



The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY & SECURITY
STATE 911 DEPARTMENT

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THOMAS A. TURCO, III
Secretary

KARYN E. POLITO
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FRANK POZNIAK
Executive Director

February 15, 2019

VIA ELECTRONIC MAIL AND OVERNIGHT MAIL

Ms. Shonda Green, Executive Secretary
Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, Massachusetts 02118-6500

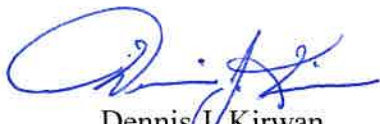
RE: Petition of the State 911 Department for Approval of Fiscal Year 2019 Expenditures,
Approval of Fiscal Year 2020 Development Grant Amount, and Approval of Fiscal Year
2020 Incentive Grant RECC Category Amount

Dear Ms. Green:

In connection with the above matter, enclosed herewith for filing is the Petition of the State 911 Department for Approval of Fiscal Year 2019 Expenditures, Fiscal Year 2020 Development Grant Amount, and Approval of Fiscal Year 2020 Incentive Grant RECC Category Amount. Also enclosed, please find a Notice of Appearance of Counsel.

Thank you for your attention to this matter.

Very truly yours,



Dennis J. Kirwan
General Counsel

Enclosures

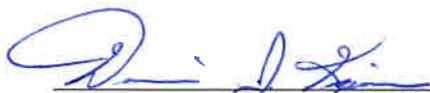
**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

Petition of the State 911 Department for Approval of Fiscal Year)
2019 Expenditures, Approval of Fiscal Year 2020 Development)
Grant Amount, and Approval of Fiscal Year 2020 Incentive Grant)
RECC Category Amount)

APPEARANCE OF COUNSEL

Please enter my appearance as counsel on behalf of the State 911 Department in the above-captioned proceeding.

Respectfully submitted,



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Dated: February 15, 2019



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RE: Petition of the State 911 Department for Approval of Fiscal Year 2019 Expenditures, Approval of Fiscal Year 2020 Development Grant Amount, and Approval of Fiscal Year 2020 Incentive Grant RECC Category Amount

Dear Ms. Green:

Pursuant to Massachusetts General Laws ("G.L.") c. 6A, §18H(b), the State 911 Department ("Department") hereby submits this Petition for Approval of Fiscal Year 2019 Expenditures, Approval of Fiscal Year 2020 Development Grant Amount, and Approval of Fiscal Year 2020 Incentive Grant Regional Emergency Communications Center ("RECC") Category Amount.

The Department offers the following in support of the Petition.¹

I. FISCAL YEAR 2019 EXPENDITURES

The Department is required to seek the approval of the Department of Telecommunications and Cable ("DTC") for projected total expenditures that exceed total expenditures of the previous fiscal year by ten (10) per cent or more. G.L. chapter 6A, §18H(c), provides in pertinent part as follows:

The department shall seek the approval of the department of telecommunications and cable for projected total expenditures that exceed total expenditures of the previous

¹Pursuant to G.L. c. 6A, § 18H(b), the Department is required to report annually to the DTC on the financial condition of the Enhanced 911 Fund and on the Department's assessment of the new developments affecting the enhanced 911 system. The Department respectfully requests that the DTC treat this petition as satisfying that requirement for Fiscal Year 2019.

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fiscal year by 10 per cent or more. The department of telecommunications and cable may investigate the reasonableness of the expenditures and shall conduct its review and issue a decision within 90 days from the date the department files its request for approval, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. The department of telecommunications and cable shall notify the department of its intent to investigate within 20 days of the date the department files its request for approval. The department's request for approval shall be deemed approved in the absence of the department of telecommunication and cable's notification to the department of its intent to investigate. If the department of telecommunication and cable notifies the department that it intends to investigate an expenditure, the department of telecommunications and cable may hire experts to assist in its investigation. The reasonable cost of the experts shall be charged to the Enhanced 911 Fund, but in no event shall such cost exceed \$200,000, which may be adjusted to reflect changes in the consumer price index.

An itemized breakdown of the Department's projected expenditures for Fiscal Year 2019 is set forth in Exhibit A, along with the final expenditures for Fiscal Year 2018, attached hereto and made a part hereof. The expenditures are described in more detail below.

As set forth in Exhibit A, the projected expenditures of the Department for Fiscal Year 2019 are \$168,510,790. This projected amount is more than ten (10) per cent greater than the actual expenditures of \$114,710,515 for Fiscal Year 2018. Accordingly, the Department hereby requests DTC approval of Fiscal Year 2019 expenditures.

II. ENHANCED 911 FUND

The legislation provides that the Department shall disburse funds from the Enhanced 911 Fund for prudently-incurred expenses associated with the following:

. . . the lease, purchase, upgrade or modification of primary and regional PSAP customer premises equipment and the maintenance of such equipment; network development, operation and maintenance; database development, operation, and maintenance; training of 911 telecommunicators regarding the receipt and use of

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enhanced 911 service information; education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service; grants associated with enhanced 911 service as set forth in subsection (i) and any other grant approved by the department associated with providing enhanced 911 service in the commonwealth; the recurring and nonrecurring costs of communication services providers in providing enhanced 911 service in the commonwealth to the extent required by federal or Massachusetts law or regulation or federal or Massachusetts agency decision or order; and other expenses incurred by the state 911 department in administering and operating the enhanced 911 system in the commonwealth. *See* G.L. c. 6A, § 18B(f).

As set forth more fully below, the Department's expenditures are prudently incurred, statutorily authorized expenses necessary to administer and operate the 911 system in the Commonwealth.

Projected Revenues and Expenditures

The Department has projected revenues and expenditures for the Enhanced 911 Fund for Fiscal Year 2019 through Fiscal Year 2023. See Exhibit B attached hereto and made a part hereof.

Projected Surcharge Revenues

The revenue projection methodology is consistent with the Department's past revenue projection methods. The subscriber line counts are based on the average number of subscribers and assume no change in the number of access lines subject to the surcharge. The estimate of revenues for each fiscal year is derived from the beginning fund balance, the estimated net revenue, and interest earned. The total estimated revenue is reached by adding to the beginning fund balance the estimated total net revenue and the interest earned.

Beginning Fund Balance

The beginning fund balance of the Enhanced 911 Fund is arrived at by carrying over the Enhanced 911 Fund balance from the prior fiscal year.

Net Revenue

The estimate of the net revenue for each fiscal year is based on multiplying the then current surcharge and the estimated number of subscribers and subtracting carrier

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administrative fees and projected uncollected revenue. The projection assumes a one (1) per cent carrier administrative fee and a two (2) per cent uncollectible revenue rate.

Interest Earned

The Department does not earn interest on the total Enhanced 911 Fund balance. Interest is earned only on the invested funds. The interest earned each month is then reinvested, thereby increasing the invested funds. To estimate the interest earned, the Department utilizes the average interest rate as provided by the Office of the State Treasurer in its monthly reporting on the Massachusetts Municipal Depository Trust. The Department has applied an annual rate of 1.58 per cent as an estimate of the interest rate to be applied, on a monthly basis, to the fund balance.

Projected Expenses

The following is a description of the budgeted categories of expenses for the Enhanced 911 Fund. These expenses are prudently incurred and are necessary to meet the legislation's directives.

Administration

Salary Costs

The Department's projected expenses include salaries and overhead costs for employees and contract employees. The projected salary costs are attributable to full time employee and contract positions. These positions are necessary to fulfill the Department's statutory obligations. The Department has projected salary expenses that reflect contractual step increases and cost of living adjustments negotiated by the respective Bargaining Units and the Commonwealth.

Agency Expenses

The category of agency expenses includes employee reimbursements, workers' compensation, administrative expenses, operational supplies, utilities/space rental, consultant services, operational services, equipment purchases, lease, maintenance, and repair services, building maintenance and repairs, and IT services and equipment.

Capital Projects

The Department's projections include replacement of vehicles as advised by Operational Services Division's Office of Vehicle Management.

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Grant Programs

The legislation requires the Department to develop and administer grant programs to assist public safety answering points (“PSAP”) and RECCs in providing enhanced 911 service and to foster the development of regional PSAPs, regional secondary PSAPs, and RECCs. *See* G.L. c. 6A, 18B(i). The legislation requires that the Department fund the following grant programs: the PSAP and RECC Training Grant (“Training Grant”); the PSAP and RECC Support Grant (“Support Grant”); the Regional PSAP and RECC Incentive Grant (“Incentive Grant”); the Wireless State Police PSAP Grant; and the Regional and Regional Secondary PSAP and RECC Development Grant (“Development Grant”). *See* G.L. c. 6A, § 18B(i)(1)-(5). The legislation also permits the Department to introduce new grants associated with providing enhanced 911 service in the Commonwealth. *See* G.L. c. 6A, § 18B(f). As discussed below, as permitted by the legislation, in 2011, the Department introduced a new grant, the Emergency Medical Dispatch (“EMD”) Grant.²

The legislation provides that the State 911 Commission shall approve all formulas, percentages, guidelines, or other mechanisms used to distribute these grants. *See* G.L. c. 6A, § 18B(a). The eligibility requirements, purpose, use of funding, including categories of use of funds, application process, grant review and selection process, and grant reimbursement process for each of these grants are set forth in the Grant Guidelines that are approved by the State 911 Commission.

Training and EMD/Regulatory Compliance Grant

The PSAP and RECC Training and EMD/Regulatory Compliance Grant (“Training and EMD/Regulatory Compliance Grant”) reimburses primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to the training and certification of enhanced 911 telecommunicators. The EMD/Regulatory Compliance Grant provides funding, not provided under the Training Grant, for EMD services provided through a certified EMD resource and provides supplemental funding for expenses needed to meet the minimum training and certification requirements and minimum EMD requirements established by the Department.³

The Department’s projections maintain a funding level for the Training Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum training and certification requirements for enhanced 911 telecommunicators.

² The EMD Grant was approved by the DTC by Order dated May 27, 2011 in D.T.C. 11-2. The EMD Grant was renamed the EMD/Regulatory Compliance Grant in Fiscal Year 2014.

³ The statutory definition of “emergency medical dispatch,” or EMD, is set forth in G.L. c. 6A, § 18A.

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The Department's projections maintain a funding level for the EMD/Regulatory Compliance Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum requirements governing EMD.

Support and Incentive Grants

The Support and Incentive Grants provide funding to primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to enhanced 911 personnel and equipment costs. In addition to amounts allocated as part of the Support Grant, incentive funds are awarded to regional PSAPs and RECCs that serve multiple communities.

The Department's projections maintain a funding level for the Support Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for personnel, equipment, and other allowable expenses.

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. See G.L. c. 6A, §18B(i)(4). The legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP or RECC. See G.L. c. 6A, § 18B(i)(4).

The Department's projections maintain a funding level for the Incentive Grant to provide additional funding for regional PSAPs and RECCs for personnel, equipment, and other allowable expenses, and to allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Additional Funding (Wireless Direct)

The Department has created an incentive for local PSAPs to upgrade in order to have the capability of receiving wireless calls directly, thus eliminating the delay in the transfer of those calls from a wireless center, and shortening the response time for local police, fire, and emergency medical services dispatch.

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Wireless State Police PSAP Grant

In some situations 911 calls placed from wireless callers in the Commonwealth are routed to a wireless state police PSAP for directly dispatching emergency response services or transferring the calls to local PSAPs for local police, fire, and emergency medical services dispatch, or in some instances not transferred at all.

The Wireless State Police PSAP Grant reimburses the wireless state police PSAP for allowable expenses related to training, enhanced 911 personnel, and equipment costs. The functions of the Middleborough and Framingham wireless state police PSAPs have been transitioned to the Wireless Center to be operated by the Department, and, therefore, the funding level for the Wireless state police PSAP Grant has been adjusted accordingly, while still providing sufficient funding for allowable expenses. The Northampton wireless state police PSAP will remain operational.

Development Grant

The Development Grant supports the development and startup of regional PSAPs, regional secondary PSAPs, and RECCs, including the expansion or improvement of existing regional PSAPs and RECCs. Since the inception of the grant programs in Fiscal Year 2009, the Department has witnessed a significant interest in regionalization among the PSAPs and RECCs. Through the Development Grant, the Department has provided funding for a number of significant regionalization projects. The Department has received requests for funding and has awarded funding for construction and equipment for proposed regional PSAPs and RECCs; feasibility studies, construction, and equipment for new proposed regional PSAPs and RECCs; and construction to expand and new equipment for proposed regional PSAPs and RECCs. The regional projects funded under this Grant are often complex and are completed over multiple fiscal years. The expenditures are recorded in the fiscal year in which they are incurred. Grants funded under the Development Grant, due to their complexity, often cross fiscal years. The Department's projections maintain the funding level for the Development Grant at \$15 million for FY 2020 to provide sufficient funding for these important regionalization efforts. These projections also contain funding to support those projects awarded under a prior fiscal year grant program that have been extended through June 30, 2019. There are currently two hundred thirty-two (232) PSAPs in the Commonwealth, with thirty-six (36) PSAPs that have become regionalized since the Development Grant program began. The Department expects that thirteen (13) additional PSAPs will regionalize over the next five (5) years.

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Enhanced 911

Next Generation 911 Project

In accordance with the legislation's directive, the Department has embarked upon a project to review and assess communications technologies that could serve as the basis for a new platform. In 2009, following a competitive procurement process, the Department retained outside consultants to assist with the effort to review and assess the technical, financial, and operational requirements and other matters that would facilitate the migration to a new system. The outside consultants were tasked with reviewing the existing customer premises equipment, or CPE, with the intent of migrating to an IP-based system; analyzing technical requirements; examining possible network facilities; investigating geographic information system, or GIS, requirements and capabilities; and developing system architecture and migration plans. The outside consultants were also charged with undertaking a financial analysis that included gathering pertinent information related to technology availability, funding parameters, and governance matters; gathering information on practices elsewhere in the United States related to ownership, funding, and governance; gathering data from the vendor community related to technology roll out timeframes and costs; and synthesizing this information so that the Department could assess the financial components of the migration to a new system.

Throughout 2009 and 2010, the Department, working in consultation with the outside consultants and representatives from other agencies, continued its analysis and assessment of the issues associated with the migration to a new system, including a review of evolving national standards. In 2009, the Department hosted a series of Next Generation 911 presentations at the Department's offices. In 2010, the State 911 Commission authorized the Department to form a Strategic Sourcing Services Team ("SSST") for the purpose of conducting the solicitation for, and the procurement of, a Next Generation 911 system and associated matters.

In 2011, the National Emergency Number Association ("NENA") produced a number of Next Generation 911 Standards and other documents, recommendations, and policy briefs regarding the transition to Next Generation 911. In addition to the development of technical and operational standards, NENA engaged in proof of concept trials and demonstrations of the new technology. However, a standards-based Next Generation 911 system was not fully identifiable, and further clarification was necessary.

In 2012, the Department issued a Request for Information ("RFI") to assist the Department in identifying various solutions and gathering any information to help the Department assess the capabilities of a Next Generation 911 environment, including all aspects of network, database, geo-based routing, caller location information, applications and appliances, call taking solutions, CPE, support services, maintenance and monitoring, and any other functional element required to meet the acceptance, processing, and delivery of current and anticipated Next Generation 911 payloads. Respondents to the RFI

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provided the Department with information about their Next Generation 911 technologies and any alternative capabilities for IP-based call and payload handling.

Following the lengthy and exhaustive efforts set forth above, the Department sought to procure services through a competitive procurement conducted pursuant to *801 CMR 21.00: Procurement of Commodities and Services*.

As authorized by the State 911 Commission, the Department formed an SSST for the purpose of conducting the solicitation for and the procurement of a Next Generation 911 system and associated matters. The SSST was comprised of members of the Department, the State 911 Commission, and key stakeholders with the required skills and knowledge to assist in the development of a Request for Response (“RFR”) and analysis of bid responses.

On October 4, 2013, the Department issued an RFR seeking to procure the services to design, equip, install, operate, monitor, maintain, train, and support a Next Generation 911 system throughout the Commonwealth in a turnkey fashion. The RFR provides that the acquisition method for the contract is fee for service. The contract duration is five (5) years, with one (1) option to renew for a period of five (5) years. Multiple responses were received.

The evaluation process concluded in July, 2014, and the Department selected a bidder who offers the overall best value to the Commonwealth. At a meeting held on August 4, 2014, the State 911 Commission authorized the Department to enter into a contract with the winning bidder, General Dynamics Information Technology (“GDIT”). Accordingly, a contract for Next Generation 911 products and services was executed with GDIT on August 4, 2014.

The deployment of the Next Generation 911 system began in Fiscal Year 2017 and concluded in December, 2017. All Massachusetts PSAPs are now operating within the Next Generation 911 system.

Map Data

Through an interdepartmental service agreement between the Department and the Commonwealth’s Office of Geographic Information (“MassGIS”), MassGIS provides updated, synchronized mapping data and information to the Department for use by PSAPs. MassGIS has also dedicated resources to support the Department for Next Generation 911.

As part of ongoing maintenance, MassGIS will continue updating the street database by adding missing streets and correcting erroneous streets. This is part of the core component

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of the GIS data used in the current PSAP deployment as well as the base of the Next Generation 911 system. MassGIS has acquired aerial imagery used for verification of streets and structures as part of the maintenance effort. MassGIS will contract with an outside vendor to identify the roofline of every structure in the Commonwealth and provide an outline of every building. This is necessary to attach street addresses to structures. Parcel data creation will continue to be part of the workflow process necessary to prepare for the transition to Next Generation 911. This entails collecting digital and paper maps and incorporating individual parcel line work into the statewide data set. Once the parcel data has been incorporated, MassGIS will use that data to update emergency service zones that will ultimately be used to route 911 calls to the proper PSAP. The services in support of Next Generation 911 consist of updated, synchronized mapping data and information and maintenance for the database and aerial imagery, and updates to the emergency services zones. These services are critical to the base of the Next Generation 911 system and are new services that were not provided for use with the legacy enhanced 911 systems. The Department contracts with a vendor to provide software support by furnishing base map data updates on a quarterly basis. The Department also contracts with a vendor to furnish MassGIS with emergency subscriber listings through an extract of the Automatic Location Information database.

Next Generation 911 Recurring and Non-Recurring Costs

The Department has projected recurring and non-recurring costs for the Next Generation 911 system based on the contract executed on August 4, 2014.

Radio Infrastructure

Emergency radio communications is an essential component of providing enhanced 911 services to the residents of and visitors to Massachusetts. The Commonwealth of Massachusetts Interoperable Radio System (CoMIRS) serves as the primary, statewide, interoperable communications tool for PSAPs to communicate with public safety organizations and to arrange the timely dispatch of first responders to resolve 911 emergency calls. The planning and investment for a digital upgrade of the statewide interoperable radio system addresses the radio needs for multiple first responder organizations that provide emergency response and services in support of the operations of the Commonwealth's PSAPs. It also assures the effectiveness of PSAP communications backhaul and redundancy and provides some of the key infrastructure needed to support PSAP regional consolidation.

All of the Commonwealth's PSAPs operate and depend on public safety radio systems to dispatch and communicate with first responders and to interoperate with other municipalities and state resources. In addition to day-to-day local and regional mutual aid partners, PSAPs routinely interoperate with several state agencies, including the

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Department of State Police, the Environmental Police, the Transit Police, the Department of Conservation and Recreation (DCR), and the Massachusetts Department of Transportation (MassDOT), to ensure immediate response to emergency calls and to enhance mutual aid response. Radio communications on the CoMIRS radio network are the primary means of interoperable communications for these PSAPs.

The current statewide radio infrastructure, which is managed day-to-day by the Department of State Police, provides operable and interoperable radio communications for two hundred forty-five (245) agencies with approximately thirty thousand (30,000) subscriber units (portable and in-vehicle mobile radios). A recently concluded independent study of the CoMIRS network identified critical deficiencies in the radio network and recommended the immediate replacement of the 25-year-old analog platform with a new digital platform that assures mission critical voice communications, provides greater capacity, expands coverage, and addresses radio spectrum efficiency issues. As the study highlights, CoMIRS serves a vital role in 911 dispatch, and it provides needed backhaul for local public safety communications needs. The upgrade of the CoMIRS network is a critical path item to ensuring the effectiveness of 911 emergency response going forward.

The investment proposed by the study will focus on deploying new digital infrastructure across the state, radio consoles at 911 call centers as needed, and subscriber units for users of the network. The proposed design of this new system may also provide an opportunity for municipalities and regional entities with aging and non-supportable systems to join the statewide radio system. This investment will also support PSAP consolidation efforts.

Funding and deploying mission critical public safety communication systems in tandem with the Next Generation 911 system are a top priority of the Department. These radio infrastructure improvements will help assure the timely and appropriate response by first responders to emergency requests received and handled by PSAPs throughout the Commonwealth.

The overhaul will take approximately five (5) years to complete and the cost will be determined through the competitive bidding process. The upgrade will be paid for through a combination of capital and 911 funds.

Wireless Center

The Department is operating a Wireless Center whereby the Department took over responsibility for receiving wireless 911 calls formerly assigned to one or more wireless state police PSAPs and, as appropriate, relaying emergency 911 calls to public or private safety departments or PSAPs. Pursuant to the transition, the Middleboro wireless state police PSAP was closed, and the functions previously handled by the Middleboro and

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Framingham wireless state police PSAPs have been consolidated into a facility operated by Department employees located at the location that formerly housed the Framingham wireless state police PSAP.

911 Call Center

The Department anticipates assuming operational responsibility of at least one (1) PSAP currently operated by a Commonwealth agency during the course of the next fiscal year. The Department's projections contain the Department's best estimate of the operating costs for one (1) such PSAP.

Interpretive Services

Interpretive services, through a third party vendor, continue to be provided to PSAPs throughout the Commonwealth and for the EDP pursuant to a statewide contract with a contractor.

Mobile PSAP

The Department owns, operates, controls, and maintains a mobile PSAP. The mobile PSAP is a vehicle outfitted with six (6) 911 answering positions, one (1) administrative workstation, ten (10) administrative telephones, seven (7) Telular terminals all connected to the CPE. It is housed in a 2010 Kenworth vehicle. The mobile PSAP is available 24 x 7 to respond to and temporarily replace and assist PSAPs that are rendered non-operational due to structural failure, equipment failure, infrastructure failure, or other emergency and/or pre-planned events. The mobile PSAP is deployed for training, public education, PSAP conversions and build outs, the Boston Marathon, and as an emergency backup PSAP. The Department also utilized the mobile PSAP in connection with the transition to Next Generation 911. The Department has included projected expenses of maintenance and monitoring and overall support for the mobile PSAP.

Training Program

The legislation requires the Department to train enhanced 911 telecommunicators regarding the receipt and use of enhanced 911 service information. *See* G.L. c. 6, § 18B(f). Since the inception of the training program, the Department has engaged in an effort to offer a comprehensive training program that has expanded through the addition of many new approved courses, some of which are taught by outside vendors.

The legislation also directs the Department to establish, with the State 911 Commission's approval, certification requirements for enhanced 911 telecommunicators that include EMD and quality assurance of emergency medical dispatch programs. Accordingly,

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effective July 1, 2012, the Department promulgated 560 CMR 5.00: State 911 Department Regulations Establishing Certification Requirements for Enhanced 911 Telecommunicators, Governing Emergency Medical Dispatch, and Establishing 911 Call Handling Procedures ("EMD regulations"). The Regulation imposes certification requirements in order for a person to act as an enhanced 911 telecommunicator. These regulations require the successful completion of a minimum of two (2) days of 911 equipment and basic telecommunicator training offered by the Department and successful completion of a minimum of forty (40) hours of Department-approved basic telecommunicator training (or the equivalent). In order to maintain certification as an enhanced 911 telecommunicator, it is necessary to successfully complete thereafter a minimum of sixteen (16) hours of Department-approved continuing education annually (or the equivalent). In addition, the Regulations imposes requirements for PSAPs to provide EMD services either through certified emergency medical dispatchers or by arranging for EMD to be provided through a certified EMD resource. The EMD regulations require that, in order to act as a certified emergency medical dispatcher for a PSAP, an individual shall: obtain and maintain certification as an enhanced 911 telecommunicator; obtain and maintain CPR certification; and obtain and maintain certification in EMD through an EMD certification organization approved by the Department. The EMD regulations require that, in order to act as a certified EMD resource, the entity shall submit a request for approval that shall include the EMD protocol and documentation that each emergency medical dispatcher is certified.

The training is managed by the PSAPs, and the courses vary. The Department maintains a listing of eligible courses that are supported by the Training Grant program, which supports approximately six thousand (6,000) enhanced 911 telecommunicators. The Regulation requires that all certified enhanced 911 telecommunicators complete sixteen (16) hours of continuing education annually. Further, the Regulation requires newly hired enhanced 911 telecommunicators to complete a minimum of two (2) days of 911 equipment and basic training and to complete a minimum of forty (40) hours of Department-approved basic telecommunicator training, plus certification in EMD (at either twenty-four (24) hours or thirty-two (32) hours depending on the vendor) if providing EMD in-house and a four (4) hour cardiopulmonary resuscitation (CPR) course.

Public Education

The legislation provides for the education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service. The Department continues with its strong commitment to educating the public regarding enhanced 911 service throughout the Commonwealth. The Department continues to attend outreach events across the Commonwealth, including furnishing literature and information about enhanced 911 service, TRS, and EDP, and conducting public service announcements, or PSAs.

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*Disability Access Program (Specialized Customer Premises Equipment,
Telecommunications Relay Services, Captioned Telephone Relay Service)*

The legislation transferred to the Department the responsibility for administration and oversight of disability access programs. The legislation directs the Department to provide and maintain a Specialized Customer Premises Equipment, or SCPE, Distribution Service.⁴ This program makes specialized devices that provide access to telephone networks for people with hearing, speech, vision, mobility or cognitive disability. The legislation also directs the Department to administer telecommunication relay service,⁵ or TRS, and captioned telephone relay service, or CTRS, throughout the Commonwealth.⁶ The Department has entered into contracts with various equipment vendors to provide the SCPE to persons with disabilities. Further, the Department executes contracts with the Commission for the Deaf and Hard of Hearing and other entities to support this program. In addition, the Department has procured the services of a contractor to provide both TRS and CTRS throughout the Commonwealth. The Department's projections maintain current funding levels for these services.

III. FISCAL YEAR 2020 DEVELOPMENT GRANT AMOUNT

The legislation requires that the Development Grant shall provide regional PSAPs and RECCs with funds to support the development and startup of regional and regional secondary PSAPs and RECCs. *See* G.L. c. 6A, §18B(i)(5). The Department seeks to maintain the current funding level of \$15 million for the Fiscal Year 2020 Development Grant.

With respect to the Development Grant, the legislation provides as follows:

The regional and regional secondary PSAP and regional emergency communication center development grant shall support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers, including the expansion or upgrade of existing regional and regional secondary PSAPs, to maximize effective emergency 911 and dispatch services as well as regional interoperability. The eligibility for criteria, amount and allocation of funding shall be contained in guidelines established by the department, with commission approval. The grant shall reimburse allowable expenses related to such development and startup, or expansion or upgrade. Any subsequent adjustments that increase the initial

⁴ The statutory definition of "SCPE" is set forth in G.L. c. 155, § 15E.

⁵ The statutory definition of "telecommunications relay service" or "TRS" is set forth in G.L. c. 155, § 15E.

⁶ The statutory definition of "captioned telephone service" is set forth in is set forth in G.L. c. 155, § 15E.

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funding allocated to this grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within 90 days. *See* G.L. c. 6A, §18B(i)(5).

The initial Development Grant allocation amount that was established in Fiscal Year 2009 by the Department, with State 911 Commission approval, was \$7.5 million.

Consistent with the legislative intent and the goal of improving public safety and increasing regionalization of government services, the Development Grant is used to establish regional PSAPs and RECCs. Regionalized PSAPs and RECCs not only create more efficient and effective use of government resources, but also they improve public safety for the residents they serve. Combining emergency communication resources through regionalized PSAP/communication centers allows for increased staffing, thereby affording 911 telecommunicators the ability to more effectively interact with the public while gathering essential call information and providing potentially life-saving instructions and to adequately respond to larger or multiple simultaneous incidents. Regional communication centers allow for increased coordination of a region's limited emergency response resources, including specialized fire, police and EMS vehicles and personnel, and leads to more efficient response to both routine requests for mutual aid and major disasters.

Over the period from Fiscal Year 2009 through Fiscal Year 2019, the Department has awarded a total of \$101,864,816 to this program. Each grant cycle the Department has received requests for funding that total well in excess of the amount allocated to the grant. In Fiscal Year 2019, the Department received grant requests totaling approximately \$31.27 million.

Given the past interest shown in the Development Grant, the number of multi-year projects, and other regional projects on the horizon, and as a means of providing further incentives to encourage existing regional centers to add to their ranks, the \$15 million amount will allow the Department to fund projects more fully than it has in the past several fiscal years and potentially bring some to completion.

The legislation (G.L. 6A, §18B(b)) provides that the State 911 Commission "shall review and approve by a majority vote of those members present all formulas, percentages, guidelines or other mechanisms used to distribute the grants described in section 18B, and all major contracts that the [D]epartment proposes to enter into for enhanced 911

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service.” At its meeting held on December 20, 2018, the State 911 Commission unanimously voted to authorize the State 911 Department to seek DTC approval of the \$15 million amount.

IV. FISCAL YEAR 2018 INCENTIVE GRANT REGIONAL EMERGENCY COMMUNICATION CENTERS CATEGORY AMOUNT

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. *See* G.L. c. 6A, §18B(i)(4). With respect to regional PSAPs, the legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP. *See* G.L. c. 6A, § 18B(i)(4). The legislation permits the Commission to adjust the percentages to ensure a proper allocation of funds as more regional PSAPs are added. *See* G.L. c. 6A, § 18B(i)(4.)

The legislation provides as follows:

The regional PSAP and regional emergency communication center incentive grant shall provide regional PSAPs and regional emergency communication centers with funds in addition to amounts allocated as part of the PSAP and regional emergency communication center support grant to be used for reimbursement of allowable expenses as specified in the support grant for regional PSAPs and regional emergency communication centers in the following amounts: (i) for regional PSAPs serving 2 municipalities, $\frac{1}{2}$ of 1 per cent of the total surcharge revenues of the previous fiscal year; (ii) for regional PSAPs serving 3 to 9 municipalities, 1 per cent of the total surcharge revenues of the previous fiscal year; (iii) for regional PSAPs serving 10 or more municipalities, $1\frac{1}{2}$ per cent of the total surcharge revenues of the previous fiscal year; and **(iv) for regional emergency communication centers, 2 per cent of the total surcharge revenues of the previous fiscal year.** The percentages in clauses (i) to (iv), inclusive, may be adjusted by the commission to ensure a proper allocation of incentive funds as more regional PSAPs and regional emergency communication centers are added. Any such adjustments that increase the initial total allocation of the incentive grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date

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of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. (emphasis added). *See* G.L. c. 6A, § 18B(i)(4).

This Department seeks approval to increase the Fiscal Year 2019 Incentive Grant RECC Category percentage from 7 per cent of surcharge revenues of the previous fiscal year to up to 10 per cent of the total surcharge revenues of the previous fiscal year.

The legislation contemplates that the specified percentages may be adjusted to ensure a proper allocation of incentive funds as more regional PSAPs and RECCs are added. This percentage adjustment requested in this Petition is necessary to ensure a proper allocation of incentive funds due to the addition and expansion of RECCs, and to maintain existing RECCs at their recognized level of funding.

The Department believes that this adjustment will allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Accordingly, the Department requests that the DTC approve an Incentive Grant RECC category funding level of up to 10 per cent beginning in Fiscal Year 2020.

CONCLUSION

All of the expenditures and projected expenditures are prudently incurred expenses designed to fulfill the Department's statutory responsibility to coordinate and effect the implementation of enhanced 911 service, to administer such service in the Commonwealth, and to administer and support the disability access programs in the Commonwealth.

Accordingly, the State 911 Department requests the DTC to approve the Fiscal Year 2019 expenditures, the Fiscal Year 2020 Development Grant amount, and the Fiscal Year 2020 Incentive Grant RECC Category amount.

Thank you for your attention to this matter, and please feel free to contact me for further information.

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Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, Massachusetts 02118-6500

Sincerely,



Frank Pozniak
Executive Director

cc (w/encs.): Karen Charles Peterson, Commissioner, DTC
Sandra Merrick, General Counsel, DTC
Lindsay DeRoche, Director, Competition Bureau, DTC
Donald Boecke, Office of the Attorney General
Matt Moran, Undersecretary, EOPSS
Normand Fournier II, Deputy Director, State 911 Department
Dennis Kirwan, General Counsel, State 911 Department
Karen Robitaille, Fiscal Director, State 911 Department

Exhibit A

**STATE 911 DEPARTMENT
FY 2018 Projected Budget - FY 2018 Final Expenditures - FY 2019 Projected Budget**

	FY 2018 Budget	Projected	FY 2018 Final Expenditures	FY 2019 Projected Budget
FUND REVENUE	TOTAL		FINAL EXPENDITURES	TOTAL
Balance Forward	\$ 122,694,145		\$ 122,694,145	\$ 110,693,968
Revenue (Estimated/Actual/Estimated)	\$ 100,933,071		\$ 102,366,162	\$ 123,101,479
Interest (Estimated/Actual/Estimated)	\$ 90,000		\$ 344,176	\$ 400,000
TOTAL ESTIMATED FUND REVENUE	\$ 223,717,216		\$ 225,404,484	\$ 234,195,447
EXPENSES (Estimated/Actual/Estimated)	TOTAL			
ADMINISTRATION				
Salary Costs	\$ 5,432,926		\$ 5,074,179	\$ 5,323,027
Salary	\$ 3,269,078		\$ 3,179,163	\$ 3,251,432
Stand-By	\$ 8,190		\$ 6,930	\$ -
Overtime	\$ 60,000		\$ 31,555	\$ 60,000
CC	\$ 93,106		\$ 24,922	\$ 93,106
Fringe	\$ 1,161,607		\$ 1,145,603	\$ 1,193,323
Indirect	\$ 909,135		\$ 686,006	\$ 725,167
Agency Expenses	\$ 3,351,693		\$ 1,496,067	\$ 1,781,356
Employee Reimbursements	\$ 75,000		\$ 86,246	\$ 85,000
HB	\$ 70,000		\$ 85,110	\$ 80,000
CC	\$ 5,000		\$ 1,136	\$ 5,000
Workers Comp (DD)	\$ -		\$ 132	\$ -
Administrative Expenses(EF)	\$ 193,104		\$ 72,484	\$ 193,104
Operational Supplies(EF)	\$ 3,250		\$ 2,284	\$ 3,250
Utilities/Space Rental(GG)	\$ 627,616		\$ 619,146	\$ 698,136
Consultant (HH)	\$ 1,640,772		\$ 102,322	\$ 162,611
Operational Services(IJ)	\$ 8,000		\$ 6,351	\$ 8,000
Equipment Purchase(KK)	\$ 25,000		\$ 4,990	\$ 25,000
Lease, Maintenance, Repair Services(LL)	\$ 34,150		\$ 20,409	\$ 25,000
Bldg. Maintenance, Repairs (NN)	\$ 4,500		\$ 2,182	\$ 4,500
IT Services, Equipment(UU)	\$ 740,301		\$ 579,522	\$ 576,755
Capital Projects (relocation)	\$ 90,000		\$ -	\$ 72,978
TOTAL ADMINISTRATION	\$ 8,874,619		\$ 6,570,246	\$ 7,177,362
GRANT PROGRAMS				
Training Grant	\$ 4,622,973		\$ 2,343,203	\$ 3,881,842
Prior Year Training Grant	\$ 2,150,297		\$ 394,274	\$ 2,140,328
EMD Grant	\$ 1,985,850		\$ 1,712,886	\$ 1,863,284
Prior Year EMD Grant	\$ 1,491,238		\$ 244,094	\$ 1,490,273
Support Grant	\$ 24,289,295		\$ 29,352,680	\$ 24,222,694
Prior Year S&I Grant	\$ 1,651,089		\$ 1,721,275	\$ 2,898,679
Incentive 2	\$ 800,746		\$ -	\$ 517,579
Incentive 3-9	\$ 1,067,661		\$ -	\$ 1,552,737
Incentive 10+	\$ 1,601,492		\$ -	\$ 1,552,737
Incentive RECC	\$ 7,473,629		\$ -	\$ 7,246,105
Additional Funding (Wireless Direct)	\$ -		\$ -	\$ 3,500,000
Wireless PSAP - MSP	\$ 6,299,202		\$ 6,306,802	\$ 2,418,800
PSAP Regional Development	\$ 12,000,000		\$ 3,667,659	\$ 15,000,000
PSAP Regional Development - Roll over	\$ 16,745,416		\$ 5,547,282	\$ 18,635,899
TOTAL PROGRAMS	\$ 82,178,887		\$ 51,190,155	\$ 86,920,956
9-1-1 ADMINISTRATION & OPERATION				
E 9-1-1 Support	\$ 12,142,055		\$ 9,091,739	\$ -

Map Data	\$	2,070,298	\$	1,803,338	\$	2,150,507
ISA MASS GIS	\$	1,983,584	\$	1,742,819	\$	2,147,007
Software support	\$	83,214	\$	60,518	\$	3,500
FSL	\$	-	\$	-	\$	10,743,909
NG Consultant	\$	82,576	\$	63,615	\$	-
NG 911 - Non-Recurring	\$	29,970,363	\$	22,957,159	\$	27,824,535
NG 911 - Recurring	\$	27,246,197	\$	19,136,183	\$	25,000,000
Statewide Radio Infrastructure	\$	5,000,000	\$	1,954,915	\$	5,387,961
Interpretive Services (Language Line)	\$	75,000	\$	69,832	\$	75,000
Mobile PSAP	\$	10,000	\$	4,778	\$	10,000
TOTAL 9-1-1 ADMINISTRATION & OPERATION PROGRAMS	\$	76,596,489	\$	55,081,560	\$	71,191,912
Training	\$	500,000	\$	298,885	\$	500,000.00
Public Education	\$	125,000	\$	971	\$	270,560.00
SCPE	\$	400,000	\$	276,915	\$	400,000.00
Relay	\$	1,750,000	\$	901,077	\$	1,250,000.00
CapTEL	\$	800,000	\$	390,707	\$	800,000.00
TOTAL PROGRAMS	\$	3,575,000	\$	1,868,553	\$	3,220,560
TOTAL EXPENSES (Estimated/Actual/Estimated)	\$	171,224,995	\$	114,710,515	\$	168,510,790
Ending Balance (Estimated/Actual/Estimated)	\$	52,492,220	\$	110,693,968	\$	65,684,657

Exhibit B

STATE 911 DEPARTMENT BUDGET PROJECTIONS: FY2019 - FY2023

ESTIMATED FUND REVENUE		FY2019	FY2020	FY2021	FY2022	FY2023
Beginning Balance		\$ 110,693,968	\$ 65,684,657	\$ 71,815,415	\$ 70,709,047	\$ 69,320,868
Revenue		\$ 123,101,479	\$ 161,732,905	\$ 161,732,905	\$ 161,732,905	\$ 161,732,905
Interest		\$ 400,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
TOTAL FUND REVENUE		\$ 234,195,447	\$ 227,617,562	\$ 233,748,320	\$ 232,641,952	\$ 231,253,773
EXPENSES		TOTALS	TOTALS	TOTALS	TOTALS	TOTALS
Administration						
Salary Costs		\$ 5,323,027	\$ 5,509,333	\$ 5,702,160	\$ 5,901,736	\$ 6,108,296
Agency Expenses		\$ 1,781,356	\$ 1,622,719	\$ 1,636,349	\$ 1,650,251	\$ 1,664,432
Employee Reimbursements		\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000
Workers Comp (DD)		\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Expenses(EF)		\$ 193,104	\$ 193,104	\$ 193,104	\$ 193,104	\$ 193,104
Operational Supplies(FF)		\$ 3,250	\$ 3,250	\$ 3,250	\$ 3,250	\$ 3,250
Utilities/Space Rental(GG)		\$ 698,136	\$ 681,499	\$ 695,129	\$ 709,031	\$ 723,212
Consultant Services (HH)		\$ 162,611	\$ 162,611	\$ 162,611	\$ 162,611	\$ 162,611
Operational Services(IJ)		\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Equipment Purchases(KK)		\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
Lease, Maintenance, Repair Services(LL)		\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
Bldg. Maintenance, Repairs (NN)		\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
IT Services, Equipment(UU)		\$ 576,755	\$ 434,755	\$ 434,755	\$ 434,755	\$ 434,755
Capital Projects		\$ 72,978	\$ -	\$ -	\$ -	\$ -
TOTAL ADMINISTRATION		\$ 7,177,362	\$ 7,132,052	\$ 7,338,509	\$ 7,551,987	\$ 7,772,728
GRANT PROGRAMS						
Training Grant (FY19 -23 -3.75%;)		\$ 3,881,842	\$ 4,616,305	\$ 6,064,984	\$ 6,064,984	\$ 6,064,984
Training Grant (Deficiency Payments)		\$ 2,140,328				
EMD/Regulatory Compliance Grant (FY19 - 1.8%; FY20 - 1.5%; FY21 - 23 - 1.14%)		\$ 1,863,284	\$ 1,846,522	\$ 1,843,755	\$ 1,843,755	\$ 1,843,755
EMD/Regulatory Compliance Grant (Deficiency Payments)		\$ 1,490,273				

Exhibit B

Support Grant (FY19 - 23.4%; FY20 - 23 - 18.75%)	\$ 24,222,694	\$ 23,081,527	\$ 30,324,920	\$ 30,324,920	\$ 30,324,920
Support Grant (Deficiency Payments - Includes Incentive)	\$ 2,898,679				
Incentive Grant (2 Communities) (FY19 -23 0.5%)	\$ 517,579	\$ 615,507	\$ 808,665	\$ 808,665	\$ 808,665
Incentive Grant (3-9 Communities) (FY19 -FY22 1.5%)	\$ 1,552,737	\$ 1,846,522	\$ 2,425,994	\$ 2,425,994	\$ 2,425,994
Incentive Grant (10+ Communities) (FY18 -FY22 -1.5%)	\$ 1,552,737	\$ 1,846,522	\$ 2,425,994	\$ 2,425,994	\$ 2,425,994
Incentive Grant (RECC) (FY19 - 7%, FY 20 - 23 - 10%)	\$ 7,246,105	\$ 12,310,148	\$ 16,173,291	\$ 16,173,291	\$ 16,173,291
Additional Funding (Incentives Primary PSAP/Regional/RECC projects)	\$ 3,500,000	\$ 4,000,000	\$ -	\$ -	\$ -
Wireless State Police PSAP Grant (FY18 --5.9%; FY19-22 - 2%)	\$ 2,418,800	\$ 2,462,030	\$ 3,234,658	\$ 3,234,658	\$ 3,234,658
Development Grant	\$ 15,000,000	\$ 8,000,000	\$ 7,500,000	\$ 7,500,000	\$ 7,500,000
Development Grant (Roll Over)	\$ 18,635,899	\$ -	\$ -	\$ -	\$ -
TOTAL GRANT PROGRAMS	\$ 86,920,956	\$ 60,625,084	\$ 70,802,259	\$ 70,802,259	\$ 70,802,259
9-11 SYSTEM					
Map Data	\$ 2,150,507	\$ 2,214,917	\$ 2,281,260	\$ 2,349,593	\$ 2,419,975
ISA MASS GIS	\$ 2,147,007	\$ 2,211,417	\$ 2,277,760	\$ 2,346,093	\$ 2,416,475
ESL	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500
NG 911 - Non-Recurring	\$ 10,743,909	\$ 12,892,691	\$ 9,679,843	\$ 9,679,843	\$ 9,679,843
NG 911 - Recurring	\$ 27,824,535	\$ 33,389,442	\$ 33,389,442	\$ 33,389,442	\$ 33,389,442
Radio Infrastructure Project	\$ 25,000,000	\$ 25,000,000	\$ 25,000,000	\$ 25,000,000	\$ 25,000,000
Wireless Center	\$ 5,387,961	\$ 5,387,961	\$ 5,387,961	\$ 5,387,961	\$ 5,387,961
911 Call Center	\$ -	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000
Interpretive Services (Qwest Language Line)	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
Mobile PSAP	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
TOTAL 9-11 SYSTEM	\$ 71,191,912	\$ 84,970,011	\$ 81,823,506	\$ 81,891,838	\$ 81,962,221
Programs					

Exhibit B

Training Program	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
Public Education	\$ 270,560	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
Specialized Customer Premise Equipment	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000
TRS	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000
CapTEL	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000
TOTAL PROGRAMS	\$ 3,220,560	\$ 3,075,000	\$ 3,075,000	\$ 3,075,000	\$ 3,075,000
TOTAL ESTIMATED EXPENSES	\$ 168,510,790	\$ 155,802,147	\$ 163,039,273	\$ 163,321,084	\$ 163,612,209
ESTIMATED FUND BALANCES	\$ 65,684,657	\$ 71,815,415	\$ 70,709,047	\$ 69,320,868	\$ 67,641,565