

Approved: February 12, 2004 Carl Dean Holmes  
Date

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:03 a.m. on January 14, 2004 in Room 231-N of the Capitol.

All members were present.

Committee staff present: Mary Galligan, Legislative Research  
Dennis Hodgins, Legislative Research  
Mary Torrence, Revisor of Statutes  
Jo Cook, Administrative Assistant

Conferees appearing before the committee: Danielle Noe, Johnson County  
Brad Homman, Dickinson County  
John Pinegar, Kansas Legislative Policy Group  
Mike Murray, Sprint

Others attending: See Attached List

**HB 2334 - Loan fund established to fund enhanced wireless 911; 911 tax applicable to both land-line and wireless telephone service users ; HB 2473 - Emergency telephone service; wireless enhanced 911 service; HB 2476 - Wireless enhanced 911 act; Sub SB 153 - Wireless enhanced 911 act**

The hearing on the above reference bills continued with testimony in support of the bills by Danielle Noe, Intergovernmental Relations Coordinator for Johnson County (Attachment 1). Ms. Noe told the committee that Johnson County used 911 tax revenue from hard-wired telephones to begin implementation of the wireless enhanced 911 system.

Brad Homman, Director of the Dickinson County Emergency Communications Center and a Captain with the Dickinson County Sheriff's Department, appeared as a proponent to the bills (Attachment 2). Captain Homman shared the history of the Dickinson County's completion of the Phase II wireless enhanced 911 program. He also provided a listing of costs and revenues associated with that implementation.

John Pinegar, appearing on behalf of the Kansas Legislative Policy Group, addressed the committee in support of the e-911 bills (Attachment 3). Mr. Pinegar stated that the group, a coalition of over 30 western Kansas counties, had been working in the spirit of public safety with the goal of building a ubiquitous statewide wireless e-911 system.

The City of Overland Park submitted written testimony (Attachment 4) in support of the bills.

Ms. Noe, Mr. Homman, and Mr. Pinegar responded to questions from the committee.

Mike Murray, Director of Governmental Affairs for Sprint, testified in opposition to the bills (Attachment 5). Mr. Murray distributed to the committee a proposed substitute (Attachment 6) that they would like to see addressed. Additional Mr. Murray shared a copy of his personal Sprint wireless telephone bill (Attachment 7); a listing of costs to implement e-911 Phase I (Attachment 8); a map showing each state's wireless surcharges (Attachment 9); and a copy of Sprint's Local Exchange Tarrif (Attachment 10).

Mr. Murray responded to questions from the committee.

Chairman Holmes closed the hearing on **HB 2334, HB 2473, HB 2476, and SB 153.**

The meeting adjourned at 10:29 a.m.

The next meeting will be Thursday, January 15.

# HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 14, 2004

NAME	REPRESENTING
Ron Hoffman	KANSAS 9-1-1 Providers
BRAD HOMMAN	KANSAS 911 Providers
NELSON KRUEGER	Western Wireless
John Pinegar	KLPG
JOHN C. BOTTENBERG	SBC
Jim Gartner	SBC
Mary Peters	Sprint
Curtis Austin	Sprint
Mike Murray	Sprint
TOM DAT	KCC
Pat Lehman	KS Fire Service Alliance
Mike Pepoon	Sedgwick County
Judy Mah	KAC
Heather Greer	Dannan + Associates
Dina Fisk	Verizon Wireless
Danielle Nee	Johnson County
Dan Murray	Federico Consulting
Andy Brown	Altel
Edith Heid	Hein Law Firm
Kathleen Daugherty	Intern

# HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 14, 2004

NAME	REPRESENTING
Anne Spiess	KTIA - KSI Telecom Industry Assn
Sandra Braden	Cingular
Tom Burgess	RTMC



Johnson County, Kansas

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**BOARD OF COUNTY COMMISSIONERS**

Testimony in support of HB 2476

presented to the

**House Utilities Committee**

by

Danielle Noe

Intergovernmental Relations Coordinator

January 13, 2004

Mister Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of HB 2476 concerning emergency telephone service and enacting the wireless enhanced 911 act.

Like most other counties, Johnson County collects a monthly fee on hard-wired telephones to finance the operation of 911 emergency telephone services. Residential customers in Johnson County pay an average of 35 cents per month. State law allows for a charge of up to 75 cents per month.

In 2002, Johnson County received \$1.42 million in 911 tax revenue imposed on hard-wired telephones and spent \$2.04 million. Significant amounts of those expenditures were for equipment and services required to implement the wireless enhanced 911 system. In 2003, we expected to receive \$1.45 million in revenues and our projected expenditures were \$1.80 million. Much of the expenditures were for equipment necessary to complete the wireless enhanced 911 systems. Our projected expenditures will decline somewhat in 2004, and our costs will reflect ongoing maintenance and operations of the system.

As some of you may be aware, local governments in the Kansas City metro area have been working together on implementation of Phase I and Phase II. Johnson County has completed both phases of implementation. Both the carriers and the communities in the metropolitan area have invested significant funds into these systems. And, we can all agree this is an important public safety issue.

The difficulty that we face in Johnson County is the declining numbers of hard-wired telephone subscribers and the growing number of wireless subscribers. Wireless subscribers in our area already make more than 50% of the calls to the 911 system, but they are not contributing any of the funds to cover the costs of maintaining or operating the system.

**Testimony of Brad Homman before the House Utilities Committee**

**January 14<sup>th</sup>, 2004**

Good morning ladies and gentlemen of the Utilities Committee, and thank you for the opportunity to address you this morning. My name is Brad Homman and I am a Captain with the Dickinson County Sheriff's Department, and Director of the Dickinson County Emergency Communications Center. I would like to take a few moments to present you with some facts surrounding how and when Dickinson County was able to facilitate phase II wireless service, or the ability to locate persons who have dialed 911 from their cellular phone.

In April of 2000, Dickinson County completed the construction of a new 911 communications center in Abilene. During the planning stages of this center, one of our priorities was to have the capability to answer wireless 911 calls and be able to determine and display the callers location. At the time, this feature was available only from the phone equipment providers, and not from the wireless carriers. At any rate, knowing the this issue was on the horizon, we ultimately purchased a phone system did have the capability to receive Phase II wireless calls. Over a period of the next three years we received wireless 911 calls either on administrative lines or on regular wire line 911 trunks. The wireless calls that we received during this time gave us nothing more than a voice connection to the caller. As time progressed, we monitored the wireless companies abilities so that when they had obtained the level of technology to provide the data involved, it was our intent to make the appropriate request for the Phase II service. Not knowing how great the cost would be, in December of 2002, we made the

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The integration between the phone system, which obtains the callers GPS coordinates on Phase II calls, and the CAD system, which then converts the information into a location on the computer screen map, is what makes the system function.

Over the past six months we have been able to sustain the monthly reoccurring fees for 911 line and database charges for wireless and wire line services from our 911 tax account, however the lack of any support from wireless phones keeps our account from growing at all, and further prevents us from building any funds in the account for replacement of radio or phone equipment in the future . Further, we have been required to use substantial funds from our general fund budget to pay for costs that are directly attributed to wireless 911 features and abilities. Without some type of wireless 911 tax being implemented in the near future, we will continue to deplete our 911 funds and prevent us from generating any funds for future replacement of equipment.

To further aggravate this funding issue, we have seen a decrease in the amount of 911 tax that we are receiving on the local level. This can be directly attributed to the fact that more and more of our citizens are purchasing cellular phones for their main phone service, and dropping their home service all together. During the calendar year of 2001, Dickinson County received a total of \$85,557 from their 911 tax, which accounts for about 9506 wire line phones in our county.

During calendar year 2003, we received \$79,942 from this tax, which accounts for roughly 8882 phones that were operating in our county, or a decrease of 624 phones. For a county with a population of only 19,300 people, this represents a substantial decrease in the amount of phones and

# DICKINSON COUNTY EMERGENCY COMMUNICATIONS CENTER

109 East First Street, Suite 106, Abilene, KS 67410  
Phone (785) 263-4041 Fax (785) 263-2949  
e-mail [dkcomm@dkcoks.com](mailto:dkcomm@dkcoks.com)

## PHASE II WIRELESS IMPLEMENTATION COSTS FOR DICKINSON COUNTY

Initial cost of telephone system w/installation – (SBC)	<b>\$115,526.77</b>
Initial cost of CAD system w/mapped ALI - (Global Software Corp. )	<b>\$70,070.00</b>
Cost of added trunk cards for wireless lines at PSAP	<b>\$1000.00</b>
<u>Installation cost of two 911 line trunks to Topeka Tandem</u>	<u><b>\$624.00</b></u>
<b>Total one time purchase and installation costs for system</b>	<b><u>\$187,220.77</u></b>
Monthly reoccurring fees for wireless 911 lines (PANI charges to SBC)	<b>\$321.51</b>
<u>Monthly user fee/maintenance cost for CAD system (3 positions)</u>	<u><b>\$2,250.00</b></u>
<b>Total Annual cost for ability to handle Phase II wireless costs</b>	<b><u>\$30,858.12</u></b>

## WIRELINE TAX HISTORY FOR DICKINSON COUNTY

**Tax rate at \$.75 per phone line**

<b>Calendar year of 2001 revenue from 911 tax</b>	<b>\$85,557.57</b>
<b>Calendar year of 2002 revenue from 911 tax</b>	<b>\$84,276.59</b>
<b>Calendar year of 2003 revenue from 911 tax</b>	<b>\$79,942.87</b>

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**Testimony**  
**Before the House Committee on Utilities**  
**Wireless Enhanced 911**  
**January 14, 2003**  
**Kansas Legislative Policy Group**  
**By: John D. Pinegar**

Mr. Chairman and members of the House Committee on Utilities thank you for allowing me to testify before the Committee on Wireless Enhanced 911. I am John Pinegar and represent Kansas Legislative Policy Group (KLPG), which is a coalition of over 30 western Kansas counties.

KLPG is working in cooperation with the Kansas Association of Counties, the League of Kansas Municipalities and the Public Safety Alliance toward the passage of legislation that would provide Wireless Enhanced 911 service throughout Kansas.

Many of you will recall last year, in the final hours of the Legislative Session, local government entities and the wireless industry arrived at compromise legislation. We worked together in the spirit of public safety with the goal of building a ubiquitous statewide Wireless Enhanced 911 system. KLPG remains committed to that goal.

Many of the counties that are members of KLPG are located in less populated and of course, the rural area of western Kansas. Those counties face a unique financial challenge of deploying Wireless Enhanced 911. Less populous counties would not be able to collect enough money to build an adequate system.

We are pleased lawmakers are aware of the need of counties with lesser population to have the opportunity to obtain grants which would be used to finance necessary and reasonable costs incurred by PSAPs to implement Wireless Enhanced 911 service. Respectfully, I would ask the Committee to consider eliminating or extending the sunset provision of the grant fund. This would allow less populated counties more time to implement wireless enhanced 911 service.

Again, thank you for the opportunity to discuss this very important issue. I am pleased to answer any questions and stand ready to assist the Committee in passage of this vital public safety issue.

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City Manager's Office

8500 Santa Fe Drive  
Overland Park, Kansas 66212  
913-895-6100 • Fax: 913-895-5003  
www.opkansas.org

Testimony Before  
The House Utilities Committee  
Regarding  
Enhanced 911 Service  
January 14, 2004

The City of Overland Park appreciates the opportunity to offer testimony regarding enhanced 911 service. The rapid increase in wireless phone use underscores the need for closure on this issue so that we may focus on meeting public safety needs.

In the Kansas City metropolitan region, local governments recognized the need for a quick-responding emergency system. Rather than wait for a solution from the state, we have moved forward to meet the needs of the public by working hard to provide enhanced 911 service to the metro area. In fact, the Mid-America Regional Council, of which we are a member, announced completion of an \$8 million upgrade for our eight-county emergency 911 system just last year.

To assist in the provision of enhanced 911 service, we supported Senate Bill 153 for several reasons:

- It allows local control of the 911 systems. We believe that local government can best determine the needs of the community and funding that is required. This method has worked very well with the wired 911 system.
- It allows for a funding method for those communities that do not have the revenue on hand to implement wireless E 911 immediately. This will aid in the statewide implementation of wireless E 911.
- It establishes a technical advisory board to assist those communities that do not have the resident experts in implementing such systems.
- It creates equity in supporting the 911 system. All subscribers who utilize the system would contribute.

Compromise, however, is often necessary to pass legislation, and in the final hours of the 2003 session an agreement was reached on this longstanding legislative issue. This compromise is House Bill 2476.

The City of Overland Park asks the legislature to pass legislation creating a system that equitably charges wireless phone users for the E911 services made available to them. *HOUSE UTILITIES*

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Michael R. Murray  
Director  
Governmental and Public Affairs

Midwest Operations  
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Topeka, KS 66612-1242  
Voice 785 232 3826  
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Before the House Utilities Committee  
Enhanced 911  
Michael R. Murray  
Director of Governmental Affairs  
January 14, 2004

Mr. Chairman and members of the Committee: Thank you for the opportunity to comment on the subject of enhanced 911. You have before you what we consider a "back to basics" proposal from the wireless industry to implement E911.

Let me take you through the provisions of the industry proposal.

Section 1 contains the definitions.

Section 2 levies a 50-cent tax on each wireless bill.

Section 3 says that the wireless carrier shall send half of the 50-cent tax to the state treasurer for credit to the E911 fund. It also provides the option for an audit of the wireless carrier's books and records at the expense of fund administrator.

Section 3 (b) recognizes the fact that the wireless carrier has the right to collect its costs for E911 from its customers to the extent those costs are not covered by retaining half of the 50-cent tax.

Section 3 (c) says that to the extent the portion of the tax retained by the wireless carrier exceeds its costs, the wireless carrier shall remit that amount back to the Fund.

Section 4 establishes an E911 advisory board and sets forth its duties and responsibilities including two reports to this committee and the commerce committee in the other body.

Section 5 further states that the E911 advisory board shall make recommendations to the administrator relating to allocation of funds from the E911 Fund.

Section 6 establishes the E911 Fund and states the fund is not subject to being swept away at the end of any fiscal year.

Section 7 defines the duties of the administrator and defines the purposes which are eligible for funding from the E911 Fund.

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Section 8 says that public safety answering points may apply for disbursements from the Fund to pay the costs of implementing E911, and it further provides that the PSAPs make a full accounting of how the money is spent.

Section 9 says that information provided to the advisory board or to the administrator is proprietary.

Section 10 provides liability protection for the administrator, the governing bodies, the public safety agencies and the wireless carriers, their employees and agents as they provide E911 services.

Section 11 says the E911 tax expires on July 1, 2007.

Section 12 says the law takes effect when published in the statute book.

1-12-04

AN ACT concerning emergency telephone systems;  
relating to extension of such systems to include wireless service and cable telephony service;  
providing for financing thereof;  
establishing a wireless enhanced 9-1-1 advisory board;  
amending K.S.A. 2000 Supp. 12-5301,  
and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1.

(a) "Administrator" means the person appointed by the governor and employed by or contracted with the Kansas highway patrol to administer the enhanced wireless 911 fund.

(b) "Automatic number identification (ANI)" means a telecommunications signaling parameter which refers to the number transmitted through a network identifying the number associated with the originator of a call. With respect to enhanced wireless 911 services, "ANI" means a feature by which the Pseudo-automatic number identification is automatically forwarded to the 911 Selective Routing Switch and to the PSAP Customer Premise Equipment (CPE) for display.

(c) "Advisory board" means the enhanced wireless 911 advisory board.

(d) "Enhanced 911 service" means an emergency telephone service that generally may provide, but is not limited to, selective routing, automatic number identification and automatic location identification features.

(e) "Enhanced wireless 911 service" means a communication service by which wireless telecommunication carriers can provide automatic number identification, pseudo-automatic number identification and wireless automatic location identification information to a requesting public safety answering point which (as defined in FCC-CC docket 94-102) is capable of receiving and utilizing the data elements associated with enhanced wireless 911 service, and has a mechanism for covering its costs of receiving and utilizing the enhanced wireless 911 data elements is in place. For Phase I enhanced wireless 911 services the information will be the Mobile Directory Number information of Wireless End User, where available, and the Cell Site/Cell Sector information. For Phase II wireless 911 services, the location information will be the description of the Wireless End User's physical location, latitude and longitude, according to the requirements and standards in the FCC Order.

(f) "9-1-1 telephone service" means a telephone system utilizing a the single three-digit number "9-1-1" for reporting police, fire, medical or other emergency situations.

(g) "Emergency telephone tax" means a tax to finance the operation of an emergency telephone; system.

(h) "Access facilities" means all facilities provided by the service supplier for the facility which provides local telephone exchange access to a service user.

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- (i) "Tariff rate" means the rate or rates billed by a an exchange telephone service supplier and as stated in the service supplier's tariffs, approved by the state corporation commission which represent the service supplier's recurring charges for exchange access facilities or their equivalent, exclusive of all taxes, fees, licenses or similar charges whatsoever.
- (j) "Public agency" means any city, county, municipal corporation, public district or public authority located in whole or in part within this state which provides or has authority to provide fire fighting, law enforcement, ambulance, emergency medical or other emergency services.
- (k) "Governing body" means the board of county commissioners of a county or the governing body of a city.
- (l) "Person" means any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, nonprofit organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy or any other service user.
- (m) "Pseudo-automatic number identification" means a ten (10) digit number used to support routing of wireless 9-1-1 calls.
- (n) "Service supplier" means any person providing exchange telephone service or wireless service to any service user in this state;
- (o) "Service user" means any person who is provided exchange telephone service or wireless service in this state;
- (p) "Subscriber account" means the ten-digit access number assigned to a customer regardless of whether more than one such number is aggregated for the purpose of billing a service user.
- (q) "Wireless automatic location information" means information provided to a public safety answering point identifying the location of the wireless handset originating a 911 call.
- (r) "Wireless carrier" means any common, private or other radio carrier licensed by the federal communications commission to provide two-way voice or text radio service in this state which provides interconnection to the public switched telephone network and access to a 24-hour answering point;
- (s) "Wireless service" means a two-way voice or text radio service provided by a wireless carrier;
- (t) "PSAP" means public safety answering point.
- (u) "Emergency telephone system" means 9-1-1 telephone service and the system for processing reports made by use of such service and for dispatching responders in response to such reports.

## Section 2.

On and after July 1, 2004, each wireless carrier shall assess an emergency telephone tax of \$.50 per month upon each telephone number that has a billable address in Kansas, in accordance with Uniform Mobile Sourcing Act of 2001. This tax is exempt from state and local taxation. The tax imposed hereunder shall ensure, over a reasonable period of time, the full recovery by PSAPs of costs associated with developing and maintaining an E911 system on a technologically and competitively neutral basis. The wireless carrier shall add the tax to each subscriber's telephone bill. The wireless carrier shall have no obligation to take any legal action to enforce the collection of any tax imposed under authority of this act.

Any tax imposed under authority of this act shall be collected insofar as practicable at the same time as, and along with, other charges owed by the subscriber in accordance with the regular billing practice of the wireless carrier. The tax shall appear as a separate line item charge on the subscriber's billing statement and shall be labeled as "Enhanced Wireless 911 Tax or in a similar manner.

## Section 3.

(a) Each wireless carrier shall remit to the administrator 50% of the amount of tax collected monthly together with any forms required by the administrator. The carrier shall maintain tax and remittance records for a period of two years after the date of the billing of the tax to the subscriber. The administrator shall remit the funds to the state treasurer for credit to the enhanced wireless 911 fund. No more than once annually, the administrator may require an audit of any wireless carrier's books and records concerning the collection and remittance of the tax pursuant to this act. Any such audit shall be conducted at the administrator's expense.

(b) Nothing in this Act shall be construed to limit the ability of a wireless carrier from recovering directly from the carrier's customers its costs associated with designing, developing, deploying and maintaining wireless enhanced 911 service, and its costs of collection and administration of the wireless enhanced 911 tax to the extent those costs are not recovered by the retention of 50% of the enhanced 911 tax whether such costs are itemized on the customer's bill as a tax or by any other lawful method.

(c) To the extent that the retained 50% of the enhanced 911 tax exceeds a wireless carrier's costs for implementation of enhanced 911 services, the wireless carrier shall remit such excess funds to the state treasurer to be deposited in the enhanced 911 fund.

## Section 4.

The enhanced wireless 911 advisory board is established to advise the administrator concerning the implementation, development, administration, coordination, evaluation and maintenance of enhanced wireless 911 service. The advisory board shall be composed of nine individuals appointed by the governor, including:

- (a) One representative of law enforcement – either local law enforcement or the highway patrol;
- (b) Three local government officials, either county official or county employee, municipal official or municipal employee, or public safety answering point official;
- (c) two representatives from the state's wireless telecommunications industry;
- (d) one representative of the state's local exchange telecommunications service industry; and
- (e) two legislators from different political parties, appointed by the legislative coordinating council.

Three members shall be appointed for a term of one year, three members shall be appointed for a term of two years and three members shall be appointed for a term of three years. Each succeeding member of the

board shall be appointed for a term of three years. The board shall meet as often as necessary to carry out its duties. Members of the board shall be reimbursed for their actual and necessary expenses. The provisions of this section and section 5, and amendments thereto, shall expire on July 1, 2007. The board shall prepare a report concerning the extent to which the purposes of this act have been achieved including the extent to which enhanced wireless 911 service has been deployed throughout the state and the costs incurred during such deployment. The board shall deliver the report to the house committee on utilities and the senate committee on commerce during the 2005 and 2007 sessions of the legislature.

Section 5.

(a) The advisory board shall make recommendations to the administrator regarding the implementation of this act, including the allocation of funds from the enhanced wireless 911 fund among the purposes specified in section 7, and amendments thereto, subject to the conditions specified in that section.

(b) The administrator retains final authority to approve and implement any and all recommendations made by the advisory board.

Section 6.

The enhanced wireless 911 fund is hereby created. The fund shall consist of the taxes credited to the fund, any money appropriated by the legislature to the fund, any federal funds received for wireless emergency communication and any other funds designated for credit to the fund. Money in the fund shall be used for the costs of administering the fund and for the purposes specified in section 7, and amendments thereto, unless otherwise directed by federal law, with respect to federal funds received. The costs of administering the fund shall be kept to a minimum. The money in the fund shall not be subject to any fiscal-year limitation or lapse provision of an unexpended balance at the end of any fiscal year or biennium.

Section 7.

(a) The administrator, in consultation with the advisory board, shall:

(1) Determine the costs to implement wireless enhanced 911 services (2) promote collaboration between public safety answering points and encourage economies of scale;

(3) determine the level of funding available for disbursements to be made pursuant to the act;

(4) determine the percentage of the funds that shall be allocated to each funding purpose, including the percentage that shall be designated for funding 911 service under subsection (b) of this section;

(b) The administrator, in consultation with the advisory board, shall establish standards and criteria to determine the eligibility of applications for disbursements from the fund and the level of disbursement for each application. In establishing such criteria and standards, the

administrator shall include applications submitted for the following purposes as eligible for funding:

(1) Necessary and reasonable costs incurred or to be incurred by public safety answering points to implement enhanced wireless 911 service including, but not limited to, purchases of equipment and upgrades and modification to equipment used solely to process the data elements of enhanced wireless 911 service, maintenance costs and license fees for such equipment and the training of personnel to operate such equipment

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[including costs of training PSAP personnel to provide effective service to all users of the emergency telephone system who have communications disabilities];

(2) necessary and reasonable costs incurred or to be incurred by public safety answering points for the purchase, installation, maintenance and operation of telecommunications equipment and telecommunications services required for the provision of 911 service, or enhanced 911 service, if the costs are necessary to prepare the public safety answering point for the capability of providing enhanced wireless 911 service. Such

costs shall not include expenditures for new or expanded buildings or similar facilities or to construct other capital improvements not expressly authorized by this act;

(3) actual and necessary expenses incurred by members of the advisory board while performing duties required by this act.

(c) None of the provisions of this act shall be deemed to require the deployment of a state-wide centralized system of dispatch.

#### New Sec. 8.

(a) Public safety answering points may apply for disbursement from the enhanced wireless 911 fund by submitting a written application to the administrator. The administrator shall receive and review applications, including supporting documentation. The administrator shall notify the public safety answering points as to the determination of the administrator regarding the application.

(b) Each entity that receives disbursements from the fund shall make a full accounting of the money in a manner and form prescribed by the administrator.

#### Section 9.

Information provided by wireless carriers to the advisory board or to the administrator pursuant to this act may be treated as proprietary records which may be withheld from the public upon request of the party submitting such records.

#### Section 10.

The enhanced wireless 911 service described in this act is within the governmental power and authority of the administrator, governing bodies and public safety agencies. In contracting for such service and in providing such service, the administrator, each governing body, each public agency, each wireless carrier and their employees and agents shall not be liable for the payment of damages resulting from the performance of installing, maintaining or providing enhanced wireless 911 service.

#### New Section 11.

The wireless E911 surcharge shall expire on July 1, 2007.

#### Section 12.

This act shall take effect and be in force from and after its publication in the statute book.

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# Account Summary

www.sprintpcs.com

<b>Customer</b>	<b>Account Number</b>	<b>Invoice Period</b>	<b>Invoice Date</b>	<b>Page</b>
MICHAEL R. MURRAY	[REDACTED]	Nov. 21 - Dec. 20	Dec. 21, 2003	2 of 12

<b>Summary of Individual Charges (Individual Usage Summaries begin on page 3)</b>						
Individual Information	Monthly Service Charges	Additional Usage Charges	Other Charges	Promotions/Credits/Adjustments	Taxes */ Surcharges & Fees	Total
MICHAEL R. MURRAY 785-554-0826	93.24	6.25	0.00	-31.45	11.82	79.86
<b>Total Current Charges</b>	<b>93.24</b>	<b>6.25</b>	<b>0.00</b>	<b>-31.45</b>	<b>11.82</b>	<b>\$79.86</b>

\* See below for a breakdown of Taxes, and Surcharges & Fees if applicable.

### Additional Billing Information

Detail of Taxes, and Surcharges & Fees

Description	Charges
<b>Taxes</b>	
Federal Tax	2.12
Shawnee County Sales Tax - Services & Usage	0.62
Kansas State Sales Tax - Services & Usage	3.73
<b>Surcharges &amp; Fees</b>	
Kansas State Usf On Monthly Recurring Charges	2.20
Federal Universal Service Fund	1.35
Kansas State Universal Svc Fund Surcharge	0.30
Federal E911	0.40
Federal Wireless Number Pooling And Portability	1.10
	<b>\$11.82</b>

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DATE: 1-14-04

ATTACHMENT 7

**Helpful Information about your PCS Invoice and PCS Service from Sprint**

**EXPLANATION OF TERMS ON YOUR INVOICE**

For additional information, simply visit us at [www.sprintpcs.com](http://www.sprintpcs.com) - sign on to manage your account and click the "My Invoice" button.

**Summary of Individual Phone Charges (page 2):** A summary of all charges related to each PCS Phone on your account.

- **Monthly Plan(s) Charges** - The recurring charge for your PCS Service Plans and other services that are invoiced one month in advance.
- **Additional Usage Charges** - This column will show additional voice or roaming minutes or PCS Vision kilobytes/megabytes usage not in your main PCS Service Plan. This column may also contain charges for Call Forwarding and, depending on your plan, Call Waiting, Three Way Calling, Voice Command and certain Operator Services.
- **Other Charges** - Charges that are not included in the Monthly Service Charges section will appear here if applicable.
- **Promotions, Credits and Adjustments** - Special offers or pricing promotions appear as credits on your invoice. A disputed charge, when corrected, will appear on your invoice as an adjustment.
- **Taxes** - These include applicable federal, state, city, and county taxes.
- **Surcharges and Fees** - The surcharges in this section generally recover the costs incurred by Sprint in complying with various federal and state mandates. Charges that appear in this section of your invoice, including charges associated with Federal Wireless Number Pooling and Portability, Federal and State Universal Service Funds (USF) and Federal E911\*, are neither taxes nor government-imposed assessments. The Federal USF charge is calculated using the FCC-prescribed contribution factor, which may change on a monthly basis. Neither federal nor state law requires carriers to impose these charges but carriers are permitted to recover their costs of complying with these federal and state mandates. Call 1-866-770-6690 for more information, including the current Federal USF invoice surcharge.  
\*Please note that current availability of E911 services is very limited. E911 service is dependent upon several factors, including the ability of your local public safety agency to receive and process this information and the capabilities of your equipment.

**ANYTIME / NIGHT AND WEEKEND MINUTES**

Please note that most PCS Service Plans are made up of both Anytime (peak) and Night and Weekend (off-peak) minutes with specific time allotted for each. The cost of a call is determined by your rate plan and Night and Weekend calls typically cost less than peak calls made during business hours.

**HOW TO REACH PCS CUSTOMER SOLUTIONS**

We are making every attempt to simplify your invoice so that it's easy to understand. Still have questions? Here's how to contact us:

<b>Via the Internet:</b> <a href="http://www.sprintpcs.com">www.sprintpcs.com</a>	<b>By using your PCS Phone:</b> PCS Customer Solutions * 2	<b>By Phone:</b> PCS Customer Solutions 1-888-211-4727 Consumer 1-888-788-4727 Business	<b>By Mail:</b> PCS Customer Solutions P.O. Box 8077 London, KY 40742	<b>To Remit Payment:</b> Sprint P.O. Box 219554 Kansas City, MO 64121-9554
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**TTY USERS ACCESS TO PCS CUSTOMER SOLUTIONS**

Please contact a TRS agent (dial 711) and request that he/she dial 1-866-727-4889. PCS Customer Solutions inquiries can also be made via the Internet at [www.sprintpcs.com](http://www.sprintpcs.com).

**ADDITIONAL PAYMENT OPTIONS**

A number of convenient payment options are available to fit your lifestyle: You may sign up for Auto Pay at [www.sprintpcs.com](http://www.sprintpcs.com) or by dialing \*2 on your PCS Phone. You may make a one-time payment through [www.sprintpcs.com](http://www.sprintpcs.com) or \*3 on your PCS Phone. Depending on credit and payment history, certain payment methods may be restricted.

The Terms and Conditions of PCS Service sometimes change. For the most current version, please visit our Web site at [www.sprintpcs.com](http://www.sprintpcs.com) or dial \*2 for PCS Customer Solutions.

This invoice is due and payable upon presentation, and is past due if we do not receive payment by the due date shown on your invoice. Please make your check or money order payable to Sprint in U.S. dollars. Do not send cash. Any payment for Services and equipment not made when due accrues late charges until paid at the rate of 5% per month or at the highest rate allowed by law. Sprint may also begin procedures to terminate wireless services to you. You will be informed of any such termination action as required by law or the Terms and Conditions of Service. If any check sent to Sprint as payment for services is returned unpaid by your bank, you will be charged \$25, or the highest amount allowed by applicable law, for each returned check. Please provide your name and account number on any correspondence to Sprint. We will respond to your letter as soon as possible.

If you have a dispute about any charges on your invoice, you must notify us within 15 days of the date of the invoice or you will be deemed to have accepted the invoice. Initial notice of any dispute may be made by calling PCS Customer Solutions at 1-888-211-4727, for consumer customers, or 1-888-788-4727 for business customers. You do not have to pay the disputed amounts while we investigate them; however, the amounts not in dispute are still due and payable by the due date. Puerto Rico Customers - You may obtain a copy of the Sprint Customer Complaint Resolution procedure by visiting one of the Sprint Stores in Puerto Rico or by contacting PCS Customer Solutions. This invoice constitutes notice that your service is subject to disconnection if payment is not received by the due date. California Customers - To resolve any service or invoicing issues, you should contact PCS Customer Solutions at the toll free number listed above. PCS Services Plan are not regulated by either federal or state regulators. However, should you be unable to resolve any service or invoicing issues directly with Sprint you may contact the Consumer Affairs Branch of the California Public Utilities Commissions, 505 Van Ness Avenue, San Francisco, CA 94102 or (800)649-7570.



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Account Number

Amount Due

For name changes sign on to [www.sprintpcs.com](http://www.sprintpcs.com) Click on: Contact Us> Email us> Enter your Email address> Click on Topic> Choose Other> Enter name change & reason (Marriage, Divorce, Misspelled). For change of address sign on to the above Web site or complete this form. Please PRINT in Blue or Black ink.

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ BUSINESS PHONE: \_\_\_\_\_

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## E911 PHASE I COSTS

**Note:** These are costs that are incurred to implement, maintain, and administer E911 Phase I. The infrastructure and processes put in place for Phase I are dedicated to Enhanced 911 and are not used to provide any commercial services. Per the FCC Report and Order 94-102, upon a valid request for service from a public safety answering point (PSAP), a wireless carrier must provide 20 digits of data to the applicable PSAP. In order to have a valid request, a PSAP must have made the necessary equipment and trunking upgrades necessary to be able to receive and utilize the Phase I data. The 20 digits consist of a 10 digit call-back number and a 10 digit number (often referred to as a pANI or Pseudo-ANI) that translates to an address of the cell tower/sector from which the 911 call was originated. This translation of the 10 digit pANI to a cell tower/sector address occurs in an ALI that is provided and maintained by the PSAP's Emergency Service Provider (usually a local exchange carrier). The ALI (Automatic Location Identification) is a database that was created for providing address and caller information for landline E911 and is also used for delivering wireless E911 location.

**Once a valid request for service is received from a PSAP, the carrier must perform the following tasks:**

### Non-Recurring Tasks:

- Meet with PSAP to discuss implementation plan and to negotiate service contracts and cost recovery
- Collect PSAP contact, boundary, and equipment information
- Collect LEC E911 network infrastructure information
- Map PSAP boundaries
- Overlay PSAP boundaries on wireless carrier service boundaries
- Identify cell towers within overlaid boundaries
- Obtain & verify cell site data (address, sectors, radius, etc.) – this is often a lengthy process because cell sites are added or moved on a regular basis or the radius or direction is changed on existing cell sites
- Obtain and assign pANIs (unique 10 digit numbers) for each cell sector of each cell tower
- In conjunction with the PSAPs, determine which PSAP will receive 911 calls from each cell tower sector
- Load switch translations tables with pANIs and selective routing data
- Load emergency routing data into the Emergency Service Provider's selective router/tandem
- Load each cell sector pANI with its associated cell tower address into the ALI (where Call Path Associated Signaling is used to the ESP/PSAP)
- If Non-Call Path Associated Signaling is used to the ESP/PSAP, establish connectivity to third party vendor's SCP and database – third party vendor must establish dynamic data connectivity to ESP ALI
- Based on the gathered PSAP and its Emergency Service Provider (ESP) data, determine wireless network interconnection and trunking requirements to ESP selective router/tandem
- Negotiate interconnection agreements with ESP, if necessary – some ESP's require separate E911 interconnection agreements
- Place trunking and connection orders with Emergency Service Provider (usually LEC) – it often takes the LEC 6 to 8 weeks to process these orders
- Test connectivity, routing, & translations of E911 Phase I data
- Perform drives tests where several calls are placed to the PSAP from each cell sector in the PSAP's boundaries

### Non-Recurring Costs:

- Administrative and travel costs to perform tasks described above
- Switch software upgrades or patches to enable the provision of E911 Phase I data
- Non-recurring LEC trunk/circuit charges, connection charges to E911 selective router/tandem, pANI storage charges in selective router/tandem and ALI
- Non-recurring charges for data links to ESP (LEC) ALI
- Non-recurring charges to third party vendor for initial data loads in ESP selective router & ALI

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#### Monthly Recurring Tasks:

- Monitor changes to wireless network and determine if changes effect routing to PSAP or data provided to PSAP for: new cell towers, changes in the configuration of existing cell towers, re-homing of cell towers to different or new switches
- Regularly update ESP selective router & ALI databases to reflect changes to cell data
- Lab and field testing to ensure new changes to switch software do not effect 911 call delivery
- Monitor & trouble report network between cell towers, switch, & ESP (LEC) selective router/tandem and between MSC & third party vendor SCP.
- Monitor & trouble report network connectivity between third party SCP & ALI systems
- SCP hardware & software maintenance
- SCP table maintenance
- No record found/misroute investigations
- Investigations of database discrepancies between SCPs, ALIs, & selective routers/tandems
- Compilation & maintenance of documentation for cost recovery
- Annual appearances before PSAPs & wireless boards to review costs
- Administration & management of cost recovery and E911 surcharge audits

#### Monthly Recurring Costs:

- Administrative and travel costs to perform tasks described above
- Monthly recurring LEC trunk/circuit charges, connection charges to E911 selective router/tandem, pANI storage charges in selective router/tandem and ALI
- Monthly recurring charges for data links to Emergency Service Provider's (LEC) ALI
- Monthly recurring charges to third party vendor for maintaining selective router and ALI databases in response to changes by wireless carrier to network configuration

## **E911 PHASE II**

The E911 Phase I infrastructure must be in place before E911 Phase II can be provided. The only difference between Phase I and Phase II is that a more accurate location is provided to the PSAP. Therefore, instead of providing a 10 digit pANI that corresponds to a cell tower address (as with Phase I), the carrier sends a latitude and longitude that corresponds to the location of the 911 caller. All of connectivity and databases used to provide the Phase I data is still used to provide the more accurate location provided in Phase II. At issue in Phase II is the location technology required to calculate the more accurate location. It is this location technology (that does not include the E911 Phase I infrastructure) that can be used to provide value-added location based service to subscribers. These value-added services will be delivered over a separate path (from E911) to subscribers. It is too soon to try to address in legislation the costs of the location technology itself and whether carriers should be reimbursed for the development of this technology. The E911 Phase I infrastructure will continue to be used to deliver caller and location data to public safety in Phase II, but this infrastructure will not in any way be used to provide commercial services to subscribers.

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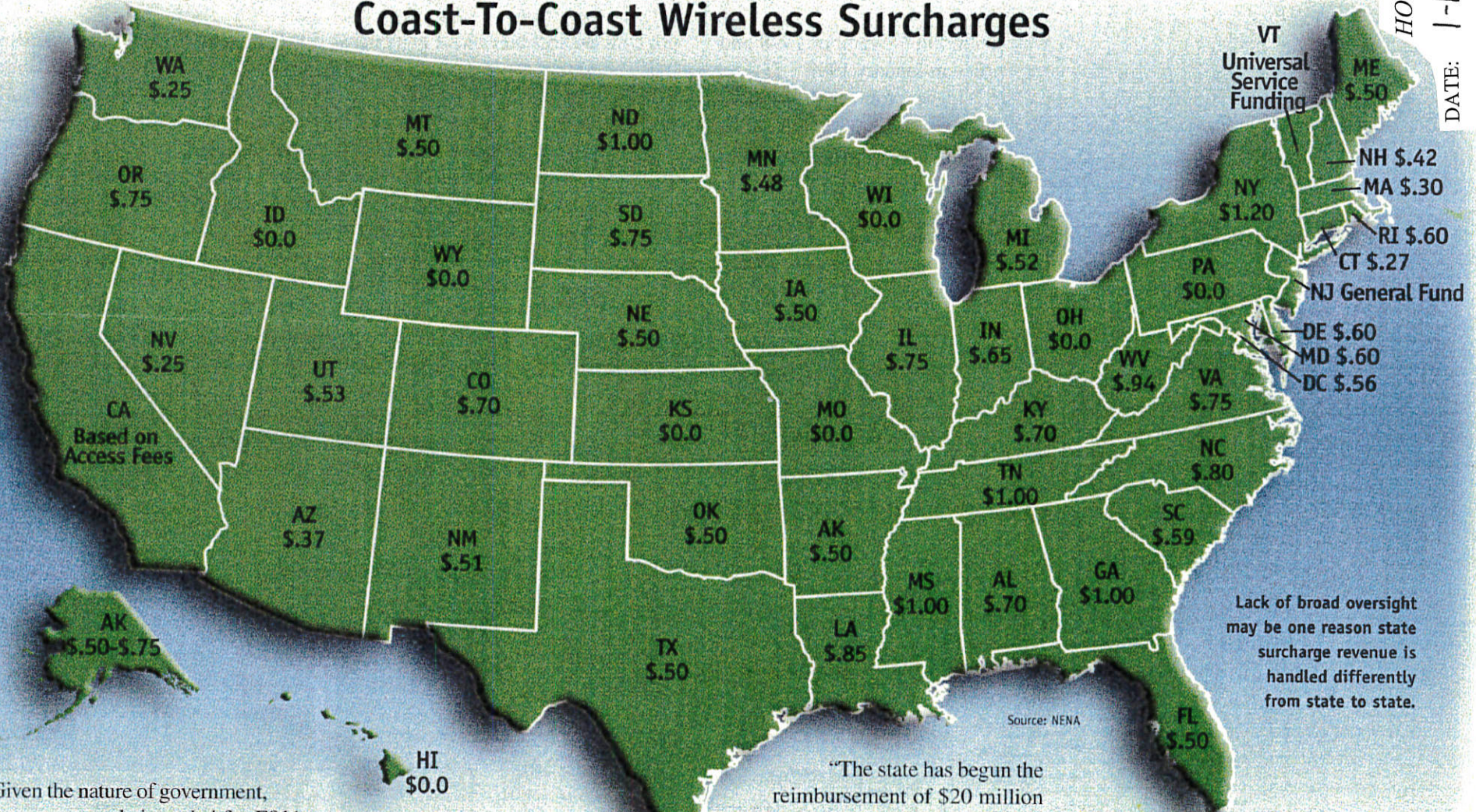
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# Coast-To-Coast Wireless Surcharges



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Given the nature of government, state money pools intended for E911 also can become political footballs, pounced on sometimes by money-

**New York Refining E911**  
Following the tragedy on Long

“The state has begun the reimbursement of \$20 million allocated for E911,” says Daniels, adding that counties can begin submitting reimbursement requests for

center in the state, as a means of reimbursing itself for its own Phase II

Lack of broad oversight may be one reason state surcharge revenue is handled differently from state to state.

Source: NENA

2. ACCESS LINE RATES

Following are the monthly access line rates associated with each class of service: Residence Access Line, Residence Key Trunk, Business Access Line, Business Key Trunk, PBX Trunk and Pay Telephone Service. All access line rates include Touch-Tone as part of the monthly rate.

	Monthly Rates				
	Rate Group 1	Rate Group 2	Rate Group 3	Rate Group 4	
<b>Residence Access Line</b>					
Eastern, South Central, Southeast	<b>\$15.50</b>	<b>\$16.65</b>	<b>\$16.65</b>	<b>\$18.75</b>	(1)
United	<b>\$14.75</b>	<b>\$15.75</b>	<b>\$15.75</b>	<b>\$18.00</b>	(1)
<b>Residence Key Trunk</b>					
Eastern, South Central, Southeast	<b>\$15.50</b>	<b>\$16.65</b>	<b>\$16.65</b>	<b>\$18.75</b>	(1)
United	<b>\$14.75</b>	<b>\$15.75</b>	<b>\$15.75</b>	<b>\$18.00</b>	(1)
<b>Business Access Line</b>					
Eastern, South Central, Southeast	<b>\$26.25</b>	<b>\$28.05</b>	<b>\$28.05</b>	<b>\$30.75</b>	(1)
United	<b>\$25.00</b>	<b>\$27.05</b>	<b>\$27.05</b>	<b>\$29.85</b>	(1)
Business Key Trunk	<b>\$31.50</b>	<b>\$33.25</b>	<b>\$33.25</b>	<b>\$36.88</b>	(1)(D)
PBX Trunk	<b>\$39.85</b>	<b>\$41.50</b>	<b>\$41.50</b>	<b>\$46.20</b>	(1)(D)
<b>Pay Telephone Service</b>					
Eastern, South Central, Southeast	<b>\$26.25</b>	<b>\$28.05</b>	<b>\$28.05</b>	<b>\$30.75</b>	(1)
United	<b>\$25.00</b>	<b>\$27.05</b>	<b>\$27.05</b>	<b>\$29.85</b>	(1)

ISSUED: May 1, 2003  
BY: Warren D. Hannah  
Director, Tariffs

EFFECTIVE DATE:  
**HOUSE UTILITIES**

DATE: 1-14-04  
ATTACHMENT 10

**FCC DESIGNATED N11 SERVICES**

**1. UNIVERSAL EMERGENCY NUMBER SERVICE (911)**

**D. 911 RATES AND CHARGES**

**a. Facilities Rates**

	<u>Monthly Rate</u>	<u>Non-Recurring Charge</u>	
(1) 911 Local Exchange Lines - Local exchange lines that terminate at PSAPs are charged at the business one-party rate for the specific exchange.	See the Local Exchange Tariff	Service Connection Charges (Section 18)	(T)
(2) 911 Interexchange Lines - United adopts and concurs in the 911 interoffice facility rates in the Southwestern Bell Telephone (SWBT) General Exchange Tariff Section 19.	See SWBT Tariff Section 19	See SWBT Tariff Section 19	(T)

**b. Features Rates**

(1) Provision of nightly updates to MSAG database. Charge per 100 access lines.	\$7.00	N/A	(T)
(2) Class marking arrangement (where available) Charge per 100 access lines	ICB	ICB	(T)

**c. 911 PSAP Equipment**

911 PSAP Equipment will be provided at a monthly rate based on the costs involved, as designated in the Special Equipment and Assemblies portion of the General Exchange Tariff.

**d. Analog Central Office Modifications**

Analog office initial charge to provide 911 Service. (Charge is waived if the analog office is not scheduled for conversion within twelve months of the proposed effective date of the 911 Service).	N/A	\$3,451.56	(T)
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