COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL'S
FIRST SET OF INFORMATION REQUESTS TO
THE STATE 911 DEPARTMENT
D.T.C. 18-2
May 10, 2018

RECEIVED
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MASS. DEPT OF
TELECOMMUNICATIONS & CABLE

Responsible Person: Frank Pozniak

AGO-1-1 Please refer to your response to DTC-1-7, subpart (e), dated April 27, 2018, summarizing the current uses of the Commonwealth of Massachusetts Interoperable Radio System (CoMIRS).

(a) Please identify and fully describe the role any of the facilities and equipment in the CoMIRS system currently plays in the provision of "Enhanced 911 service," defined in G.L. c. 6A, § 18A as:

> a service consisting of communications network, database and equipment features provided for subscribers or end users to reach a PSAP by dialing the digits 911... that directs calls to appropriate PSAPs based on selective routing and provides the capability for automatic number identification and automatic location identification.

(b) Please confirm whether and how an "end user" or "subscriber" of a "communications service provider," as those terms are defined in G.L. c. 6A, § 18A, that dials 9-1-1 will be routed or directed to the appropriate PSAP through the use of the facilities and equipment in CoMIRS?

(c) Explain whether and how the facilities or equipment of CoMIRS is used to provide the PSAP with either selective routing instructions or the automatic number identification or automatic location identification of a 911-dialed call from a communications service provider's subscriber or end user.

Response:

(a)-(c) The facilities and equipment of CoMIRS play an integral role in ensuring that "enhanced 9-1-1 service" is provided to "end users" and "subscribers" of "communications service providers" as defined in G.L. c. 6A, § 18A.

Pursuant to its enabling statute (G.L. c. 6A, §§, 18A-H, or "statute"), the State 911 Department ("911 Department") is responsible for coordinating and administering the 9-1-1 system throughout the Commonwealth. The responsibility to ensure that 9-1-1 calls are routed to Public Safety Answering Points ("PSAPs") located throughout the Commonwealth is

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certainly an important component of the 911 Department's statutory responsibility. However, the routing of 9-1-1 calls to the appropriate PSAP, while critical, is merely one component of the enhanced 9-1-1 service that is provided to 9-1-1 callers. The 911 Department's statutory obligations are not limited to simply routing the 9-1-1 calls and providing the network and equipment necessary for a call to reach the 9-1-1 system. The routing of inbound calls into the 9-1-1 system and the ability of a call to reach a PSAP would mean nothing to the caller if the PSAP could not dispatch the 9-1-1 call. The delivery of 9-1-1 services depends upon the dispatching of the 9-1-1 calls.

Therefore, although the public safety radio system is not used to direct a 9-1-1 call to an appropriate PSAP and is not the means by which automatic number identification "(ANI") or automatic location information ("ALI") from a 9-1-1 caller is provided to a PSAP, the public safety radio system and infrastructure are necessary to support enhanced 9-1-1 service throughout the Commonwealth.

Public safety radios and radio systems are a fundamental component of 9-1-1 service, and the 9-1-1 system relies upon an operational and interoperable radio communication network in providing 9-1-1 service throughout the Commonwealth.

Pursuant to the statute, the 911 Department determines the number and location of PSAPs throughout the Commonwealth. The statute defines a PSAP as "a facility assigned the responsibility of receiving 9-1-1 calls, and as appropriate, **directly dispatching emergency response services or transferring or relaying emergency 911 calls to other public or private safety agencies or other PSAPs**. (emphasis added).

By definition, therefore, a PSAP receives 9-1-1 calls, and as importantly, dispatches 9-1-1 calls. The dispatch function is inherent in serving as a PSAP. The role of the PSAP does not end when the 9-1-1 call reaches the PSAP, but rather the PSAP's role includes the dispatch of the 9-1-1 call (either through direct dispatch or through transfer to another public safety facility for dispatch). The dispatch of the 9-1-1 call is part of the PSAP's function. The PSAP must not only receive the 9-1-1 call, but also ensure that the 9-1-1 call is properly dispatched. This is the core component of the job

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of a 9-1-1 telecommunicator, and radio services are a core component of performing this function. A PSAP is required to transmit emergency call information to responders, and it is simply not possible to operate a PSAP without radios, radio coverage, and a radio network and infrastructure. The PSAPs must be able to interface with the public radio system in order for the dispatchers to communicate with first responders. (The dispatch function provided by PSAPs is distinguishable from the response function provided by "public safety departments," and, therefore, law enforcement vehicles, ambulances, and fire fighting apparatus would not be considered to be directly related to enhanced 9-1-1).

Radio is directly related to the delivery of a 9-1-1 call and, therefore, serves as a fundamental component of enhanced 9-1-1 service. Although the PSAP does not communicate directly with the end user or subscriber (9-1-1 caller) over the radio, radio is a core part of the enhanced 911 service that is provided to the end users and subscribers who dial 9-1-1 in an emergency.

In addition, in the event of a catastrophic event when 9-1-1 calls are unable to be delivered to the PSAPs, the public safety radio system provides the Commonwealth with a fully interoperable, statewide backup communications solution.

The radios and radio networks are directly associated with enhanced 9-1-1 service. Enhanced 9-1-1 service does not end when the 9-1-1 call reaches the PSAP. The dispatching of a 9-1-1 call is a fundamental, core component of the enhanced 9-1-1 service provided to subscribers and end users.

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AGO-1-2 Please refer to your response to DTC-1-7, subpart (f), dated April 27, 2018, summarizing the future functionalities of the Commonwealth of Massachusetts Interoperable Radio System (CoMIRS) available through the planned digital upgrade.

(a) Please identify and fully describe the role any future functionality in the CoMIRS system will play in the provision of "Enhanced 911 service," defined in G.L. c. 6A, § 18A as a service enabling end users/ subscribers of a communications service to reach the appropriate PSAP, with automatic number identification and automatic location identification by dialing the digits 9-1-1.

Response: See response to AGO 1-1 above.

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AGO-1-3 Please refer to your response to DTC-1-7, subpart (c), dated April 27, 2018, summarizing the projected cost of upgrading CoMIRS.

(a) Please identify and fully describe whether and how the estimated $87,569,000 to build a digital radio network of 100 new or upgraded radio sites throughout the Commonwealth will be used to provision "Enhanced 911 service," defined in G.L. c. 6A, § 18A as a service enabling end users/subscribers of a communications service to reach the appropriate PSAP, with automatic number identification and automatic location identification by dialing the digits 9-1-1.

(b) Please identify and fully describe whether and how the estimated $75,037,100, representing the cost of over 15,000 radio units that upon digital upgrade will need to be replaced, will be used to provision "Enhanced 911 service," defined in G.L. c. 6A, § 18A as a service enabling end users/subscribers of a communications service to reach the appropriate PSAP, with automatic number identification and automatic location identification by dialing the digits 9-1-1.

Response:

See response to AGO 1-1 above.

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AGO-1-4 Please refer to your response to DTC-1-7, subpart (h), dated April27, 2018 summarizing the capital and operating expenses of the CoMIRS system, from 2005 through 2016.

(a) Please indicate the amount of each year's capital or operating expenses shown in this response that was either incurred initially and paid by the State 911 Department or reimbursed by the State 911 Department, from available funds in the Enhanced 911 Fund.

(b) Describe fully the CoMIRS equipment, facilities or services that were paid/reimbursed between 2005 and 2016 from the Enhanced 911 Fund.

Response:

During the aforementioned period, the State 911 Department, through its Development Grant, funded the New Braintree Phase II VHF Simulcast Network project in the amount of $1,877,536. This project was funded in 2011 ($1,389,500), 2012 ($265,000), and 2015 ($223,036). In addition, through the Development Grant, the State 911 Department funded the Shelburne/Northampton redundancy project in the amount of $765,301 over a two-year period from 2010 to 2011.

The New Braintree VHF Simulcast Network Project was a multi-part project to consolidate, update, and improve public safety emergency voice communications in western Worcester and eastern Hampden Counties. Phase II of this project focused on consolidating and enhancing fire and EMS communications in the region. Using State 911 funds, a 3-channel radio network was built out at six sites in central Massachusetts. The Executive Office of Public Safety and Security funds the maintenance of this system.

The Shelburne/Northampton Redundancy Project was a project in 2009 through 2011 that tied together the dispatch centers in Northampton and Shelburne Falls to the central radio equipment maintained by the Department of State Police. This connection to the Embassy Switch (Ambassador Electronics Bank) in Framingham allowed the dispatch site in Northampton to serve as a redundant, fail-over site for Shelburne Falls and vice versa in times of emergency. The redundancy provided by the State 911 Department

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grant and the state radio network allows for the timely disaster recovery of these dispatch sites.

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AGO-1-5 Please provide a copy of the State 911 Department's annual report to the DTC, for Fiscal Years 2013, 2014, 2015, 2016 and 2017, on the financial condition of the Enhanced 911 Fund and on the assessment of new developments affecting the enhanced 911 system, as required by G.L. c. 6A, § 18H (b).

Response:

Please see Attachments AGO 1-5(1)-AGO 1-5(4). In its Petition filed in D.T.C. 15-2, the 911 Department requested that the D.T.C. consider the Petition as satisfying, for FY2013, FY2014, and FY2015, the requirement under G.L. c. 6A, § 18H(b) that the 911 Department report annually on the financial condition of the E911 Fund to the DTC. Petition at 3, n.2. In its Final Order in D.T.C. 15-2, the DTC granted this request. Final Order at 4, n. 3. In its Petition filed in D.T.C. 17-1, the 911 Department requested that the DTC consider the Petition as satisfying, for FY2016, the requirement under G.L. c. 6A, § 18H(b) that the 911 Department report annually on the financial condition of the E911 Fund to the DTC. Petition at 1, n.1. In its Final Order in D.T.C. 17-1, the DTC granted this request for FY2016, and due to the timing of the proceeding, for FY 2017. Final Order at 1, n. 1.

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AGO-1-6 Please provide a copy of the State 911 Department's annual report to the General Court for Fiscal Years 2013 through 2017 on both planned future expenditures and past Fund expenditures, as required by G.L. c. 10, § 35JJ (b). Please supplement your response when the report for Fiscal Year 2018 becomes available.

Response:

Please see Attachments AGO 1-6(1)-AGO 1-6(3).