

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

1380 Bay Street, Building C ~ Taunton, MA 02780-1088  
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[www.mass.gov/e911](http://www.mass.gov/e911)

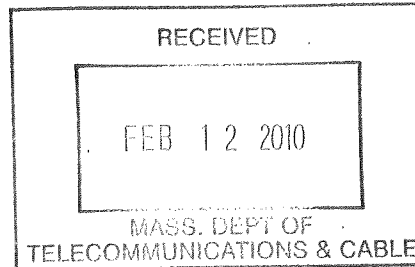


**DEVAL L. PATRICK**  
Governor

**TIMOTHY P. MURRAY**  
Lieutenant Governor

**MARY ELIZABETH HEFFERNAN**  
Secretary of Public Safety  
and Security

**FRANK POZNIAK**  
Executive Director



February 11, 2010

**VIA ELECTRONIC MAIL AND UPS OVERNIGHT DELIVERY**

Ms. Catrice C. Williams,  
Secretary and Paralegal Specialist  
Massachusetts Department of Telecommunications and Cable  
Two South Station  
Boston, Massachusetts 02110

RE: D.T.C. 10-01, Petition of the State 911 Department for Approval of the Fiscal Year 2011  
Development Grant Amount, and Fiscal Year 2010 Expenditures

Dear Ms. Williams:

In connection with the above matter, enclosed herewith for filing are an original and three (3) copies of the State 911 Department's responses to the First Set of Information Requests of the Department of Telecommunications and Cable to the State 911 Department.

Thank you for your attention to this matter.

Sincerely,

Michael Kass  
General Counsel

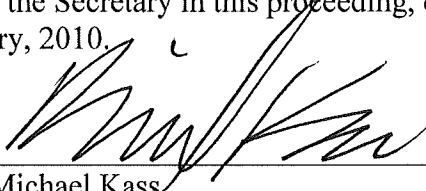
Enclosures

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

	)	
Petition of the State 911 Department for Approval	)	
of the Fiscal Year 2011 Development Grant Amount,	)	D.T.C. 10-01
and Fiscal Year 2010 Expenditures	)	
	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding, dated at Taunton, Massachusetts this 11th day of February, 2010.

  
\_\_\_\_\_  
Michael Kass  
General Counsel  
The State 911 Department  
1380 Bay Street, Building C  
Taunton, MA 02780  
(508) 828-2911

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-1** For each applicant awarded a grant under the development grant program for FY 2009 and FY 2010, provide a list indicating how grant funds were allocated among the participating communities, and indicate the purposes for which those funds were granted, by community. Include in this list a brief description of each approved project and the total funds allocated per project.

**Response:** Although projects funded through the Development Grant involve multiple communities, Development Grant funds are awarded only to the applicant community. The funds are not allocated to all of the participating communities. For ease of reference, please see the attached spreadsheet (Attachment D.T.C. 1-1) that contains both the FY 2009 and FY 2010 Development Grant awards. This Attachment shows who the applicant is, the purpose for which the funds will be used, the communities participating in the project, award amount, the amount reimbursed to date and a current project status. Please note that Attachment D.T.C. 1-1 shows the applicants who were awarded funding and whose projects have been completed or remain active at this time.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-2** For each applicant awarded grants under the development grant program for FY 2009 and FY 2010, and to the extent not provided in response to (1) above, indicate the scope of the proposed projects and requested funding as submitted in their original applications by the approved applicants. Indicate which applications were approved in full, and which were approved in part, if any. Specify which parts were approved and which were not, and the reasons therefore.

**Response:** Please see the attached spreadsheets, Attachments D.T.C. 1-2A and D.T.C. 1-2B. These Attachments show all applicants who requested Development Grant funding in FY 2009 and FY 2010, including those applicants who were denied funding, withdrew a request for funding, or dropped a project after funding was awarded. Please also see the responses to D.T.C. 1-4 and D.T.C. 1-9. The final decision on the Development Grant awards to the applicants is made by the Secretary of the Executive Office of Public Safety and Security. The 911 Department reviews the applications and makes recommendations of the award for each applicant for consideration by the Secretary.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-3** In Exhibits A and B to the Petition, some items list a municipality applicant among the participating communities, and in other instances the applicant is not listed as a participating community. Explain the reason for this apparent discrepancy. For an example, compare the Amherst listings on Exhibits A and B to the Petition.

**Response:** Any discrepancies in the list of communities on Exhibit A and Exhibit B are the result of a community or communities being added or dropped as participating at the election of the respective community or communities. Attachment D.T.C. 1-1 contains an updated list of the communities participating in projects as of FY 2010.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-4** Provide a list of each application received for FY 2009 and FY 2010 that was not approved. Include in this list the applicant, the participating communities, the funding requested, the purpose of the projects, a brief description of the projects, the 911 Department's decision regarding that application, and the reason for that decision.

**Response:** Please see Attachments D.T.C. 1-2A and D.T.C. 1-2B. In FY 2009, two applications were not approved. The first was an application from Barre requesting \$7,000 for a feasibility study. The Development Grant guidelines require that any request for feasibility study funding must be accompanied with letters of attestation from one or more communities stating their interest in participating in the project. Barre's application did not contain such letters, nor could Barre produce such letters after being requested to do so by the 911 Department. Please note that Barre is now a participating community in the Rutland regionalization project. See Attachment D.T.C. 1-1. The other application that was not approved was the request from Taunton for \$450,000 for equipment for a proposed regional secondary public safety answering point (PSAP). The pool of funds being distributed from the Development Grant are awarded competitively based on the Development Grant guidelines. The 911 Department was unable to award Taunton any funding because the development and expansion of regional secondary PSAPs is contained within the third level of priorities (development/expansion of regional secondary PSAPs), and there were multiple applications to fund the top two priorities. In addition, the application lacked specificity regarding the feasibility of the proposed regional secondary project. Finally, while not a denial, please note that Hubbardston, who originally requested funds of \$7,000 for a feasibility study, withdrew its request because it consolidated with Rutland in the spring of 2010. Please note that Rutland already is a regional emergency communication center (RECC) consisting of the communities of Rutland, Oakham, and Hubbardston, and is seeking to expand to include the other communities listed in Attachment D.T.C. 1-1. Please also note that in 2010, Millville notified the Department that it would not be pursuing the formation

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

of the proposed RECC and returned its award of \$50,000 to the 911 Department.

For FY 2010, three Development Grant applications were not approved: Adams, Groton, and Massachusetts State Police (MSP) at New Braintree. Adams requested \$157,499 for radio equipment purchases. The Adams application was not approved because it involved the proposed consolidation of one community (Cheshire) whose 911 calls are already handled by another regional PSAP (Berkshire County Sheriff), and the applicant did not demonstrate that the public safety benefit of this consolidation outweighed the regionalization goal of reducing the number of PSAPs in the Commonwealth. With respect to Groton, this regional PSAP requested \$43,870 for telephone equipment and security cameras. The application was not approved because of the limited funding available for priority two applicants (expansion of regional PSAP/RECC), and Groton could apply for such items in its Support and Incentive Grant. MSP New Braintree requested \$2,240,000 for radio equipment, tower and generator. The application was not approved because of the limited funding available for priority two applicants.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-5** For the application requests totaling \$11.5 million in FY 2009, explain whether all of those requests, as submitted, were eligible to be awarded development grants. Identify the number of applications for FY 2009 that the 911 Department rejected for ineligibility or incompleteness. Identify the total dollar amount requested in those ineligible or incomplete applications.

**Response:** The 911 Department views an application request as being eligible or complete for consideration for a Development Grant award if an applicant provides a letter of attestation from at least one other community willing to participate in the regional project, or is an existing regional PSAP or RECC. In FY 2009, all applications were eligible to be awarded Development Grant funds except for Barre because it lacked the necessary letter of attestation, and Hubbardston because it withdrew its application. Please see the response to D.T.C. 1-4.



COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-6** In FY 2009, how many grant applications were denied that, absent the \$7.5 million cap, would have been granted? What was the total amount of funds requested for those denied grants?

**Response:** None. Even in the absence of the \$7.5 million cap, Taunton most likely would have not been granted in full or in part given the lack of specificity in its application regarding the feasibility of the proposed regional secondary PSAP project. The total amount requested in the denied applications was \$457,000. See Attachment D.T.C. 1-2A.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

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**D.T.C. 1-7** For the application requests totaling \$22.5 million in FY 2010, were all of those requests eligible, as submitted, to be awarded development grants? How many applications for FY 2010 did the 911 Department reject for ineligibility or incompleteness? What was the total dollar amount requested in those ineligible or incomplete applications?

**Response:** All applications requests for FY 2010 were eligible for funding, but as indicated in the response to D.T.C. 1-4, Adams, Groton, and MSP New Braintree were denied.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-8** In FY 2010, how many grant applications were denied that, absent the \$8 million cap, would have been granted? What was the total amount of funds requested for those denied grants?

**Response:** Even in the absence of the \$8 million cap, the Adams request most likely would not have been granted because the applicant did not demonstrate that the public safety benefits of the consolidation with Cheshire, who is already a part a of regional PSAP, outweighed the regionalization goal of reducing the number of PSAPs in the Commonwealth. Groton and MSP New Braintree requests however, may have been granted in full or in part. The total amount requested in the denied applications was \$2,441,319.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-9** Explain the reasons for the \$11 million increase in applications between FY 2009 and FY 2010? How many separate applications did the 911 Department receive for each of those years? How many total projects were included in the application for each of those years?

**Response:** As shown in Attachment D.T.C. 1-2A, for FY 2009 15 separate applications were received. Ten of these applications (Amherst, Barre, Essex County Sheriff, Hingham, Hubbardston, Middlesex Sheriff, Millville, Monson, Plymouth County, and Somerville) were proposals involving the establishment of a new RECC; four of the applications (Dukes County Sheriff, Rutland, Berkshire County Sheriff, and Groton) were proposals to expand/upgrade existing regional PSAPs or RECCs; and one (Taunton) proposed to establish a regional secondary PSAP. As stated in the response to D.T.C. 1-4, Barre and Taunton applications were not approved, and Hubbardston withdrew its application. Also, please note that in 2010, Millville notified the Department that it would not be pursuing the formation of the proposed RECC and returned its award of \$50,000 to the 911 Department.

As shown in Attachment D.T.C. 1-2B, for FY 2010 15 separate applications were received. Six of the applications (Amherst, Essex County Sheriff, Hingham, Dukes County Sheriff, Plymouth County Sheriff, and Rutland) were for the same project identified in FY 2009, but were seeking additional funds for their projects. Amherst sought additional funds for its feasibility study because it was adding communities to the project, and also for engineering and construction of the structure that would house the RECC. Essex was seeking additional funds for construction. Hingham was seeking additional funds for equipment, primarily radio equipment. Dukes County Sheriff was seeking additional funds for the upgrade of its facility. Plymouth County Sheriff was seeking additional funds for construction and equipment. Rutland was seeking additional funds for a feasibility study because it was adding communities to the project. Of the other nine applications, six applications (Adams, Devens, Dudley, Gardner, Springfield, and Northern Middlesex Council of Governments), were proposals to

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

establish new RECCs, and three of the applications (Groton, MSP Shelburne Falls, and MSP New Braintree) were seeking funds for equipment. As stated in the response to D.T.C. 1-4, Adams, Groton, and MSP New Braintree applications were not approved.

Attachment D.T.C. 1-1 shows the FY 2009 and FY 2010 Development Grant awards on one spreadsheet. As listed in that attachment, a total of 17 projects were or are being funded by the Development Grant.

The increase in the requested amounts in FY 2010 compared to FY 2009 can be attributed to the number and dollar amount of applications requesting construction and equipment funding in FY 2010.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-10**           The 911 Department did not disburse any funding for Category A (PSAP 911 CPE for Regional Secondary PSAP) applicants in FY 2009 or FY 2010. Why not? Does the 911 Department foresee any such disbursements in FY 2011 in this category? Does the 911 Department foresee any such disbursements after FY 2011 in this category?

**Response:**           The only regional secondary PSAP in the Commonwealth is Lynn Fire. Lynn Fire did not submit a Development Grant application for new CPE at its facility in either FY 2009 or FY 2010. The 911 Department does not know if Lynn Fire will be submitting an application in FY 2011 or in future fiscal years. Any such submittal would not increase the Development Grant cap, but would reduce the amount available in the competitive portion of the Development Grant.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-11**

The Development Grant guidelines permit reallocation between approved budget categories up to 10% of the total award without requesting prior approval from the 911 Department.

- a. How many grantees requested reallocation in FY 2009?
- b. How many grantees requested reallocation in FY 2010?
- c. Provide a list of the requests, the nature of the reallocation, and indicate whether the request was approved or denied, and the 911 Department's reasons for approval and denial?

**Response:**

No grantees to date have requested a reallocation.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-12** Did all grantees timely file satisfactory quarterly reports?

**Response:** All grantees have filed quarterly reports and have submitted the requested information.



COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-13** Did the 911 Department identify any issues in the quarterly reports?

**Response:** No major issues have been identified. The quarterly reports, along with frequent contact with the grantees, form the basis of the project status contained in Attachment D.T.C. 1-1.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-14**            Has the 911 Department conducted audits of any of the quarterly reports submitted by grantees? If so, describe the findings?

**Response:**            The 911 Department has not conducted formal audits of the quarterly reports. However, the 911 Department maintains frequent contact with all grantees. Further, reimbursement requests are audited upon submission and prior to release of any funding.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-15** Did any of the FY 2009 or FY 2010 grantees fail to properly  
account for any funds? If so, describe.

**Response:** No.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-16** Did any grantees fail to timely submit requests for reimbursement?  
If so, did their noncompliance result in non-reimbursement or  
suspension? What funds, if any were not disbursed due to  
untimely requests for reimbursment?

**Response:** No.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-17** Did the 911 Department disqualify a grantee for any reason? If so, provide details.

**Response:** No.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-18** Did the 911 Department grant or deny any extensions for good cause for projects commenced, but not completed in FY 2009? If so, provide details.

**Response:** The Development Grant for FY 2009 is an 18-month grant cycle extending from January 1, 2009 through June 30, 2010. Chapter 223 of the Acts of 2008, which contained the provision establishing the Development Grant, became effective on July 31, 2008. The Development Grant guidelines for FY 2009 were approved by the State 911 Commission in October 2008. These guidelines contained an application deadline of December 15, 2008. Given that only six months or less would remain in the fiscal year at the time of the awards, the Development Grant guidelines set the FY 2009 grant cycle on an 18-month basis ending June 30, 2010.

No extensions have been received to date. In the beginning of March 2010, the 911 Department plans to notify grantees in writing that any extension requests must be received by the 911 Department on or before April 15, 2010.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

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**D.T.C. 1-19** Has the 911 Department received any requests for extensions for good cause for projects commenced, but not anticipated to be completed in FY 2010? If so, provide details.

**Response:** No extensions have been received to date. In the beginning of March 2010, the 911 Department plans to notify grantees in writing that any extension requests must be received by the 911 Department on or before April 15, 2010.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-20**

Exhibit C of the Petition indicates that the amount allocated for the Development Grant for FY 2012 is \$7.5 million. Explain the reason for the projected decrease in the Development Grant from FY 2010 to FY 2012, particularly in light of the 911 Department's statement on page 3 of the Petition that the 911 Department anticipates an increase in application requests.

**Response:**

At this time, the \$7.5 million amount budgeted for FY 2012, which is same amount as the initial allocation in FY 2009, was set at that level for budgetary reasons given that in FY 2012 the 911 Department expects to begin implementation of a Next Generation 911 solution. The amounts budgeted in FY 2012 for E911 support and the Next Generation 911/wireless 911 project are "pure" estimates at this time. Once the contract with the Next Generation 911 consultant is executed and the process to bring Next Generation 911 solution to Massachusetts continues to move forward, the 911 Department will be better able to determine the costs of the Next Generation 911 solution. Until the 911 Department has a firmer grasp on those costs, it believed the better course of action was to set the level at \$7.5 million for FY 2012 and make adjustments to that projection, if necessary, when a better estimate of the Next Generation 911 and related E911 support costs are ascertained.

As stated in January 5, 2010 Petition at page 3, the 911 Department expects to see a multitude of applications in FY 2011, many of which may contain requests for construction and equipment funding. These applications may likely come from those projects that are completing their feasibility studies either in the first or second quarter of 2010. The 911 Department believes it is important for planning purposes to maximize its regionalization efforts prior to the possible beginning of the Next Generation 911 solution in an effort to ascertain the most accurate number of PSAPs to be served. A Development Grant funding level of \$12 million for FY 2011 will help to achieve that goal.



COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-21**

In its petition, the 911 Department states that “the [911] Department can incur the \$12 million expense in FY 2011 and meet its other obligations and operate at a surplus while maintaining the 75 cents per month surcharge.” Specify the impact this additional expense will have on the 911 Department’s ability to continue meeting its obligations while maintaining the 75 cent surcharge?

**Response:**

Exhibit C to the January 5, 2010 Petition shows that the 911 Department can meet its projected expenditures, including raising the Development Grant funding level to \$12 million in FY 2011, while maintaining the 75 cents per month surcharge over the period from FY 2010 through FY 2012. No other expenditure or program in FY 2011 has been eliminated or reduced as result of setting the Development Grant allocation for FY 2011 at \$12 million.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-22**

According to Exhibit C to the Petition, the 911 Department began FY 2009 with a balance of \$70,011,474. As projected, the FY 2011 budget would result in a beginning balance for FY 2012 of \$38, 661,568. Also, as projected, the estimated fund balance for the end of FY 2012 is \$2,271,916. With a beginning balance of \$2,271,916, does the 911 Department project that its total expenses will exceed its total revenue beginning in FY 2013? Explain why or why not.

**Response:**

The 911 Department is not in a position at this time to project whether its total expenses will exceed its total revenue beginning in FY 2013 because the cost of the Next Generation 911 solution and the related E911 support costs are uncertain at this point.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-23** For the development grant awarded to the Berkshire County Sheriff in FY 2009, provide complete and detailed documentation of the application and administration processes. The request includes, but is not limited to, the initial application, quarterly reports, RFPs, invoices, Departmental records, and any correspondence.

**Response:** Please find attached (Attachment D.T.C. 1-23) Berkshire's initial application, the award letter to Berkshire, its quarterly report, and documentation regarding Berkshire's request for reimbursement. As set forth in Attachment D.T.C. 1-2A, Berkshire requested funding of \$1,306,559.82 for a radio tower and concrete shelter, microwave base stations, and PSAP renovations. Berkshire was awarded \$76,024.20 for the PSAP renovations. Berkshire has received reimbursement in that amount. See Attachment D.T.C. 1-1.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-24**

In footnote 8 of the petition, the 911 Department indicates that FY 2009 actual expenditures were roughly \$9.5 million below the June FY 2009 projections. Provide a detailed explanation as to why actual expenditures were so far below the project.

**Response:**

The difference between the projected FY 2009 expenditures reported to the DTC in June 2009 and the actual FY 2009 expenditures contained in Exhibit C of the January 5, 2010 Petition, is \$9.3 million. A significant part of the difference, approximately \$5.3 million, pertains to expenditures related to the Support and Incentive Grant and Training Grant. In the June 2009 submittal to the DTC, the 911 Department projected FY 2009 expenditures (in the form of reimbursements) in an amount of approximately \$17.9 million for these two Grants. The actual expenditures for these two Grants were approximately \$12.6 million. The reasons for the discrepancy are that reimbursement requests have not been submitted or were received after the close of accounts payable for FY 2009 at the end of August 2009, or that not all reimbursements were processed by the close of accounts payable for FY 2009.

The other major part of the difference, approximately \$2.8 million, pertains to E911 support expenditures. In particular, most of the difference is attributed to projected expenditures for moves, adds, and changes of PSAP equipment and locations for FY 2009 being greater than the actual expenditures for that year. The reason for the discrepancy is that the 911 Department was not billed in FY 2009 for all such services performed in that FY.

Please see the attached spreadsheet (Attachment D.T.C. 1-24).

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-25**

In footnote 8 of the petition, the 911 Department indicates that the FY 2010 projected expenditures are approximately \$2 million greater than the June FY 2009 projection. Provide a detailed explanation as to why the current projected expenditure is higher than the June 2009 projection.

**Response:**

The main reason for the difference is that the projected capital projects expenditure for FY 2010 contained in Exhibit C of January 5, 2010 petition is approximately \$1.5 million more than what was projected for FY 2010 in the June 2009 submittal to the DTC. Two capital projects came to light after the June 2009 submittal. First, the need for new roofs for the three buildings at the Taunton facility was identified in the fall of 2009. The estimated cost is approximately \$1.2 million. Second, because of the equipment being stored in Taunton for the equipment distribution program (EDP) since the transfer of the EDP to the 911 Department on July 1, 2009, the current and planned storage in Taunton of the customer premises equipment being removed from consolidated PSAPs, and the rash of arson, theft, and vandalism in the other buildings on the Taunton complex where the 911 Department is located, it became apparent to the 911 Department that the security system at the Taunton facility needed to be improved. The decision to move forward with the security system was made in the September 2009 timeframe. The estimated cost of the security system is \$300,000.

In addition, another reason for the difference is that after the June 2009 submittal to the DTC, the 911 Department added an \$860,580 estimate to its FY 2010 projections to pay consultants to initiate the Next Generation 911 and wireless 911 direct projects.

Please see the attached spreadsheet (Attachment DTC 1-25).

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-26**

The Department notes that many of the expenditure projections contained in Exhibit C of the 911 Department petition for FY 2011 and FY 2012 are carried over from the FY 2010 funding level. For example, all costs under the heading "Agency Expenses" change significantly from FY 2009 to FY 2010 but remain unchanged from FY 2010 thru FY 2012. Provide and explain the projection methodology the Department employed in preparing Exhibit C. Such explanation should include detailed information about the individual projections of each cost category included in Exhibit C.

**Response:**

In regard to Administration, an increased workforce (13 FTEs to support the EDP) has impacted some of the lower subsidiary costs as the 911 Department is now supporting additional staff and office space thereby justifying the increases from FY 2009 to FY 2010. The 911 Department expects that these costs will remain consistent over FY 2011 and FY 2012. Much of the purchasing in these categories is governed by multi-year statewide contracts, and therefore the 911 Department does not anticipate any significant increases in these areas.

A decrease in building maintenance and repairs is noted from FY 2009 to FY 2010. This is a function of shifting costs to the appropriate programs. For example, costs for electrical services to support the PSAPs have been moved to E911 support. Finally, the decrease of IT costs in FY2010 is a function of the Department completing IT projects in FY2009 leaving funding to support daily IT operations and replacement of equipment as needed. The 911 Department does not anticipate any significant changes in these areas.

With respect to Programs, please see the January 5, 2010 Petition at pages 6-8. The 911 Department set the budget levels for training and public education for FY 2011 and FY 2012 at the same level as FY 2010 because the 911 Department would like to provide these same level of services in the future. However, such levels may be adjusted in future budget projections, if necessary. The 911 Department anticipates no change in the level of interpretative services over the period from FY 2010 through FY 2012, but the

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

levels for FY 2011 and FY 2012 may be adjusted in future budget projections after experience with the addition of such services being provided to the Boston PSAP and EDP in FY 2010. The Training Grant and the Support and Incentive Grant budget levels for FY 2011 and FY 2012 are based on the previous FYs projected revenues, which in both instances is \$69,381,675. Please see the response to D.T.C. 1-27. The levels set for the Wireless MSP PSAPs for FY 2011 and FY 2012 represents an increase in the percentage funding level from 4 percent to 5.6 percent due to increased wireless call volume. For the Development Grant, please see the January 5, 2010 Petition at pages 2-4 and the response to D.T.C. 1-20. The Department anticipates no change in the funding levels for additional grant funding for eligible entities.

With respect to Enhanced 911, please see the January 5, 2010 Petition at page 8. For map data, the projected increase in the levels for FY 2011 and FY 2012 is to allow MassGIS to build a parcel and point data set. This data set will allow for much more granular geocoding for use with today's enhanced 911 system and it will be required for accurate routing in the Next Generation 911 system that the 911 Department will be implementing in the near future. The levels set for E911 support for FY 2010 and FY 2011, which are recurring costs, are based on 911 Department's contract with Verizon. The level projected for FY 2012 is the 911 Department's estimate of E911 support at the planned beginning of the Next Generation 911 solution. The levels projected for FY 2010 through FY 2012 for the Next Generation 911 solution and wireless 911 direct project are the 911 Department's estimates of those costs. See the response to D.T.C. 1-20.

In regard to the Disability Access Programs, please see the January 5, 2010 Petition at pages 8-9. For TRS and SCPE, the levels projected for FY 2011 and FY 2012 may be adjusted in future budget projections based on the FY 2010 historical experience. For CapTel, which has not yet been implemented, these are the 911 Department's best estimates of what the costs may be in FY 2010 through FY 2012.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-27**

The Department notes that the Estimated Fund Revenue for FY 2010 thru FY 2012 is unchanged in Exhibit C. Provide and explain the revenue projection methodology the 911 Department is using to calculate these numbers. In addition, explain 1.) how the 911 Department methodology accounts for changes in the number of subscribers subject to the surcharge; 2.) how the projections account for unremitted or uncollectable revenue; and 3.) whether the 911 Department anticipates any further provider compliance which would result in additional surcharge revenues.

**Response:**

Revenue calculations are derived by using the average number of subscribers times the monthly surcharge (\$0.75) times twelve months to account for the fiscal year. The 911 Department does not anticipate a change in the surcharge rate for FY11 or FY12, nor a change in the average number of subscribers, and therefore expects the revenue to remain fairly constant over the FY 2010 through FY 2012 period. Please see the response to D.T.C. 1-33.

The 911 Department uses the average number of subscribers when completing its calculations, accounting for monthly fluctuations. Revenue projections assume a 1 percent reduction for administrative fees and a 2 percent reduction for uncollectibles. The 911 Department is currently monitoring compliance with its pre-paid wireless surcharge regulations, which were promulgated pursuant to Chapter 223 of the Acts of 2008 and went into effect on July 1, 2009. Based on the results of that review and any subsequent investigation or other action, the 911 Department may adjust its revenue estimate in future budget projections to include any such pre-paid wireless surcharge revenue amounts.



COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-28**

Provide a budget projection from FY 2010 to FY 2014. In your projection, include an estimation of whether the current 75 cent surcharge will be sufficient to meet the budgetary projections over the specified time period.

**Response:**

The 911 Department is not in a position at this time to provide budget projections for FY13 and FY14 because the cost of the Next Generation 911 solution and the related E911 support are uncertain at this point.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-29**

On page 5 of the Petition, the 911 Department indicates that 13 new employees were added in FY 2010 to administer the Equipment Distribution Program ("EDP") and the Massachusetts Telecommunications Relay System which are mandated by Section 15 of Chapter 223 of the Acts of 2008. Provide the number of full-time and contract employees that were performing this function on behalf of the previous vendor before the 911 Department assumed responsibility for the above programs.

**Response:**

Verizon was responsible for the administration of both the EDP and Relay Services before the transfer of the administration of such programs to the 911 Department as required by Chapter 223 of the Acts of 2008. Based on the best information available to the 911 Department, 24 people were employed by Verizon to administer the programs, consisting of 9 full-time employees, 3 contract employees who assisted in managing the programs, and 12 contractors, often called "agents", who distributed equipment under the EDP.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-30** Referring to Exhibit C under the heading "Capital Projects", provide a detailed breakdown, by project, of expenditures for FY 2010.

**Response:** Please see pages 5-6 of the January 5, 2010 Petition and the accompanying footnotes. The mobile PSAP and security system are being procured through the use of a statewide contract. The roofs and on-site generator are currently being purchased through a competitive solicitation process. The furnishing of the new Maynard training facility and the Building D renovations also will be procured through a competitive process. That process has not yet begun.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-31**            The Petition listed several new capital projects proposed for FY 2010. However, the Department notes that Exhibit C projects Capital Project funding at \$551,136 for FY 2011 and \$500,000 for FY 2012. Provide a detailed list of projected capital projects the 911 Department intends to fund in FYs 2010 and 2011, including the estimated costs of those projects.

**Response:**            These amounts are the matching amount of a Federal grant that the 911 Department applied for and was awarded that will be used to assist with the establishment of state-wide technology infrastructure that will allow all PSAPs in the Commonwealth to migrate to an internet protocol (IP) enabled emergency network. See page 6 of the January 5, 2010 Petition and footnote 13.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-32**           What is the annual interest rate applied to the Enhanced 911 Fund balance?

**Response:**           The annual interest rate used by the 911 Department for its projections is 0.75 percent.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-33**                      What is the annual percentage change in the number of access lines per year for each year projected in Exhibit C. Provide projections by type of access line if possible (i.e. VoIP, wireline, wireless, etc.).

**Response:**                      The 911 Department did not change the projected average number of subscribers over the FY 2010 through FY 2012 period, but kept them constant over that time period. The average number of subscribers by category used in the FY 2010 through FY 2012 budget projections are as follows: wireline, 3 million; wireless, 4.9 million; and VoIP and other, 47,500. Based on the actual revenue received as of end of December 2009, the 911 Department is on target to reach its FY 2010 projection of \$69.3 million. However, the 911 Department will continue to monitor the surcharge revenue collected over the last half of FY 2010 and may make adjustments to the projected revenue amount for FY 2011 and FY 2012, if necessary, in future budget projections. The 911 Department did not include pre-paid wireless surcharge revenue amounts in its budget projections. Please see the response to D.T.C. 1-27.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

**D.T.C. 1-34**

Exhibit C indicates that the Enhanced 911 Fund began FY 2009 with a surplus balance of \$70,011,474, and if the 911 Department projection is accurate, will end FY 2012 with a balance of \$2,271,916.

- a) Given that the 911 Department expenditures exceeded surcharge revenues in FY 2009, and are projected to exceed surcharge revenues by increasingly large amounts in FY 2010, FY 2011 and FY 2012, does the 911 Department anticipate reducing expenditures to meet surcharge revenues once the surplus is exhausted?
- b) On page 3 of the Petition, the 911 Department notes that a "Next Generation 911 solution" is being planned for implementation as early as FY 2012. Given that Exhibit C projects a Fund balance of \$2,271,916 at the end of FY 2012, does the 911 Department anticipate requiring an increase to the surcharge to fund implementation of the next generation 911 solution?
- c) Given Exhibit C's projected FY 2012 surcharge revenues of \$69,381,675, the 911 Department appears to have committed expenses of \$50,316,504 between Administration, Programs and Disability Access. What steps has the 911 Department taken to curb the growth in expenditures, while ensuring sufficient funds to implement the next generation project?

**Response:**

- a) Currently, the 911 Department does not have plans to reduce any of its programs. The 911 Department has discussed suspending its capital projects, except for its Federal grant commitment, for the duration of implementation of Next Generation 911 solution. It should be noted that the amounts budgeted in FY 2012 for E911 support and the Next Generation 911/wireless 911 direct projects are "pure" estimates at this time. Once the contract with the Next Generation 911 consultant is executed and the process to bring Next Generation 911 solution to Massachusetts continues to move forward, the 911 Department will be better able to

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
FIRST SET OF INFORMATION REQUESTS OF THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE TO THE STATE 911 DEPARTMENT  
D.T.C. 10-01  
FEBRUARY 11, 2010

Responsible Person: Frank Pozniak

determine the costs of the Next Generation 911 solution. The 911 Department will continue to monitor its programs and expenditures making adjustments where needed, and may pursue alternative funding options for the Next Generation 911 solution if necessary to avoid any impacts on its current obligations and surcharge.

- b) The amounts budgeted in FY 2012 for E911 support and the Next Generation /wireless 911 direct project are “pure” estimates at this time. Once the contract with the Next Generation 911 consultant is executed and the process to bring Next Generation 911 solution to Massachusetts moves forward, the 911 Department will be better able to determine the costs of the Next Generation 911 solution. The 911 Department feels that with the limited information it has relative to the cost of Next Generation 911, it would be speculative to comment on whether or not an increase to the surcharge would be necessary.
- c) As the DTC correctly noted, with few exceptions, program expenditures remain fairly constant in FY 2010, FY 2011 and FY2012. At a minimum, 90 percent of the overall Department budget goes to support local PSAPs and the disability access program. The 911 Department will revisit its programs as more information becomes available relative to the Next Generation 911 project.

The Department is ever mindful of its obligations to the PSAPs and the disability access program, and will weigh any request for new and/or modified programs against the impact of such programs on the overall budget, the Next Generation 911 solution, the disability access program, and the surcharge.