

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

Petition of the State 911 Department
for Approval of FY2026 Expenditures from the
Enhanced 911 Fund and Approval of the
FY2027 Development Grant Amount.

D.T.C. Docket No. 26-2

SUPPLEMENTAL WRITTEN COMMENTS FOR DTC DOCKET No. 26-2

5/11/2026

PRELIMINARY STATEMENT

Commenter respectfully submits this supplemental filing to introduce additional public records bearing directly on the prudence inquiry pending before the Department of Telecommunications and Cable (“DTC”) under M.G.L. c. 6A, § 18H.¹ This filing supplements Commenter’s initial Written Comments filed April 7, 2026 (“Initial Comments”), and is organized to align with issues raised there and with the DTC’s pending First and Second Sets of Information Requests.

This supplemental filing addresses five matters: (I) the existence and operating costs of an additional state-operated PSAP facility (“POD 1” / PSAP Operations Division 1) at 31 Maple Street, Milford, Massachusetts; (II) data transparency concerns affecting the DTC’s ability to evaluate the cost-effectiveness of state-operated facilities relative to grantee operations and the capital-versus-operational composition of Development Grant awards; (III) the concentration of Development Grant awards to a single regional emergency communications center, the timing of those awards relative to State 911 Commission leadership composition, and the disposition of timely-submitted stakeholder input on the FY2027 grant guidelines; (IV) the prudence of administrative practices that result in awarded grant funds being unreimbursed or forfeited at contract expiration or denied on procedural grounds; and (V) the format of the Department’s responses to the DTC’s First Set of Information Requests.

¹M.G.L. c. 6A, § 18H(d).

The DTC’s Second Set of Information Requests, with responses due May 14, 2026,² addresses several matters that directly intersect with those raised here, including the scope and contractual posture of the Department’s commissioned regionalization assessment (D.T.C. 2-2), the percent-completion status of capital projects (D.T.C. 2-3), the basis for the Billerica training center lease (D.T.C. 2-4), and Development Grant roll-over mechanics (D.T.C. 2-7). Where those requests overlap with matters raised below, Commenter identifies additional questions the DTC may wish to address through follow-up information requests.

The DTC has long described its mandate as one to “maintain a reasonable, stable surcharge in order to protect the interests of communications service ratepayers ‘and to serve as a counterweight to the 911 Department’s authority.’”³ Across prior proceedings, the DTC has exercised that authority through disclosure conditions, structural grant modifications, and year-over-year expenditure comparisons.⁴ Each request for relief in this filing is framed as a condition on the DTC’s prudence approval, consistent with that longstanding practice.

²Department of Telecommunications and Cable, Second Set of Information Requests to the State 911 Department, D.T.C. Docket No. 26-2 (May 6, 2026), with responses due May 14, 2026.

³D.T.C. 23-3, Final Order at 6–7 (Nov. 30, 2023) (“23-3 Order”) (quoting D.T.C. 11-2, Order at 4–5 (May 27, 2011) (“11-2 Order”)).

⁴See D.T.C. 20-1, Final Order at 15–16 (May 26, 2020) (“20-1 Order”); D.T.C. 22-1, Final Order at 11–13 (June 1, 2022) (“22-1 Order”); D.T.C. 25-2, Final Order at 16 (June 12, 2025) (“25-2 Order”).

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I. STATE-OPERATED FACILITY NOT SEPARATELY DISCLOSED: POD 1 / PSAP OPERATIONS DIVISION 1

A. The Public Records

Three public records, attached and incorporated as Exhibits A, B, and C respectively, establish the existence and current operational expansion of a state-operated PSAP facility designated “POD 1” or “PSAP Operations Division 1” at 31 Maple Street, Milford, Massachusetts: (i) a hiring announcement posted to the official Massachusetts State 911 Department Facebook page;⁵ (ii) Commonwealth of Massachusetts MassCareers Job Posting No. 260002HI, posted March 27, 2026, three days after the petition was filed on March 24, 2026, for a Program Manager VII / Director of PSAP Operations – Division 1, primary location 31 Maple Street, Milford;⁶ and (iii) the Department’s PSAP Consolidation Map identifying “MetroWest RECC (Pending)” as an active consolidation in the geographic region where POD 1 is located.⁷

The Department’s own May 15, 2025 Commission meeting minutes independently corroborate POD 1’s existence, listing “Alyson Dell Isola, Dir, PSAP OPS POD 1” and “Kristina Morin, Dep Dir, PSAP OPS POD 1” among State 911 Department attendees.⁸ POD 1 is a presently constituted operational division with an existing director and deputy director, administratively distinct from the Department’s wireless center at the same address.

B. Relationship to Pending Information Requests

These records bear directly on three pending DTC information requests.

D.T.C. 1-17 directs the Department to list all wireless centers, call centers, and training facilities operated by 911 Department staff. The Department’s response identifies the Berkshire RECC, the North Shore Regional 911 Center, the wireless center at Milford, and training facilities in Middleborough, Milford, Springfield, and Billerica.⁹ POD 1 / PSAP Operations Division 1 is not separately identified, notwithstanding that the Department’s own meeting minutes confirm it as a distinct operational division with its own director and deputy director.

D.T.C. 1-14 asked whether it was the original intention of the PSAP/RECC program for the Department to operate PSAPs and RECCs directly. The Department responded candidly that

⁵Massachusetts State 911 Department, official Facebook page (@MAstate911), post ID 1352675350235512, hiring announcement for Director of PSAP Operations – Division 1.

⁶Commonwealth of Massachusetts MassCareers Job Posting No. 260002HI, Director of PSAP Operations – Division 1 / Program Manager VII, posted March 27, 2026. Agency: Executive Office of Public Safety and Security. Primary Location: 31 Maple Street, Milford, Massachusetts.

⁷Massachusetts State 911 Department PSAP Consolidation Map (as of July 8, 2024), available at mass.gov/doc/psap-consolidation-map/download.

⁸State 911 Commission Meeting Minutes, May 15, 2025, at 1 (listing “Kristina Morin, Dep Dir, PSAP OPS POD 1” and “Alyson Dell Isola, Dir, PSAP OPS POD 1” among State 911 Department attendees), available at mass.gov/lists/state-911-commission-agendas-notice-minutes.

⁹State 911 Department Response to D.T.C. 1-17 (April 27, 2026).

direct operation “was not the intention” at the time Chapter 223 of the Acts of 2008 was enacted.¹⁰ Yet the POD 1 Director’s position description provides that the position will “oversee and manage 911 call-taking operations and lead the transition to dispatch services for participating communities,” will “Promote regionalization efforts,” and that “Responsibilities will expand as additional communities are onboarded.”¹¹ This is the language of a state-operated regional emergency communications center designed to grow its municipal membership over time, outside the competitive Development Grant process the legislature established for that purpose.

D.T.C. 1-4 inquired into the number of full-time employees and the cost drivers accounting for the 21% increase from FY2025 actual expenditures to FY2026 projections. The Department responded that 51 full-time equivalent positions are attributed to the Salary line item. Whether the POD 1 Director position, posted three days after the petition was filed, is reflected in the FY2026 Salary projections, and whether other management-level positions at state-operated centers have been similarly posted or filled without disclosure in the petition, are matters the record should address.

C. The Standalone Prudence Question

The POD 1 Director position carries a salary range of \$100,839 to \$155,530 annually, classified M99-Managers (EXE), with full state executive benefits including a state retirement pension and 75% employer-paid health insurance contribution.¹² Total compensation, inclusive of benefits, is estimated at approximately \$164,000 to \$209,000 annually.

The primary duties, supervising staff, maintaining agency liaisons, developing and enforcing policies, designing training programs, and leading the transition of POD 1 into a RECC serving expanded municipal membership, are categorically management, administrative, and policy functions. Under the FY2026 Support and Incentive Grant Guidelines, allowable personnel expenses are limited strictly to certified enhanced 911 telecommunicators working in that capacity as their primary job function.¹³ The Guidelines further provide: “Funds shall not be used for any equipment, personnel or services that are not directly related to the provision of enhanced 911 service.”¹⁴

No independent RECC could claim a dollar of reimbursement under the Support and Incentive Grant for a position equivalent to the POD 1 Director. The Department funds this position from

¹⁰State 911 Department Response to D.T.C. 1-14 (April 27, 2026) (“At the time of passage of Chapter 223 of the Acts of 2008, it was not the intention for the 911 Department to directly assume 9-1-1 operations.”).

¹¹Job Posting No. 260002HI, Position Overview and Detailed Responsibilities.

¹²Job Posting No. 260002HI, Salary Range (\$100,839.08–\$155,529.95 annually); Classification (M99-Managers (EXE)); Benefits (state retirement pension; 75% employer-paid health insurance contribution).

¹³FY2026 Support and Incentive Grant Guidelines, § V(A).

¹⁴FY2026 Support and Incentive Grant Guidelines, § V (“Funds shall not be used for any equipment, personnel or services that are not directly related to the provision of enhanced 911 service.”).

the Enhanced 911 Fund, without formula limitation, without competitive grant process, and without the itemized justification the Support and Incentive Grant Guidelines impose on every independent RECC for every allowable expenditure. The DTC’s prudence obligation under § 18H applies to this expenditure as it applies to all others.

D. Geographic Competition Concern

The Department’s response to D.T.C. 1-9 confirms that Grafton and Southborough have signed on to a proposed MetroWest RECC to be located in Westborough, with additional communities in the broader MetroWest region expressing interest in independent RECC consolidation.¹⁵ POD 1 is located in Milford, within the same MetroWest geographic region. Read together with the POD 1 Director’s explicit mandate to “promote regionalization efforts” with responsibilities that “will expand as additional communities are onboarded,” these facts present a concrete question the DTC record should resolve: the Department is expanding a state-operated PSAP, funded directly from the Enhanced 911 Fund, in the same geographic region as an independently organized RECC consolidation effort that is actively underway.

The FY2027 Development Grant Guidelines give the Department authority to deny an independent RECC’s application based on the “concentration of existing or proposed regional PSAPs and RECCs in the geographic region” and to direct the applicant to join an existing regional PSAP or RECC.¹⁶ Where the Department itself is the expanding RECC in a given region, that geographic steering authority can foreclose independent RECC development without issuing a formal denial on the merits. The DTC’s record should address whether that authority is being exercised, or whether POD 1’s expansion is occurring in operational competition with the independent MetroWest consolidation effort.

E. Funding Asymmetry

The categorical asymmetry between expenditures the Enhanced 911 Fund supports for state-operated facilities versus independent grantees, addressed in detail in the Initial Comments, is directly illustrated by POD 1’s expansion. A state-operated facility expanding its municipal membership draws from the surcharge fund without formula limitation or competitive process. An independent RECC seeking equivalent growth must compete for Development Grant awards, document every allowable expense, and bear lapsing risk on every eligible expenditure. POD 1 is a live instance of the structural asymmetry the DTC’s prudence inquiry must address: two

¹⁵State 911 Department Response to D.T.C. 1-9 (April 27, 2026) (identifying Grafton and Southborough as expressing interest in the proposed MetroWest RECC in Westborough; Natick and Wayland as expressing interest in the proposed Middlesex RECC in Framingham).

¹⁶FY2027 Development Grant Guidelines, § V (“The State 911 Department reserves the right to deny funding if the concentration of existing regional PSAPs, RECCs, and regional secondary PSAPs ... is such that the interests of efficiency would not be served by an additional regional PSAP, RECC, or regional secondary PSAP in such geographic region”; “direct the applicant to join such existing or proposed regional PSAP or RECC”).

entities performing operationally equivalent functions, drawing from the same ratepayer-funded source, under categorically different rules depending solely on operator identity.

F. Requested Relief

Commenter respectfully urges the DTC to:

- Require the State 911 Department to state on the record whether any Development Grant application covering municipalities in the MetroWest geographic region has been denied, deferred, or informally discouraged in the past three fiscal years, and whether POD 1's expansion is occurring in geographic proximity to or operational competition with the independent MetroWest RECC consolidation effort identified in D.T.C. 1-9.
- Require the State 911 Department to explain, in its supplemental response to D.T.C. 1-14, the statutory basis on which it funds the expansion of POD 1 into a full dispatch RECC directly from the Enhanced 911 Fund rather than through the competitive Development Grant process the legislature established for that purpose.
- Condition any DTC approval of FY2026 expenditures on the State 911 Department's commitment that, before any Enhanced 911 Fund surcharge revenues are used to establish, expand, or onboard additional municipalities into any state-operated PSAP, RECC, POD, call center, or dispatch operation, the Department shall file a public written justification with the DTC and the State 911 Commission demonstrating: (i) the statutory basis for the proposed action; (ii) the operational necessity to be served; (iii) the projected cost; (iv) the comparative cost of providing equivalent service through an independent regional PSAP or RECC funded under existing grant programs; (v) whether any independent PSAP or RECC consolidation alternative is in development or has been considered for the same geographic region; and (vi) the date and form of any State 911 Commission review of the proposed action.
- Direct the State 911 Department to evaluate, and report to the DTC within twelve months, whether the categorical scope of expenditures the Enhanced 911 Fund supports for state-operated facilities versus independent grantees should be brought into parity, either by extending generally-available full-cost reimbursement to similarly situated independent PSAPs and RECCs, or by limiting state-operated facility expenditures to the same allowable expense categories and formula limits that govern independent grantees, with any excess funded through state appropriations or other non-surcharge sources.

II. DATA TRANSPARENCY AND COST COMPARABILITY

Two distinct gaps in the data the State 911 Department publishes materially affect the DTC’s ability to evaluate the prudence of expenditures from the Enhanced 911 Fund. Each is independently capable of correction and each bears directly on the prudence inquiry.

A. Call Volume Reporting Excludes State-Operated Facilities

The State 911 Department publishes an annual PSAP-by-PSAP 911 call volume report. The most recent published report, Calendar Year 2025 911 Call Volume, attached as Exhibit D, lists 911 call volume for over two hundred individual PSAPs.¹⁷ For independent regional emergency communications centers, the report identifies the entity by name and provides voice, text, and total call counts.

The report does not separately list, on the same per-facility basis, the call volume handled by the Department’s own state-operated facilities, including POD 1 / PSAP Operations Division 1, the Wireless Center at Milford, the North Shore Regional 911 Center, or the Berkshire RECC since its December 2024 transition to Department operation. This omission makes it impossible from the published record to compare the cost per call of state-operated facilities against the cost per call of independent RECCs, even though the petition seeks DTC approval of \$288,761,348 in projected FY2026 expenditures.

The DTC’s prudence inquiry under § 18H requires evaluation of whether expenditures are reasonably and proportionately incurred. Where the Department funds its own facilities directly from the Enhanced 911 Fund without formula limitation, and funds independent RECCs through formula-based reimbursement under guidelines the Department itself authors, the DTC must be able to compare the cost-effectiveness of the two operational models. D.T.C. 2-1 addresses the fixed-cost denominator of this inquiry; per-facility call volume for state-operated facilities addresses the variable-cost numerator necessary to complete it.

B. Support and Incentive Grant Formula Transparency

The Support and Incentive Grant is represented in the petition and in the grant guidelines as a formula-based reimbursement program. M.G.L. c. 6A, § 18B(c) requires the State 911 Commission to review and approve “all formulas, percentages, guidelines or other mechanisms used to distribute the grants” funded by the surcharge.¹⁸ M.G.L. c. 6A, § 18B(i) structures the Support Grant as a program that “shall reimburse” eligible PSAPs and RECCs for allowable enhanced 911 expenditures.¹⁹ A mandatory statutory reimbursement program structured as

¹⁷Massachusetts State 911 Department, Calendar Year 2025 911 Call Volume (attached as Exhibit D).

¹⁸M.G.L. c. 6A, § 18B(c) (“The 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 this section, and all major contracts that the department proposes to enter into for enhanced 911 services.”).

¹⁹M.G.L. c. 6A, § 18B(i) (establishing Development Grant, Support and Incentive Grant, and related programs to assist PSAPs and RECCs in the provision of enhanced 911 services, with the Support Grant structured as a mechanism that “shall reimburse” eligible PSAPs and RECCs for allowable enhanced 911 expenditures).

formula-based cannot be prudently reviewed or fairly administered if the operational formula, its data inputs, and the calculation methodology used to produce individual allocations are not disclosed. Formula opacity converts what should be an objective allocation mechanism into a functional black box and, where undisclosed adjustments or discretionary overrides are present, into a de facto discretionary system.

The DTC's First and Second Sets of Information Requests define "complete and detailed documentation" to include all data, assumptions, and calculations relied upon; the source and basis for all data and assumptions; all studies, reports, and planning documents; and live Excel spreadsheets where applicable.²⁰ To date, no such documentation has been filed with respect to Support and Incentive Grant allocation calculations. The Department has disclosed the general guideline description, the percentage of prior-year surcharge revenues allocated to each program, and the categorical limits on allowable expenses, but has not disclosed the operational formula, input data, or calculation workbook from which individual PSAP and RECC allocations are derived.

Formula transparency bears on three distinct elements of the DTC's prudence inquiry. First, individual PSAPs and RECCs cannot verify that their allocations are correctly calculated without knowing the formula and inputs applied to them. Second, the State 911 Commission cannot meaningfully discharge its § 18B(c) approval obligation with respect to the formula itself if only the guideline description, not the operational implementation, is presented for Commission review. Third, the DTC cannot determine whether the expenditures it is being asked to approve are prudently and proportionately incurred if the methodology producing individual allocations contains undisclosed caps, floors, holdbacks, manual adjustments, or discretionary modifications that may reduce or redirect surcharge funds without a documented basis. The concern is procedural and evidentiary: the public record should permit the DTC to determine whether the Support Grant operates as the mandatory, formula-constrained reimbursement program the statute establishes.

This concern is sharpened by the structural asymmetry this filing addresses throughout. The Department funds its own state-operated PSAPs and RECCs directly from the Enhanced 911 Fund without formula limitation; it funds independent PSAPs and RECCs through a formula-constrained reimbursement framework it both designs and administers. Where the formula constraining independent grantees is not itself transparent and verifiable, the DTC has no basis on which to conclude that the constraint operates fairly, consistently, and in accordance with the statutory purposes for which it was established.

²⁰First Set of Information Requests, Instructions ¶ 3 (defining "complete and detailed documentation" to require "all data, assumptions, and calculations relied upon," "the source of and basis for all data and assumptions employed," "all studies, reports, and planning documents from which data, estimates, or assumptions were drawn," and "[l]ive Excel spreadsheets where applicable"); Second Set of Information Requests, Instructions ¶ 3 (same).

C. Requested Relief

Commenter respectfully urges the DTC to:

- Require the State 911 Department to file with the DTC a supplemental Calendar Year 2024 and 2025 call volume report providing, on a per-facility basis, the 911 call volume handled by each state-operated PSAP, including POD 1, the Wireless Center, the North Shore Regional 911 Center, and the Berkshire RECC, in the same format as per-facility data published for independent PSAPs and RECCs.
- Require the State 911 Department to commit, in its administration of the FY2027 Development Grant program and any successor programs, to publish per-fiscal-year award amounts disaggregated by allowable expense category, so that prospective applicants and the public can evaluate how surcharge funds have been deployed across categorical purposes.
- Require the State 911 Department to file the complete FY2025, FY2026 and FY2027 Support and Incentive Grant allocation methodology, including the operational formula, all variables, data inputs, population figures, call-volume data, municipal membership inputs, weighting methodology, caps, floors, holdbacks, adjustments, manual overrides, and any discretionary modifications used to calculate allocations for individual PSAPs and RECCs.
- Require the State 911 Department to produce the live Excel workbook or equivalent calculation file used to calculate FY2026 and FY2027 Support and Incentive Grant allocations, consistent with the DTC's standard instruction that "complete and detailed documentation" includes "live Excel spreadsheets where applicable."
- Require the State 911 Department to provide a PSAP-by-PSAP and RECC-by-RECC table showing, for FY2025, FY2026 and FY2027: the base formula allocation before adjustments, each adjustment applied with its basis, the final allocation, and an explanation for any difference between the base formula amount and the final allocated amount.
- Require the State 911 Department to identify whether the State 911 Commission reviewed and approved the operational formula and adjustment methodology, not merely the general guideline description, for FY2026 and FY2027 Support and Incentive Grant allocations, and if not, to explain on the record the basis on which the Commission's § 18B(c) approval satisfied the statutory requirement.
- Condition any future DTC approval under § 18H on the State 911 Department's publication of the complete Support and Incentive Grant allocation formula, data inputs, workbook, and any adjustments or overrides before grant applications or allocations are finalized for each cycle, so that PSAPs, RECCs, the Commission, and the DTC have a meaningful opportunity to identify and raise concerns before allocations become effective.

III. CONCENTRATION OF DEVELOPMENT GRANT AWARDS AND PROCESS INTEGRITY

A. Magnitude of Concentration

The State 911 Department’s published FY2009–FY2025 Regional Development Grants Award Listing shows that Norfolk County Control, the regional emergency communications center hosted in the Town of Holbrook, also known as the Holbrook Regional Emergency Communications Center (“HRECC”)²¹, received \$49,767,772 in cumulative Development Grant funding through FY2025, the largest total in the program by a substantial margin. The next-largest recipient, Southeastern Mass RECC (SEMRECC), received \$23,634,485. HRECC’s cumulative total exceeds the next-largest recipient by more than 110 percent.²²

The temporal distribution is more striking than the total. Of the \$49.7 million HRECC received cumulatively, \$14,127,153 was awarded in FY2024 and \$20,883,162 in FY2025.²³ Those two fiscal years alone account for approximately seventy percent of HRECC’s entire cumulative total through FY2025. The \$35 million concentrated in two fiscal years, awarded under guidelines whose Vice Chair sponsor is documented in the next section, is precisely the pattern the DTC’s established year-over-year comparison method is designed to surface.²⁴

Commenter does not ask the DTC to reopen or invalidate any prior-year award. Prior-year award patterns are submitted for a narrower purpose: they bear on the magnitude of FY2027 surcharge revenues the petition proposes to commit to the Development Grant program, on the integrity of the process by which the Department proposes to administer those funds, and on whether the DTC can rest a forward-looking prudence finding on the presumption that the same processes will operate adequately in FY2027.

B. State 911 Commission Leadership During the Award Period

The State 911 Commission holds statutory approval authority over Development Grant guidelines under M.G.L. c. 6A, § 18B(c).²⁵ The following sequence is established entirely by the Department’s own publicly posted Commission meeting minutes.

²¹See Holbrook Regional Emergency Communications Center, available at holbrookrecc.com (identifying entity as “Norfolk County Control” and as the “Holbrook Regional Emergency Communications Center,” located at the Holbrook Public Safety Building); see also FY2009–FY2025 Regional Development Grants Award Listing (listing entity as “Norfolk County Control” with member communities including Abington, Canton Fire, Holbrook, Holliston, Norwood, Rockland, Sharon Fire, Sherborn, Stoughton, Whitman, and Fairhaven). Throughout this filing, “Norfolk County Control,” “Norfolk County ECC (Holbrook),” and “HRECC” all refer to the same entity.

²²FY2009–FY2025 Regional Development Grants Award Listing (SEMRECC: \$23,634,485; Regional Old Colony Communications Center: \$17,500,916; Western Massachusetts Emergency Communications Center: \$17,184,425; Metacomet Communications: \$15,926,097).

²³Id. (Norfolk County Control FY2024 awarded funding \$14,127,153; FY2025 awarded funding \$20,883,162).

²⁴D.T.C. 25-2 Order at 16 (“DTC finds that all FY 2025 expenses have been prudently incurred based on not only a review of this year’s expenses but also comparing them to expenses from previous fiscal years.”).

²⁵M.G.L. c. 6A, § 18B(c).

On September 22, 2022, the Commission voted to appoint Steven Hooke as Vice Chair.²⁶ Mr. Hooke is the Director of HRECC.²⁷ On October 5, 2023, the Department’s regionalization update reported that “Director Hooke and his team are working on the schedule” for Stoughton, Fairhaven, Sudbury, and Holliston’s transition into HRECC.²⁸ On December 14, 2023, Vice Chairperson Hooke himself moved to approve the FY2025 Development Grant Guidelines.²⁹ The motion was seconded and approved without any recorded deliberation on the Vice Chair’s relationship to the primary beneficiary of the guidelines he was moving to adopt. Mr. Hooke remained Vice Chair through at least May 2024.³⁰

The FY2024 and FY2025 Development Grant guidelines, under which \$35 million flowed to HRECC, were approved by the Commission during the period Mr. Hooke served as Vice Chair. On December 6, 2024, the Commission appointed Christopher Delmonte, Bridgewater Police Chief and representative of the Massachusetts Chiefs of Police Association, as the new Vice Chair.³¹

The Commission’s meeting minutes record no question raised by any member at the December 14, 2023 meeting, or at any other meeting at which guidelines governing HRECC-eligible awards were approved, about the Vice Chair’s conflict of interest in moving to approve guidelines under which his own center was the program’s largest recipient by a factor of two.

C. The Development Grant Selection Process

The FY2027 Development Grant Guidelines, Section VII, describe the entire grant selection process as follows: “State 911 Department staff will review all applications and make funding recommendations to the Executive Director or his designee(s). The Executive Director, or his designee(s), will make the final decisions for awarding grant funds under the Program.”³² The Guidelines list five factors to be considered and six “priorities” in order of priority, the first of which is expansion of existing regional PSAPs or RECCs, and the last of which reserves

²⁶State 911 Commission Minutes, September 22, 2022, at 2 (“A nomination for Steven Hooke was offered by Richard Patterson. Timothy Bradshaw Seconded. All in favor. Approved.”).

²⁷See Holbrook Regional Emergency Communications Center, available at holbrookrecc.com (identifying Steven Hooke as Director of HRECC); see also State 911 Commission Meeting Minutes, October 5, 2023, at 3 (referring to “Director Hooke and his team” in connection with HRECC’s expansion).

²⁸State 911 Commission Meeting Minutes, October 5, 2023, at 3 (“Director Hooke and his team are working on the schedule of when these communities”, referring to Stoughton, Fairhaven, Sudbury, and Holliston , “will transition into the Center.”).

²⁹State 911 Commission Meeting Minutes, December 14, 2023, at 2 (“A Motion was offered by vice Chairperson Hooke to: 1) Approve the State 911 Department’s Guidelines for the Regional Public Safety Answering Point and Regional Secondary Public Safety Answering Point and Regional Emergency Communication Center Development for Fiscal Year 2025 ... The motion was seconded by Rich Patterson. Approved.”).

³⁰See Draft State 911 Commission Meeting Minutes, May 16, 2024, at 1, 3 (listing Mr. Hooke as Vice Chair and recording motion offered by “Vice Chairman Steve Hooke”).

³¹State 911 Commission Meeting Minutes, December 6, 2024, at 2 (“A Nomination for Christopher Delmonte was offered by Kyle Heagney. Carmen Curry Seconded the Motion. All in favor. Approved.”); id. at 1 (identifying Christopher Delmonte as “MA Chiefs of Police Assoc” representative).

³²FY2027 Development Grant Guidelines, § VII (“Grant Review and Selection Process”).

additional priority consideration for prior-cycle recipients.³³ The Department retains the right to interview applicants, make full or partial awards, and deny funding on geographic concentration grounds.³⁴

D. The Procedural Gaps

The factors and priorities in the Guidelines are not accompanied by the procedural infrastructure ordinarily associated with a competitive grant program subject to prudence review. The Guidelines do not:

- establish a scoring rubric or assign relative weights to the five listed factors or six listed priorities;
- require Department staff to document the reasoning underlying funding recommendations;
- require the Executive Director to document the reasoning underlying final award decisions;
- require award or denial letters to explain the basis for the decision;
- require that follow-up questions posed to individual applicants be shared with other applicants or made part of any public record;
- establish a conflict-of-interest disclosure protocol or recusal procedure for Department staff or the Executive Director; or
- provide any appeal mechanism for the denial of an application.

Final award decisions are made by the Executive Director or his designee(s). The State 911 Commission has no role in individual award decisions and no documented role in reviewing any individual application.³⁵ No public deliberation precedes any award decision. Award letters are issued; denial letters are issued; the underlying reasoning is not on any record on which prudence review can operate.

On information and belief, no applicant in any recent Development Grant cycle has received a scoring document, evaluation rubric, or criteria-by-criteria written analysis as part of any award or denial determination. These claims are matters that the Department, in its response to the requested relief in subsection J below, is in a position to confirm or contradict on the record.

³³Id. (listing five factors and six priorities, the sixth of which provides “additional priority consideration may be given to applicants who have received funds ... in prior fiscal years”).

³⁴Id. (“The State 911 Department reserves the right to interview an applicant and/or its partners ... make grant awards based on the above priorities ... deny funding if the concentration of existing regional PSAPs, RECCs, and regional secondary PSAPs ... is such that the interests of efficiency would not be served by an additional regional PSAP, RECC, or regional secondary PSAP in such geographic region.”).

³⁵M.G.L. c. 6A, § 18B(c) (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 this section”; the statute provides no role for Commission review of individual grant awards).

E. The Prudence Implication of the Selection Process

The DTC’s prudence review under § 18H presupposes that underlying expenditure decisions are documented in a way that permits review. A grant selection process that generates no contemporaneous record of decisional reasoning is structurally incapable of supporting a finding that any particular award is prudently incurred.

The structural concern compounds where, as documented in subsections A and B, a single recipient receives concentrated funding during a period in which that recipient’s director served as Vice Chair of the body that approved the operative guidelines. Whether the FY2024 and FY2025 awards to HRECC reflected comparative merit, or informational and relational advantages flowing from the Vice Chair’s Commission position, cannot be determined from the present record, because the present record does not include scoring, evaluation reasoning, or any documentation by which comparative merit could be assessed. A process that generates no record sufficient to distinguish ordinary merit from other potential explanations for concentrated awards cannot support the prudence finding § 18H requires.

F. Commission Deliberative Practice and the § 18B(c) Check

The § 18B(c) Commission approval is the substantive check on Development Grant guidelines upstream of the DTC’s § 18H review. Where that check is functioning, the DTC’s prudence review operates against a background of prior substantive scrutiny. Where it is not, the entire prudence inquiry rests on the DTC’s downstream review alone.

The Department’s publicly posted Commission meeting minutes for FY2020 through FY2025 reflect a uniform deliberative pattern: Department staff describe proposed guidelines and changes from the prior year; the minutes record “Discussion ensued”; a motion to approve is offered and approved.³⁶ The phrase “Discussion ensued” appears as a placeholder fifty-eight times across nineteen of twenty-four sets of Commission meeting minutes Commenter has reviewed, in connection with substantive Department presentations on grant guidelines. The minutes do not record any Commission member raising a specific question about comparative application merit, funding distribution patterns, scoring methodology, cost-per-call disparities between state-operated and grantee facilities, lapsing awards, or any of the categorical matters surfaced in the DTC’s First and Second Sets of Information Requests.

At the December 14, 2023 meeting, at which Vice Chairperson Hooke moved to approve the FY2025 Development Grant Guidelines under which HRECC subsequently received \$20,883,162, the minutes record “Discussion ensued” and record the motion as approved.³⁷ They record no question raised about the Vice Chair’s relationship to the primary beneficiary. At the

³⁶See generally State 911 Commission Meeting Minutes, available at mass.gov/lists/state-911-commission-agendas-notices-minutes (FY2020–FY2025 meeting minutes).

³⁷State 911 Commission Meeting Minutes, December 14, 2023, at 2.

February 15, 2024 meeting, four separate motions to approve FY2025 grant guidelines were offered and each approved, each preceded by “Discussion ensued.”³⁸

Commenter does not assert that any Commission member acted improperly. The documented record establishes that “Discussion ensued” is a placeholder, not a record of substantive engagement, and that across multiple cycles, the § 18B(c) check has not, in its recorded operation, generated the analytical scrutiny that would relieve the DTC’s § 18H review of carrying the full substantive burden.

The MCSA submission documented in subsection I below is illustrative. MCSA’s elected Commission representative submitted nineteen pages of substantive recommendations on the FY2027 grant guidelines eight days before the March 4, 2026 Commission meeting at which those guidelines were considered. The Commission meeting minutes should reflect whether members engaged with those recommendations. The Department’s response to the relief requested in subsection K will indicate whether they do.

G. FY2027 Guideline Revisions

The FY2027 Support and Incentive Grant Guidelines contain a new category not present in equivalent prior-year guidelines: an “Incentive for consolidation of police, fire and ems dispatch within a municipality.”³⁹ This provision makes additional discretionary funding available to primary PSAPs seeking to consolidate dispatch services, on petition to the Executive Director, evaluated outside the formula-based allocation framework that governs ordinary Support and Incentive Grant categories.⁴⁰ The DTC record should address whether this category was added for the first time in FY2027, what stakeholder input the Department received on its inclusion, and how the addition was evaluated against the prudence and proportionality requirements of § 18H.

H. Regionalization Assessment: Independence and Scope Transparency

The DTC’s Second Set of Information Requests, D.T.C. 2-2, asks the Department to elaborate on the scope and intention of the regionalization review and assessment reflected in the FY2026 Consultant Services line item, whether a contract is in place, the contract start date and duration, and the anticipated end date and end product.⁴¹ The Department’s response to D.T.C. 1-5(C)

³⁸State 911 Commission Meeting Minutes, February 15, 2024 (recording four separate motions to approve FY2025 grant guidelines, each preceded by “Discussion ensued” and each approved).

³⁹FY2027 Support and Incentive Grant Guidelines (Final), at 8 (“Incentive for consolidation of police, fire and ems dispatch within a municipality”).

⁴⁰Id. (“additional funding may be available to primary PSAPs seeking to consolidate dispatch services (police, fire, ems) within a municipality. Such PSAP shall petition the Executive Director for consideration of additional funding not to exceed fifty percent (50%) of the project cost.”).

⁴¹D.T.C. 2-2, Second Set of Information Requests (May 6, 2026) (asking the State 911 Department to elaborate on the scope and intention of the regionalization review and assessment, whether a contract is in place, the contract start date and duration, and the anticipated end date and end product); see also State 911 Department Response to D.T.C. 1-5(C) (April 27, 2026) (stating that the FY2026 Consultant Services line item funds “an independent review and assessment of regionalization efforts and strategies”).

confirmed that the \$600,000 FY2026 Consultant Services projection funds “an independent review and assessment of regionalization efforts and strategies.” That assessment may become a material basis for future Development Grant guideline revisions, geographic concentration determinations, regionalization priorities, and possible expansion of state-operated PSAP and RECC operations. The DTC’s prudence record should address whether the assessment’s scope, methodology, and deliverables are adequate to support the forward-looking policy decisions the Department may make in reliance on it.

The concern here is procedural and evidentiary, not accusatory. Commenter does not prejudge the result of the assessment or allege any impropriety on the part of any consultant or Department official. The concern arises from the structural position of the Department: it is simultaneously the sponsor of the assessment, the administrator of the Development Grant program the assessment may reshape, and an operator of PSAP and RECC facilities whose expansion may be affirmed or constrained by the assessment’s conclusions. That structural position creates a sponsor-directed validation risk, not necessarily realized, but not addressable after the fact if the scope and methodology are not disclosed before the assessment is used to support policy or funding decisions. The public record should permit the DTC and the public to determine whether the assessment is independent, evidence-based, and not structured to ratify a predetermined outcome.

Several specific features of the assessment bear on this concern, including post hoc rationalization risk. If the Department has already made operational decisions, establishing POD 1, expanding the North Shore RECC, absorbing the Berkshire RECC, and the assessment is commissioned after those decisions are substantially implemented, there is a structural risk that the study will describe rather than evaluate those decisions. The DTC need not resolve whether this risk has been realized. The point is that the record, before any guideline revision, geographic concentration determination, or state-operated PSAP expansion is approved in reliance on the assessment, should contain enough information to allow the DTC and the public to evaluate whether the study’s scope was set before or after the operational decisions it may be used to support.

Finally, the assessment contract itself may require State 911 Commission review and approval as a “major contract” under M.G.L. c. 6A, § 18B(c). The Department’s response to the relief requested in subsection K below will indicate whether Commission approval was obtained and, if not, on what basis the Department concluded that § 18B(c) did not apply.

I. Stakeholder Input on FY2027 Guidelines

On February 24, 2026, the elected Massachusetts Communications Supervisors Association Representative to the State 911 Commission submitted a nineteen-page written package of recommendations on the FY2027 grant guidelines to Executive Director Frank Pozniak, expressly for consideration at the March 4, 2026 Commission meeting at which those guidelines

were to be acted upon (attached as Exhibit E).⁴² The recommendations represented consolidated input from multiple representatives of single PSAPs, RECCs, and the MCSA Executive Board.⁴³ Comparison of the submission to the FY2027 guidelines as adopted establishes that several substantive definitional and structural recommendations were not incorporated. The disposition of those recommendations is a matter the DTC record should address.

J. The Prudence Concern

The DTC's § 18H inquiry reaches the process integrity of surcharge fund administration, not solely the substantive reasonableness of individual expenditures. The pattern documented in this section, the largest concentration of Development Grant funding in the program's history, seventy percent of it awarded in two fiscal years during which the recipient's director served as Commission Vice Chair, made through a selection process that generates no decisional record, followed by new allowable-expense categories appearing in the first guideline cycle after the Vice Chair transition, and with timely stakeholder recommendations not incorporated into the adopted guidelines, raises concerns the DTC should require the Department to address through the disclosure relief requested in subsection K below.

A second prudence consideration concerns the statutory architecture of the reimbursement programs: as argued in the Initial Comments, the Support and Incentive Grant is structured under § 18B as a mandatory reimbursement program, not a discretionary funding mechanism. Administrative controls must facilitate reimbursement of eligible costs rather than defeat it. Where denials and reductions are not supported by written reasons, criteria-specific findings, and a meaningful opportunity for reconsideration, the practical effect is to convert a statutory reimbursement program into a discretionary benefit without clear legislative authorization.

K. Requested Relief

Commenter respectfully urges the DTC to:

- Require the State 911 Department to file with the DTC, for each FY2023, FY2024, FY2025 and FY2026 Development Grant application, both awarded and denied, the application, all follow-up questions posed by the Department and the applicant's responses thereto, the Department staff's funding recommendation and the reasoning supporting it, the Executive Director's final decision and the reasoning supporting it, and the award or denial letter as issued; or, to the extent any such records do not exist for one or more applications, a Department statement on the record affirming the absence and identifying which categories were not generated for which applications.

⁴²Massachusetts Communications Supervisors Association, State 911 Department FY2027 Grant Guidelines Comments (February 24, 2026), submitted by MRECC Deputy Director Kevin Lessard, MCSA Representative to the State 911 Commission, addressed to Executive Director Frank Pozniak (attached as Exhibit E).

⁴³Id. at 1.

- Require the State 911 Department to provide, for each FY2024, FY2025 and FY2026 Development Grant application denied in whole or in part, a written explanation identifying which of the five factors and six priorities in Section VII of the Development Grant Guidelines were determinative and how they were applied to the denied application compared to applications that were awarded; or, to the extent no contemporaneous written explanation was generated, a statement affirming that no such explanations were generated.
- Require the State 911 Department to provide a complete listing of all State 911 Commission Vice Chairs from FY2018 through the present, the dates each served, and for each, the Vice Chair’s primary employment and governance, contractual, and grant-recipient relationships during their tenure, including any relationship to a current or recent Development Grant or Support and Incentive Grant recipient.
- Require the State 911 Department to identify, for each FY2024 and FY2025 Development Grant award exceeding \$1 million, the date of award, the recipient, the specific allowable expense categories funded, and any conflict-of-interest disclosure or recusal recorded for any State 911 Commission member or Department official with a direct or indirect relationship to the recipient.
- Require the State 911 Department to identify whether the “Incentive for consolidation of police, fire and ems dispatch within a municipality” provision in the FY2027 Support and Incentive Grant Guidelines is new in FY2027, the analytical and stakeholder basis for its addition, and the Department’s position on whether intra-municipal consolidation of police and fire dispatch is an allowable use of Enhanced 911 Fund surcharge revenues under § 18H.
- Require the State 911 Department to file the complete February 24, 2026 MCSA submission as part of the Docket 26-2 record, together with all other written stakeholder input received on the FY2027 grant guidelines, and to identify for each substantive recommendation whether it was incorporated, modified, or rejected, with the basis for each disposition.
- Require the State 911 Department to identify whether the contract for the regionalization review and assessment referenced in D.T.C. 2-2 was approved by the State 911 Commission by majority vote pursuant to § 18B(c), and to file the date and form of any such Commission approval; or, if no Commission approval was obtained, the Department’s position on the record as to why § 18B(c) did not require it.
- Condition any DTC approval of the FY2027 Development Grant amount on the State 911 Department’s commitment that for the FY2027 cycle and any subsequent cycle the Department will: publish a written scoring rubric with weighted criteria; require Department staff and the Executive Director to document the reasoning underlying funding recommendations and final decisions; require award and denial letters to include criteria-by-criteria explanation of the basis for the decision; and establish a conflict-of-

interest recusal protocol applicable to Department staff, the Executive Director, and any State 911 Commission member who participates in any aspect of the review or selection process.

- Require the State 911 Department to file with the DTC the complete State 911 Commission deliberative record, including presentation materials, analytical packets, briefing documents, recorded questions or comments, and disposition documents, for each Commission meeting at which FY2024, FY2025, FY2026, and FY2027 Development Grant, Support and Incentive Grant, Training Grant, EMD Grant, or Wireless State Police Grant Guidelines were considered or approved; or, to the extent any such categories of records were not generated or are not maintained, a Department statement on the record specifying which categories were not generated for which meetings.
- Condition any DTC approval of the FY2027 Development Grant amount on the State 911 Department's commitment that for any future cycle of grant guideline approvals brought before the State 911 Commission for § 18B(c) review, the Commission's vote of approval shall be supported by a documented record reflecting substantive consideration of: (i) historical funding distribution patterns under prior fiscal years' guidelines; (ii) any timely-submitted stakeholder input; (iii) any added, modified, or expanded allowable expense categories with the basis for each; and (iv) conflict-of-interest considerations applicable to Commission members with employment, governance, or contractual relationships to grant recipients.
- Direct the State 911 Department to confirm on the record, with respect to each grant program funded by the Enhanced 911 Fund, whether it is administered as a mandatory reimbursement program for allowable enhanced 911 expenditures under § 18B or as a discretionary funding mechanism, and to identify the specific statutory basis for each program so characterized.
- As a condition of any DTC approval of FY2026 expenditures and the FY2027 Development Grant amount, direct the State 911 Department to ensure that any denial or reduction of reimbursement under a mandatory reimbursement grant program is supported by a written determination identifying the specific provision under which the determination is made, with notice and a reasonable opportunity to cure any procedural deficiency before denial, and with a documented reconsideration mechanism that does not rest exclusively in the Executive Director.
- Require the State 911 Department to file with the DTC the contract, procurement documents, scope of work, work plan, data sources and assumptions, stakeholder engagement plan, draft-review protocol, expected deliverables, and final report for the regionalization review and assessment referenced in D.T.C. 2-2 and funded through the FY2026 Consultant Services line item.

- Require the State 911 Department to state on the record whether the regionalization assessment contract was reviewed and approved by the State 911 Commission by majority vote as a “major contract” pursuant to M.G.L. c. 6A, § 18B(c), and if not, to explain the basis on which the Department concluded that § 18B(c) approval was not required.
- Require the State 911 Department to identify whether the consultant was asked to evaluate all viable regionalization models neutrally, including continued independent RECC formation, municipal consolidation, voluntary joint governance, and state-operated expansion, or whether any specific model, outcome, or policy direction was assumed, preferred, or excluded in the scope of work.
- Condition any reliance on the regionalization assessment as a basis for FY2027 or FY2028 Development Grant guideline changes, Development Grant award or denial decisions, geographic concentration determinations, or state-operated PSAP or RECC expansion on the Department’s prior disclosure of the study’s scope, methodology, assumptions, full-cost comparative analysis, stakeholder engagement record, and draft-review process, so that the DTC and the public can evaluate whether the assessment is independent and reliable before it is used to support policy or funding decisions.
- Require that any such assessment compare state-operated PSAP and RECC operations to independent RECC alternatives using full-cost accounting, including personnel, management and administrative overhead, benefits, facilities, technology, capital costs, allocated departmental overhead, municipal assessments, cost per call, and cost per municipality, so that the DTC has a basis for evaluating whether the assessment’s comparative conclusions are supported by a complete and consistent cost framework.
- Direct the State 911 Department to preserve and file with the DTC any drafts, written comments, data sets, interview summaries, assumptions documents, and Department edits or comments on draft work product if the assessment is later relied upon to support grant guideline changes, geographic concentration decisions, or state-operated PSAP expansion, so that the record supports meaningful review of whether the final product reflects independent analysis.

IV. LAPSING AWARDS AND PROCEDURAL DENIALS

A. Lapsing Awards

Grant awards are administered through fixed-duration grant contracts. Where a grantee cannot incur all eligible costs and submit reimbursement requests within the contract period, awarded but unspent funds revert at contract expiration. At the September 19, 2024 Commission meeting, the Department's Finance Director reported that of \$40 million in twenty-two FY2024 Development Grant awards, \$17.1 million had been paid out, with \$678,000 pending reconciliation, and that fourteen of the twenty-two awards had been extended through FY2025.⁴⁴ Comparable figures for the Support and Incentive, Training, EMD, Wireless, and TERT Grants show similar patterns of unreimbursed awarded funding substantially after the contract year ends.⁴⁵

Where the gap between awards and reimbursements reflects awarded funds that ultimately revert because of grantee inability to fully execute within the contract window, for reasons including procurement delays, vendor delivery delays, or administrative friction with the Department itself, the surcharge funds at issue represent revenues collected from ratepayers under § 18H but not deployed to the enhanced 911 services for which they were collected. D.T.C. 2-7 asks the Department to provide an example of Development Grant roll-over calculation from an actual multi-year project; the aggregate question of what magnitude of awarded funding has been rolled over, deobligated, or expired across the full program is addressed by the relief requested below.

B. Asymmetric Lapsing Exposure

The lapsing-awards risk documented in subsection A applies to independent grantees but not to the Department's state-operated PSAPs, RECCs, training centers, and POD 1. When the Department funds expenditures at facilities it directly operates, those expenditures are budget line items not subject to deobligation at contract expiration, not subject to documentation-based reimbursement review, and not exposed to grant-contract closeout. For independent grantees, the same operational and capital expenditures are administered through fixed-duration contracts requiring eligible costs to be incurred within the contract window, reimbursement requests filed with supporting documentation, and Department-set deadlines to be met, with the prospect that some portion of awarded funding will revert. The Department designs each of these features and administers them.

The Department invokes continuity, multi-year obligation, and revenue-shortfall protection to justify its central Enhanced 911 Fund carryforward balance, rationales that apply with equal force to PSAP and RECC grantees facing identical procurement-cycle realities. The asymmetric

⁴⁴State 911 Commission Meeting Minutes, September 19, 2024, at 4 (Robitaille Grant Programs update).

⁴⁵Id. (FY2024 Support and Incentive Grant: \$61.9M contracted, \$52.8M paid out, \$8.5M pending reconciliation; FY2024 Training Grant: \$10.5M contracted, \$95.5K paid out, \$1M pending reconciliation; FY2024 EMD Grant: \$1.5M contracted, \$1.1M paid out, \$78.2K pending reconciliation).

carryforward treatment of identically-sourced surcharge revenues is itself a prudence concern. A presumption of carryforward of allocated PSAP and RECC funds for eligible enhanced 911 expenses, with reversion or deobligation occurring only upon written closeout findings filed with the DTC, would address this asymmetry without modifying any substantive eligibility criterion and is consistent with M.G.L. c. 10, § 35JJ's directive that surcharge revenues be used solely for the purposes described in §§ 18A through 18J.⁴⁶

Where allocated grantee funds that are not reimbursed within the contract window are deobligated, reverted, or closed out, those funds remain in a fund that also supports the Department's own operational expenditures. The DTC's prudence review is materially aided by procedural safeguards sufficient to confirm that closeout decisions are documented, neutral, and based solely on statutory eligibility and grant compliance, so that the appearance of institutional self-preference is dispelled by the documented record rather than left to inference.

C. Procedural Denials

Where reimbursement requests are denied not because the underlying expense is unallowable but because of procedural or timing issues, documentation determined to be inadequate after the fact, a missed response deadline, the practical effect is that surcharge funds awarded for an allowable purpose are not paid to the grantee, and the underlying enhanced 911 expenditure is borne by the grantee. The MCSA submission specifically identifies that the FY2027 Grant Funding Process provision permits response deadlines to be set unilaterally by the Department, with the consequence of "no further consideration" for noncompliance, and observes: "The Department has extended deadlines for its own responses, but is tightening the responses for awardees of the grants."⁴⁷ This asymmetry is addressed in detail in the Initial Comments, Section VIII. The DTC record should address the magnitude of procedural denials and the Department's administrative basis for each.

D. Requested Relief

Commenter respectfully urges the DTC to:

- Require the State 911 Department to file with the DTC, for FY2018 through FY2025, a comprehensive report identifying every grant award, under the Development, Support and Incentive, Training, EMD, Wireless State Police, or TERT Grant programs, that expired, terminated, or was contractually closed out with awarded funds remaining unspent, and identifying for each: (i) the grantee; (ii) the original award amount; (iii) the amount actually reimbursed; (iv) the unspent balance at contract close-out; (v) whether that balance was deobligated, rolled over, or otherwise dispositioned; and (vi) the reason

⁴⁶M.G.L. c. 10, § 35JJ (surcharge revenues "shall be used solely for the purposes described in sections 18A to 18J, inclusive").

⁴⁷MCSA FY2027 Comments at 10 (FY27 Support and Incentive Grant comment, "Response to Request Deadlines" ("The Department has extended deadlines for its own responses, but is tightening the responses for awardees of the grants.")).

the unspent balance was not deployed to the enhanced 911 service for which it was awarded.

- Require the State 911 Department to provide aggregated statistics, for FY2018 through FY2025, on reimbursement requests denied or reduced by category: (i) substantive ineligibility of the underlying expense; (ii) procedural noncompliance with documentation, timing, procurement, or audit requirements; and (iii) other categories specified by the Department.
- Require the State 911 Department to state on the record whether the practice of deobligating awarded grant funds at contract expiration is compatible with M.G.L. c. 10, § 35JJ's requirement that surcharge revenues be used solely for the purposes described in §§ 18A through 18J, given that awarded surcharge revenues that are subsequently deobligated are not deployed to that purpose.
- Require the State 911 Department to state on the record whether the asymmetric lapsing exposure documented in subsection B, under which the Department's own state-operated facilities bear no grant-cycle deobligation risk while independent grantees bear that risk on every eligible expenditure, is compatible with the proportionality principles governing the prudent administration of a public utility surcharge under § 18H.
- Condition any DTC approval of FY2026 expenditures and the FY2027 Development Grant amount on the State 911 Department's commitment to evaluate, and report to the DTC within twelve months, the feasibility of administering Development, Support and Incentive, Training, EMD, Wireless State Police, and TERT grant awards with multi-fiscal-year availability rather than fixed-duration contracts, with the objective of reducing or eliminating the asymmetric lapsing exposure documented in subsection B.
- Direct the State 911 Department, as a condition of any DTC approval, to administer allocated PSAP and RECC funds under all applicable grant programs with a presumption of carryforward for eligible enhanced 911 expenses until expended, with reversion or deobligation occurring only upon written closeout findings filed with the DTC identifying the specific basis for closeout under applicable program guidelines.
- Require the State 911 Department to file with the DTC, for FY2018 through FY2025, a comprehensive accounting of all grantee allocations that were deobligated, reverted, or closed out with unspent balances, identifying for each: (i) the grantee; (ii) the program; (iii) the unspent balance; (iv) the disposition of that balance; and (v) the documented basis for the closeout or deobligation decision; together with a statement describing the procedural safeguards and conflict-of-interest protocols that govern Department closeout decisions, given that reverted grantee balances remain in a fund from which the Department's own operational expenditures are also supported.
- Direct the State 911 Department to evaluate, and report to the DTC within twelve months, whether the central Enhanced 911 Fund carryforward rationales the Department articulated in its responses to D.T.C. 1-2 and D.T.C. 1-3, operational continuity, multi-

year obligation, and revenue-shortfall protection, apply with equivalent force to allocated PSAP and RECC funds, and if so, to identify and remove any administrative or guideline provisions that prevent allocated PSAP and RECC funds from being carried forward on the same prudential basis the Department applies to its central fund balance.

V. MACHINE-READABLE FILING FORMAT

The State 911 Department filed its April 27, 2026 Response to the DTC’s First Set of Information Requests as a non-searchable scanned image PDF.⁴⁸ The document contains responses to twenty information requests bearing on \$288,761,348 in projected expenditures. As filed, the responses cannot be text-searched, cross-referenced, or analytically processed without first applying optical character recognition. The DTC’s Second Set of Information Requests, issued May 6, 2026, expressly directs: “When providing a PDF, please provide it in a form that is searchable.” The Department’s noncompliance with that standard in its First Set responses is not a technical irregularity. It is directly relevant to this proceeding: the Department imposes two-business-day clarification windows, 30-day reimbursement submission deadlines, and cross-program suspension on its grantees, while filing non-searchable responses in a proceeding reviewing \$288 million in expenditures. The asymmetry between what the Department demands of grantees and what it produces before its own regulator is probative of the structural asymmetry this filing addresses throughout.

A. Requested Relief

Commenter respectfully urges the DTC to:

- Require the State 911 Department to refile its Response to the DTC’s First Set of Information Requests, and any subsequent responses or filings in this proceeding, in machine-readable, text-searchable PDF format consistent with ordinary regulatory practice and with the DTC’s own Second Set of Information Requests instructions.
- Condition any future DTC approval under § 18H on the State 911 Department’s submission of all petition filings, attachments, and responses to information requests in machine-readable, text-searchable format, as a condition of completeness for purposes of triggering the DTC’s 90-day review period.

⁴⁸State 911 Department Response to D.T.C. First Set of Information Requests (April 27, 2026), filed as a non-searchable scanned image PDF. The DTC’s Second Set of Information Requests (May 6, 2026) expressly directs: “When providing a PDF, please provide it in a form that is searchable.”

CONCLUSION AND ADDITIONAL REQUESTED RELIEF

The five matters addressed in this supplemental filing, a state-operated facility not separately disclosed in the petition, with a six-figure management position posted three days after filing; data transparency gaps preventing cost-per-call comparison and capital/operational disaggregation; a documented pattern of concentrated grant funding, seventy percent of it awarded in two fiscal years during which the recipient's director served as Commission Vice Chair, through a selection process that documents no decisional reasoning; administrative practices that result in awarded surcharge funds being unrealized through procedural denial or contract-expiration deobligation; and the Department's own non-searchable filing in this proceeding, each bear independently on the DTC's prudence inquiry under § 18H. None asks the DTC to exceed its statutory authority. Each asks the DTC to apply its established prudence standard to matters the public record makes visible.

These supplemental comments do not ask the DTC to adjudicate misconduct, reopen any closed grant award, or prohibit the Department from operating a PSAP, RECC, or wireless center where the Department demonstrates that doing so is necessary for public safety continuity. The relief is narrower: funding parity between state-operated and grantee facilities; no surcharge-funded establishment or expansion of state-operated PSAPs without public written justification; a presumption of carryforward of allocated PSAP and RECC funds for eligible enhanced 911 expenses; written reasons for grant denials; documented conflict and recusal protocols; and detailed reporting of deobligated or reverted grant balances.

The unifying principle is straightforward: the Enhanced 911 Fund should not be administered flexibly for the Department itself while administered rigidly against the independent PSAPs and RECCs that draw from the same fund for the same operational purpose. Where carryforward, categorical scope, and procedural latitude are afforded to the Department's own facilities, those same considerations of continuity and operational reality must be reflected in the Department's administration of the grant programs through which independent PSAPs and RECCs receive surcharge funding for the same statutory purpose.

Commenter incorporates by reference the requested relief set forth in Sections I.F, II.C, III.K, IV.D, and V.A above, and respectfully urges the DTC to address each on the record before issuing its Final Order in this proceeding.