reliable 911 service infrastructure in Kansas communities that provides excellent emergency services to citizens and in a cost-effective manner that best utilizes local governmental resources. The Council recognizes that regionalization and consolidation efforts for 911 service will most likely succeed when local governments and their PSAPs choose their partnerships and degree of consolidation.

The 911 Act contains a number of other requirements for the Council in 2013. Those include providing an annual report of all 911 expenditures by PSAPs to the designated Senate and House committees; conducting an annual review in conjunction with the Legislative Coordinating Council of the LCPA's services and contract; and participating in an audit of the 911 system by the Division of Post Audit that is to be completed by December 31, 2013. It should be noted that the 911 Act requires a review of the Act during the 2014 legislative session.

Thank you for the opportunity to update the committee on the activities of the 911 Coordinating Council and I will be happy to answer any questions.

Walter Way, Chair
911 Coordinating Council
913-826-1010
wway@jocogov.org