

MINUTES OF THE HOUSE UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on January 18, 2006 in Room 231-N of the Capitol.

All members were present except:

Annie Kuether- excused
Carl Krehbiel- excused
Vaughn Flora- excused

Committee staff present:

Mary Galligan, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Mary Torrence, Revisor's Office
Heather Klaasen, Research Intern
Rena Hansen, Committee Secretary

Conferees appearing before the committee:

Judy Moler, General Counsel/Legislative Services Director
Kimberly Winn, Director of Policy Development and Communications,
Representative Tom Sloan
Tim Pickering, Attn., ATT-KS

Others attending:

See attached list.

Representative Tom Sloan moved to introduce three bills to the committee from the Select Joint Committee on Energy: 1. Would provide income tax credit for investment in energy efficiency and energy conservation by home owner/apartment owners. 2. Would create renewable energy cooperatives by schools and municipalities. 3. Would provide a tax credit for utilities that provide renewable energy to meet presidential executive orders that encompass military facilities and other federal agencies. Seconded by Representative Tom Hawk. Motion Carried.

Judy Moler, General Counsel/legislative Services Director, Kansas Association of Counties, (Attachment 1), gave the committee an update on Enhanced 9-1-1.

Kimberly Winn, Director of Policy Development and Communications, League of Kansas Municipalities, (Attachment 2), discussed the deployment of enhanced wireless 911 in Kansas.

Questions were asked by Representatives: Mitch Holmes, Margaret Long, Melody Miller, Carl Holmes, and Jason Watkins.

Hearing on:

HB 2590: VoIP enhanced 911 act.

Representative Tom Sloan, (Attachment 3), presented testimony in favor of having the VoIP providers and customers contribute to the E911 fund.

Questions were asked by Representatives: Tom Hawk, Forrest Knox, Lynne Oharah, Melody Miller, Oletha Faust-Goudeau, and Margaret Long.

Tim Pickering, General Attorney, SBC Kansas, (Attachment 4), presented testimony explaining how this legislation would work.

Questions were asked by Representatives: Jason Watkins, Jim Morrison, and Lynne Oharah.

The hearing on **HB 2590** was closed.

CONTINUATION SHEET

MINUTES OF THE House Utilities Committee at 9:00 A.M. on January 18, 2006 in Room 231-N of the Capitol.

The next meeting is scheduled for January 19, 2006.

Meeting adjourned.

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 18, 2006

NAME	REPRESENTING
Judy Major	KAC
Dennis Krusel	KAC
Kim Winn	LKM
Cindy Lash	Post Audit
Amy Thompson	Post Audit
Shirley Allen	Rural Tel Co
Kyle Smith	KBI
Nathy Dawson	Sprint Nextel
SEAN MILNER	KBIA
Chen Jernison	Cox Communications
Audy Shaw	celtel
Wade Hopwood	Sprint
Nelson Krueger	Everest
Julene Masler	Gov office
Jamie Bowers	Governor's Office
Tom Day	KCC
Anne Spiess	KTIA
Tim Pickering	AT+T
Jim Gorkner	AT+T
SCOTT SCHNEIDER	Cox Communications

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 18, 2006

NAME	REPRESENTING
John Federico	KCTA
Julie Hein	Hein Law Firm
Pat Lehman	KFSA
Jennifer Lyon	Pheggar, Smith, & Associates



UPDATE ON ENHANCED 9-1-1
Before the House Utilities Committee
January 17, 2006

Judy A. Moler, General Counsel/Legislative Services Director

Thank you, Mr. Chair and members of the House Utilities Committee for allowing me to speak regarding the progress made by local governments in completion of the enhanced 9-1-1 capabilities.

As you recall, the 2004 Kansas Legislature created the Wireless Enhanced 9-1-1 Act, now found at K.S.A. 12-5321 *et seq.* The Act allowed for the collection of 50 cents per wireless subscriber to be remitted (25 cents to the Local Collection Point Administrator and 25 cents to the state for a grants program). As set forth by the statute, the Local Collection Point Administrator is the Kansas Association of Counties and the League of Kansas Municipalities.

Using zip code data supplied by the wireless carriers, the Local Collection Point Administrator allocates the fees to the Public Safety Answering Points (PSAPs), less a 2% administrative fee, for the building of the Enhanced 9-1-1 system.

During the 18 months that the fees have been collected, compliance by the wireless providers has varied. The merger of several of the companies has led to data and/or payments being delayed. I am happy to report that as of this report all but two wireless companies are in compliance. The statewide board overseeing the Enhanced Wireless 9-1-1 deployment has voted to promulgate rules and regulations that include a monetary penalty for non-compliance.

Due to the remittance of money, but no data, this has allowed a large interest balance to accumulate in the Local Collection Point Administrator account. As there is no statutory guidance as to what is to be done with the interest, it was decided that this would be used for training. There have been 2 training events and another planned after the statewide audit report.

The Local Collection Point Administrators contracted with Summers, Spencer & Callison, CPAs, Chartered for an audit for the year ending June 30, 2005. I have attached a copy of the audit as well as the audit letter accompanying it. You will notice the audit letter references the lack of recourse when wireless companies do not comply by providing information and/or money.

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HOUSE UTILITIES
DATE: 1/18/06
ATTACHMENT 1

WIRELESS ENHANCED 911 LOCAL FEE FUND

Statement of Cash Receipts and Disbursements

YEAR ENDED JUNE 30, 2005

SS Summers, Spencer &
&C Callison, CPAs, Chartered
CERTIFIED PUBLIC ACCOUNTANTS

*Wireless Enhanced 911 Local Fee Fund
Year Ended June 30, 2005*

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INDEPENDENT AUDITORS' REPORT

To the Local Collection Point Administrator
Wireless Enhanced 911 Local Fee Fund

We have audited the accompanying statement of cash receipts and disbursements of

WIRELESS ENHANCED 911 LOCAL FEE FUND

for the year ended June 30, 2005. This financial statements is the responsibility of the Fund's management. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the statement of cash receipts and disbursements is free of material misstatements. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the statement of cash receipts and disbursements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the statement of cash receipts and disbursements. We believe that our audit provides a reasonable basis for our opinion.

As described in note 1, as prescribed by Kansas statute, this financial statement has been prepared on the cash receipts and disbursements basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the statement of cash receipts and disbursements referred to above presents fairly, in all material respects, the cash receipts and disbursements of the Wireless Enhanced 911 Local Fee Fund for the year ended June 30, 2005, on the basis of accounting described in note 1.

Summers, Spencer & Callison, CPAs, Chartered
Summers, Spencer & Callison, CPAs, Chartered
November 30, 2005

Wireless Enhanced 911 Local Fee Fund

FINANCIAL STATEMENT

Wireless Enhanced 911 Local Fee Fund
Statement of Cash Receipts and Disbursements
YEAR ENDED JUNE 30, 2005

Receipts	
Fees	\$ 3,767,531
Interest	<u>8,241</u>
<i>Total receipts</i>	<u>3,775,772</u>
Disbursements	
PSAPs	2,988,443
Administrative fees	59,574
Statewide training expenses	<u>2,099</u>
<i>Total disbursements</i>	<u>3,050,116</u>
Excess receipts over disbursements	725,656
Cash at beginning of year	<u>-</u>
Cash at end of year	<u><u>\$ 725,656</u></u>

The accompanying notes are an integral part of this statement.

Wireless Enhanced 911 Local Fee Fund

Notes to Financial Statement

YEAR ENDED JUNE 30, 2005

1. Summary of significant accounting policies

(a) Organization

The 2004 Kansas Legislature created the Wireless Enhanced 911 Act (the Act), K.S.A. 12-5321 et seq. The Wireless Enhanced 911 Local Fee was established under this law (K.S.A. 12-5330) requiring wireless carriers to collect 25 cents for each wireless subscriber. The Wireless Enhanced 911 Local Fee Fund (the Fund) represents the fees remitted by the wireless carriers to the Local Collection Point Administrator for distribution to Public Safety Answering Points. The Act is administered by the Governor's Grants Program. As set forth in the statutes, the Kansas Association of Counties and the League of Kansas Municipalities share the duties of Local Collection Point Administrator.

(b) Basis of accounting

The accompanying financial statements present the Fund's activities following the cash receipts and disbursements accounting method. Under this method, revenues are recognized when received rather than when earned and expenses are recognized when paid rather than when the obligation is incurred. The statement of cash receipts and disbursements is a summary of the cash activity of the Fund and does not present transactions that would be included in financial statements prepared using the accrual method of accounting, as contemplated by generally accepted accounting principles.

2. Payments to PSAPs

Using zip code data supplied by the wireless carriers, the Local Collection Point Administrator allocates the fees to Public Safety Answering Points (PSAPs). The payments are made in the month following collection. In some cases, certain wireless carriers have not supplied the information necessary to make the allocation although the fees have been remitted to the Local Collection Point Administrator (see Note 5).

3. Administrative fees

The Local Collection Point Administrator is paid a 2% administrative fee calculated on payments made to PSAPs. All administrative expenses are paid from this administrative fee.

4. Statewide training expenses

Fees attributable to out-of-state zip codes are segregated within the Fund and utilized for training expenses benefiting all PSAPs.

5. Commitments

The Fund's cash balance at June 30, 2005 is restricted for payment to PSAPs and the related 2% administrative fee. Undistributed amounts are as follows:

PSAPs	
Collected August 2004 through May 2005	\$ 279,757
Collected June 2005	382,287
Statewide training fund	39,818
Administrative fees	15,553
Interest income (to be used for statewide training)	<u>8,241</u>
Fund balance at June 30, 2005	<u>\$ 725,656</u>

6. Deposits

The Fund's cash balance is held in an interest-bearing checking account at a financial institution. The bank balance is secured by a standby irrevocable letter of credit issued by the Federal Home Loan Bank of Topeka expiring October 28, 2005. The letter of credit was subsequently renewed for an additional one-year period.

**SS Summers, Spencer &
&C Callison, CPAs, Chartered**
CERTIFIED PUBLIC ACCOUNTANTS

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To the Local Collection Point Administrator
of the Wireless Enhanced 911 Local Fee Fund

In planning and performing our audit of the statement of cash receipts and disbursements of the Wireless Enhanced 911 Local Fee Fund (the Fund) for the year ended June 30, 2005, we considered its internal control in order to determine our auditing procedures for the purpose of expressing our opinion on the statement of cash receipts and disbursements and not to provide assurance on the internal control. However, we noted certain matters involving the internal control and its operation that we consider to be reportable conditions under standards established by the American Institute of Certified Public Accountants. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control that, in our judgment, could adversely affect the Fund's ability to initiate, record, process, and report financial data consistent with the assertions of management in the statement of cash receipts and disbursements.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and would not necessarily disclose all matters in the internal control that might be reportable conditions. In addition, because of inherent limitations in internal control, misstatements due to error or fraud may occur and not be detected by such controls.

This report is intended solely for the information and use of the boards of directors of the Local Collection Point Administrator, management and the Governor's Grant Program and is not intended to be and should not be used by anyone other than these specified parties.

Summers Spencer & Callison, CPAs, Chartered
Summers, Spencer & Callison, CPAs, Chartered
November 30, 2005

Lack of Information Provided by Wireless Carriers

Certain wireless carriers have not provided the zip code information necessary to determine how the fees they remitted to PSAPs should be allocated. K.S.A. 2004 Supp. 12-5331 (f) requires wireless carriers to file a return with the local collection point administrator containing "such information as required by the administrator". The statute does not provide any recourse for the local collection point administrator if this information is not provided. Without it, the local collection point administrator is unable to fulfill its obligation under K.S.A. 2004 Supp. 12-5331 (h) to distribute the fees collected not later than 30 days after receipt. As of June 30, 2005, fees collected prior to June 2005 that could not be distributed amounted to \$279,757. We recommend that management request assistance from the State 911 Board to recommend rules and regulations to impose penalties on wireless carriers that do not submit the required information.

Account Structure of Software

The account structure presently utilized in Quickbooks nets disbursements against receipts rather than presenting the gross amounts. This method requires manual intervention to prepare a statement of cash receipts and disbursements. We believe a more traditional account structure would provide better information. The class function in Quickbooks could be utilized to summarize transactions for the collection period.

Completeness of Fee Income

We noted that no procedures exist for identifying new wireless carriers. Therefore, fees may not be collected in a timely manner and the absence of new fees may go undetected. We recommend that the Kansas Corporation Commission be directed to inform Fund management of new wireless carriers in Kansas.

Accounting Procedures Manual

We noted that the Fund does not have an accounting procedures manual. There may be an assumption that because the Fund's accounting system is relatively simple and accounting personnel have direct and easy access to management when questions arise, there is no need for a manual. However, written procedures, instructions, and assignments of duties will prevent or reduce misunderstandings, errors, inefficient or wasted effort, duplicated or omitted procedures, and other situations that can result in inaccurate or untimely accounting records. A well-devised accounting manual can also help to ensure that all similar transactions are treated consistently, that accounting principles used are proper, and that records are produced in the form desired by management. A good accounting manual should aid in the training of new employees and possibly allow for delegation to other employees of some accounting functions management performs.

It will take some time and effort for management to develop a manual; however, we believe this time will be more than offset by time saved later in training and supervising accounting personnel. Also, in the process of the comprehensive review of existing accounting procedures for the purpose of developing the manual, management might discover procedures that can be eliminated or improved to make the system more efficient and effective.

Insurance Coverage

In general, internal controls are designed to safeguard assets and help prevent losses from employee dishonesty. However, the cost of maintaining internal controls sufficient to prevent all such losses would be prohibitive. Accordingly, insurance is a practical, relatively inexpensive supplement to internal controls. We understand that the blanket employee dishonesty insurance coverage currently in place would not cover a loss related to this Fund. We recommend that the necessary coverage be obtained.

Improve Bank Reconciliation Procedures

At present, the bank account is reconciled by Betty who also prepares the deposits and checks. Although, the unopened bank statements are first reviewed by Kim and Betty is not authorized to sign checks, we believe additional procedures should be implemented to strengthen control and reduce the risk that misappropriation of cash could be concealed. We recommend that documentation of Kim's review of the unopened bank statement be retained. We also recommend that Kim review the completed bank reconciliations. A part of her review should include comparison of the spreadsheet prepared by Dennis to the cash receipts on the bank reconciliation. The spreadsheet should be sent directly from Dennis to Kim. She should initial and date the reconciliation as an indication of her approval.

Timely preparation of bank reconciliations is also key to maintaining adequate control over cash receipts and disbursements. We noted that bank statements in some instances were not reconciled to the general ledger on a monthly basis in which case errors or other problems might not be recognized and resolved in a timely fashion. Also, it is generally easier and less time-consuming to reconcile accounts while transactions are fresh in mind.

Approve Journal Entries

Our review of the journal entries revealed that no policy exists for the approval of journal entries. We recommend the adoption of a policy whereby all journal entries will be approved by a responsible member of management. All journal entries should be initialed by the preparer and individual approving them in order to attribute responsibility to the appropriate individuals. All journal entries should be accompanied by reference to adequate supporting data.

Local Fee PSAP Payments: 2005

PSAP	January 2005		February 2005			March 2005		April 2005	May 2005	June 2005	Total
	1	2	1	2	3	1	2	1	1	1	
NTY	\$1,422.47	\$27.44	\$1,097.36	\$10.05	\$345.45	\$1,106.18	\$354.76	\$1,480.29	\$1,478.33	\$1,363.43	\$8,685.76
NTY	\$561.30	\$13.72	\$267.05	\$90.41	\$185.22	\$402.05	\$206.78	\$606.38	\$619.36	\$559.83	\$3,512.10
ANDOVER	\$619.61	\$361.62	\$842.31	\$144.80		\$672.04		\$652.44	\$666.89	\$646.56	\$4,606.27
ARKCITY	\$1,202.71	\$74.24	\$737.45	\$27.93	\$517.93	\$727.41	\$522.83	\$1,264.69	\$1,265.67	\$1,243.62	\$7,584.48
ATCNTY	\$279.55	\$801.64	\$938.35	\$160.97	\$2.21	\$328.55	\$2.21	\$317.77	\$320.71	\$276.61	\$3,428.57
AUGUSTA	\$460.60	\$411.60	\$777.88	\$104.37		\$504.21		\$492.45	\$502.99	\$483.14	\$3,737.24
BACNTY	\$808.99	\$27.93	\$809.97	\$3.92		\$568.16		\$811.69	\$827.86	\$750.68	\$4,609.20
BRCNTY	\$614.71	\$89.92	\$684.04	\$30.38	\$1.47	\$625.24	\$1.47	\$633.08	\$638.47	\$595.60	\$3,914.38
BTCNTY	\$2,816.03	\$28.91	\$2,812.11	\$23.52		\$3,129.88		\$2,890.76	\$2,911.09	\$2,764.34	\$17,376.64
BUCNTY	\$2,678.34	\$2,308.88	\$4,778.48	\$262.64	\$3.68	\$2,799.86	\$3.68	\$2,793.74	\$2,802.07	\$2,811.38	\$21,242.75
CACNTY	\$219.77	\$2.21	\$219.28			\$220.26		\$217.56	\$216.83	\$207.03	\$1,302.94
CFCNTY	\$2,215.54	\$56.11	\$710.01	\$44.35	\$1,502.83	\$728.63	\$1,498.18	\$2,129.79	\$2,240.04	\$2,184.91	\$13,310.39
CKCNTY	\$1,431.54	\$265.09	\$1,733.62	\$22.79		\$1,473.92		\$1,489.85	\$1,556.00	\$1,474.41	\$9,447.22
CMCNTY	\$196.49	\$3.92	\$197.47	\$0.25		\$194.53		\$196.98	\$199.92	\$189.88	\$1,179.44
CNCNTY	\$276.36	\$18.62	\$286.65	\$0.25		\$281.26		\$280.77	\$275.38	\$269.50	\$1,688.79
CONCORDIA	\$1,043.95	\$3.19	\$774.45	\$1.96	\$270.97	\$788.66	\$269.99	\$1,071.14	\$1,066.00	\$1,025.08	\$6,315.39
CQCNTY	\$290.08	\$44.35	\$337.37	\$2.45		\$298.66		\$300.86	\$306.01	\$297.19	\$1,876.97
CRCNTY	\$3,209.75	\$593.15	\$3,707.59	\$112.95		\$3,252.38		\$3,259.48	\$3,227.88	\$3,139.92	\$20,503.10
CSCNTY	\$288.61	\$12.50	\$204.33	\$8.58	\$88.45	\$207.76	\$88.94	\$294.25	\$298.41	\$292.04	\$1,783.87
CYCNTY	\$923.65	\$17.64	\$703.40	\$9.80	\$222.46	\$717.61	\$225.16	\$956.24	\$959.67	\$913.36	\$5,648.99
DCCNTY	\$321.20	\$2.21	\$319.97			\$323.40		\$326.83	\$328.06	\$308.70	\$1,930.37
DGCNTY	\$8,897.91	\$3,953.81	\$10,699.89	\$1,899.24		\$9,807.35		\$9,479.30	\$9,626.05	\$9,260.02	\$63,623.57
DKCNTY	\$2,100.39	\$19.85	\$1,467.55	\$47.29	\$579.43	\$1,561.63	\$595.11	\$2,173.15	\$2,190.79	\$2,074.42	\$12,809.61
DPCNTY	\$112.21	\$73.50	\$152.15	\$38.71		\$124.95		\$123.48	\$123.97	\$119.32	\$868.29
EDCNTY	\$353.05	\$3.92	\$350.60	\$0.98		\$361.38		\$364.81	\$365.54	\$335.16	\$2,135.44
EKCNTY	\$114.91	\$43.61	\$143.33	\$1.72		\$124.71		\$125.93	\$123.24	\$121.03	\$798.48
ELCNTY	\$3,595.38	\$25.73	\$3,571.13	\$21.07		\$3,631.15		\$3,658.83	\$3,633.35	\$3,430.00	\$21,566.88
EMPORIA	\$3,546.38	\$83.55	\$2,293.69	\$453.01	\$810.46	\$2,915.99	\$806.79	\$3,692.40	\$3,715.67	\$3,497.38	\$21,815.32
EWCNTY	\$718.10	\$8.58	\$595.35	\$4.41	\$119.32	\$602.95	\$120.54	\$731.33	\$736.23	\$699.97	\$4,336.78
FOCNTY	\$2,997.09	\$18.38	\$2,978.47	\$22.54		\$3,103.17		\$3,123.75	\$3,144.33	\$2,906.68	\$18,294.41
FRCNTY	\$2,766.54	\$121.28	\$1,273.27	\$1,208.59	\$254.31	\$2,952.25	\$252.60	\$3,010.56	\$3,124.98	\$2,753.07	\$17,717.45
FTLEAVEN	\$350.35	\$137.45	\$306.74	\$128.38		\$423.12		\$402.29	\$411.36	\$382.20	\$2,541.89
FTSCOTT	\$1,281.60	\$108.29	\$961.87	\$74.24	\$355.74	\$975.84	\$361.62	\$1,342.85	\$1,347.50	\$1,237.99	\$8,047.54
GARDENCITY	\$3,423.39	\$25.97	\$3,410.16	\$20.83		\$3,515.75		\$3,527.76	\$3,518.69	\$3,278.35	\$20,720.90
GECNTY	\$3,969.98	\$24.50	\$2,844.45	\$448.84	\$575.02	\$3,488.07	\$574.53	\$3,966.06	\$3,948.91	\$3,677.94	\$23,518.30
GHCNTY	\$431.94	\$0.98	\$425.32	\$0.98		\$434.88		\$437.82	\$441.49	\$423.61	\$2,597.02
GLCNTY	\$185.96	\$8.33	\$193.06			\$185.71		\$186.45	\$185.96	\$177.38	\$1,122.85
GOCNTY	\$394.94	\$0.98	\$393.72	\$0.98		\$397.39		\$400.09	\$403.76	\$382.20	\$2,374.06
GTCNTY	\$981.23	\$2.70	\$981.47	\$4.66		\$1,008.67		\$1,014.30	\$1,015.04	\$952.81	\$5,960.88
GWCNTY	\$608.09	\$86.00	\$583.10	\$9.07	\$96.29	\$530.18	\$95.55	\$628.92	\$629.90	\$597.07	\$3,864.17
GYCNTY	\$892.78	\$7.84	\$892.29	\$0.98		\$911.65		\$909.93	\$907.24	\$861.67	\$5,384.38
HGCNTY	\$211.44	\$0.98	\$212.17			\$210.46		\$214.38	\$216.34	\$201.39	\$1,267.16
HMCNTY	\$269.50	\$0.74	\$269.75	\$0.25		\$270.97		\$271.46	\$272.44	\$257.50	\$1,612.61
HPCNTY	\$487.80	\$71.05	\$517.44	\$8.09	\$23.77	\$473.83	\$24.99	\$507.64	\$513.28	\$490.49	\$3,118.38
HSCNTY	\$476.28	\$3.43	\$472.36	\$0.74		\$478.24		\$482.65	\$485.59	\$443.94	\$2,843.23
HVCNTY	\$2,943.68	\$404.50	\$3,047.31	\$30.63	\$256.52	\$2,733.71	\$254.56	\$2,996.11	\$3,007.13	\$2,973.81	\$18,647.96
INDEPENDENT	\$2,657.76	\$263.87	\$2,916.24	\$59.05		\$2,727.83		\$2,748.66	\$2,722.93	\$2,647.47	\$16,743.81
NTY	\$888.37	\$281.02	\$980.25	\$175.67		\$968.98		\$962.61	\$969.71	\$896.21	\$6,122.82
NTY	\$803.11	\$1,340.89	\$2,058.74	\$86.78		\$853.09		\$840.60	\$848.19	\$841.33	\$7,682.73
OCNTY	\$11,144.07	\$2,009.25	\$10,462.73	\$2,339.26	\$72.52	\$11,913.37	\$82.81	\$11,663.96	\$14,670.36	\$11,853.35	\$76,211.68
JWCNTY	\$333.20	\$2.94	\$265.09	\$0.49	\$69.34	\$268.03	\$69.09	\$335.65	\$339.08	\$321.93	\$2,004.84

PSAP	January 2005		February 2005			March 2005		April 2005	May 2005	June 2005	Total
	1	2	1	2	3	1	2	1	1	1	
TY	\$444.19	\$1.72	\$440.76	\$1.23		\$448.60		\$448.35	\$444.43	\$425.08	\$2,654.36
Y	\$787.19	\$42.88	\$781.55	\$16.17	\$28.91	\$784.98	\$28.91	\$825.16	\$834.72	\$788.90	\$4,919.37
Y	\$339.82	\$0.74	\$336.14	\$0.98		\$341.78		\$344.47	\$348.88	\$322.42	\$2,035.23
LARNED	\$751.17	\$9.31	\$746.52	\$2.94		\$758.28		\$762.44	\$759.75	\$709.28	\$4,499.69
LBCNTY	\$1,995.28	\$56.35	\$2,042.81	\$8.33		\$2,083.73		\$2,109.45	\$2,123.91	\$1,960.00	\$12,379.86
LCCNTY	\$371.91	\$1.23	\$320.95	\$1.23	\$51.70	\$322.91	\$50.23	\$377.55	\$381.22	\$370.44	\$2,249.37
LEAWOOD	\$4,035.64	\$937.13	\$4,285.05	\$598.54		\$4,238.01		\$4,147.12	\$4,164.76	\$4,157.16	\$26,563.41
LECNTY	\$279.06	\$0.74	\$276.12	\$0.25		\$278.08		\$280.28	\$286.16	\$272.20	\$1,672.89
LENEXA	\$7,101.08	\$1,659.14	\$7,985.53	\$1,183.84		\$8,035.76		\$7,883.12	\$8,556.87	\$7,986.76	\$50,392.10
LGCNTY	\$461.34	\$0.74	\$457.17	\$1.23		\$464.28		\$466.73	\$469.18	\$445.17	\$2,765.84
LNCNTY	\$846.23	\$74.97	\$463.79	\$221.48	\$208.74	\$735.74	\$208.50	\$926.35	\$933.45	\$838.64	\$5,457.89
LVCNTY	\$2,258.17	\$1,813.98	\$3,351.36	\$702.91		\$2,666.34		\$2,578.63	\$2,609.99	\$2,498.51	\$18,479.89
LWORTH	\$1,333.05	\$1,033.90	\$1,906.59	\$470.40		\$1,560.16		\$1,514.59	\$1,545.71	\$1,447.71	\$10,812.11
MCCNTY	\$859.71	\$3.68	\$767.83	\$2.21	\$88.20	\$784.49	\$87.22	\$877.35	\$877.59	\$835.45	\$5,183.73
MECNTY	\$490.00	\$5.88	\$489.02	\$0.49		\$496.86		\$495.88	\$498.82	\$464.28	\$2,941.23
MICNTY	\$3,760.02	\$185.96	\$1,308.79	\$2,219.95	\$140.88	\$4,452.88	\$138.43	\$4,247.08	\$4,448.71	\$3,817.59	\$24,720.29
MNCNTY	\$1,101.52	\$70.81	\$997.89	\$18.62	\$146.51	\$987.84	\$143.57	\$1,147.34	\$1,169.88	\$1,109.36	\$6,893.34
MPCNTY	\$3,501.30	\$73.99	\$2,683.00	\$24.75	\$833.74	\$2,725.38	\$835.21	\$3,588.27	\$3,603.46	\$3,491.50	\$21,360.60
MRCNTY	\$744.80	\$14.46	\$451.05	\$4.17	\$296.45	\$455.70	\$300.13	\$760.24	\$765.38	\$729.61	\$4,521.99
MSCNTY	\$1,029.00	\$14.70	\$579.92	\$4.17	\$462.32	\$580.65	\$465.50	\$1,056.44	\$1,060.36	\$1,042.72	\$6,295.78
MTCNTY	\$262.40	\$7.84	\$255.05	\$1.23		\$249.90		\$250.39	\$250.15	\$242.06	\$1,519.02
NMCNTY	\$746.27	\$32.34	\$628.18	\$5.15	\$142.59	\$618.14	\$142.84	\$770.28	\$785.47	\$752.89	\$4,624.15
NOCNTY	\$1,656.20	\$23.52	\$1,660.61	\$9.80		\$1,700.55		\$1,726.27	\$1,747.10	\$1,596.91	\$10,120.96
NSCNTY	\$510.58	\$0.49	\$509.11	\$0.25		\$512.54		\$517.93	\$517.20	\$495.64	\$3,063.74
NTCNTY	\$605.64	\$1.72	\$601.72	\$2.70		\$612.01		\$617.16	\$615.93	\$585.55	\$3,642.43
OBCNTY	\$527.49	\$2.70	\$526.51			\$540.23		\$545.37	\$551.01	\$504.95	\$3,198.26
OLATHE	\$13,309.63	\$3,348.17	\$13,084.47	\$3,061.52		\$14,752.19		\$14,168.60	\$14,438.59	\$14,009.84	\$90,173.01
OLPARK	\$22,967.53	\$5,090.37	\$23,444.30	\$4,056.47		\$24,513.48		\$23,912.74	\$24,529.16	\$23,577.58	\$152,091.63
OSCNTY	\$799.19	\$943.99	\$1,698.83	\$107.80	\$0.49	\$854.32	\$0.25	\$849.17	\$847.70	\$807.03	\$6,908.77
OTCNTY	\$745.29	\$5.15	\$617.16	\$4.90	\$123.24	\$636.76	\$121.03	\$767.59	\$771.26	\$722.75	\$4,515.13
PLCNTY	\$654.15	\$6.13	\$652.68	\$1.72		\$662.24		\$661.99	\$661.01	\$640.19	\$3,940.11
PRAIRIEV	\$3,018.89	\$703.64	\$3,087.74	\$494.90		\$3,175.20		\$3,094.84	\$3,097.29	\$3,076.96	\$19,749.46
PRCNTY	\$1,126.76	\$16.66	\$1,140.23			\$1,150.28		\$1,160.08	\$1,166.69	\$1,091.23	\$6,851.93
PTCNTY	\$3,113.95	\$100.70	\$2,254.98	\$203.84	\$714.91	\$2,495.57	\$715.65	\$3,226.41	\$3,240.62	\$3,124.00	\$19,190.63
RACNTY	\$264.60	\$2.70	\$263.62			\$265.83		\$267.54	\$272.44	\$261.66	\$1,598.39
RCCNTY	\$1,484.95	\$13.97	\$852.11	\$4.90	\$430.96	\$879.55	\$678.65	\$1,415.37	\$1,454.32	\$1,348.48	\$8,563.26
RHCNTY	\$442.47	\$1.23	\$441.49	\$1.23		\$444.92		\$446.39	\$448.60	\$431.20	\$2,657.53
RLCNTY	\$5,183.22	\$75.95	\$3,258.01	\$631.12	\$1,159.10	\$4,128.99	\$1,175.51	\$5,197.68	\$5,212.13	\$5,021.52	\$31,043.23
RNCNTY	\$6,489.32	\$137.20	\$5,179.06	\$95.80	\$1,276.94	\$5,336.59	\$1,289.19	\$6,699.53	\$6,722.07	\$6,443.26	\$39,668.96
ROCNTY	\$623.04	\$6.13	\$621.08	\$2.21		\$632.84		\$636.27	\$633.08	\$605.15	\$3,759.80
RPCNTY	\$596.82	\$6.37	\$326.10	\$0.49	\$267.79	\$335.41	\$268.28	\$607.36	\$611.28	\$583.59	\$3,603.49
RSCNTY	\$807.52	\$4.41	\$803.36	\$5.39		\$826.39		\$826.39	\$830.80	\$777.14	\$4,881.40
SACNTY	\$6,428.31	\$48.76	\$4,713.07	\$178.12	\$1,551.59	\$5,018.09	\$1,550.61	\$6,610.84	\$6,609.12	\$6,306.79	\$39,015.30
SCCNTY	\$681.10	\$1.23	\$677.43	\$1.72		\$682.08		\$694.33	\$693.84	\$660.77	\$4,092.50
SDCNTY	\$350.60	\$1.72	\$350.84			\$351.09		\$354.27	\$355.50	\$336.88	\$2,100.90
SFCNTY	\$522.34	\$3.19	\$519.65	\$1.47		\$540.47		\$544.64	\$550.76	\$501.52	\$3,184.04
SGCNTY	\$29,798.86	\$14,257.78	\$42,546.95	\$1,942.12		\$31,204.67		\$30,924.15	\$31,127.99	\$31,562.86	\$213,365.38
SHAWNEE	\$6,373.19	\$1,790.71	\$7,094.96	\$1,298.50		\$7,003.82		\$6,795.57	\$6,851.43	\$6,720.84	\$43,929.02
Y	\$734.02	\$9.56	\$738.19	\$1.23		\$741.13		\$746.27	\$752.40	\$719.32	\$4,442.12
Y	\$442.72	\$2.21	\$442.96	\$0.25		\$440.27		\$444.19	\$447.13	\$429.49	\$2,649.22
STATEWIDE	\$12,691.74	\$8,068.10	\$19,265.33	\$1,670.66		\$13,744.50		\$13,637.19	\$13,700.16	\$13,558.79	\$96,336.47
STATEWIDE	\$2,018.31	\$1,349.46	\$1,258.08	\$1,507.73	\$7.60	\$2,456.86	\$7.60	\$477.26	\$2,046.49	\$1,169.14	\$12,298.53

PSAP	January 2005		February 2005			March 2005		April 2005	May 2005	June 2005	Total
	1	2	1	2	3	1	2	1	1	1	
S	\$272.44	\$3.43	\$270.24	\$0.74		\$272.44		\$270.97	\$266.81	\$266.81	\$1,623.88
S	\$1,813.25	\$429.24	\$1,967.84	\$114.17	\$151.90	\$1,720.15	\$152.39	\$1,875.23	\$1,882.09	\$1,829.42	\$11,935.68
S	\$626.22	\$4.90	\$627.20	\$2.45		\$639.70		\$642.88	\$641.90	\$611.03	\$3,796.28
SWCNTY	\$1,956.57	\$13.97	\$1,934.03	\$15.44		\$1,997.98		\$2,009.74	\$2,019.05	\$1,883.07	\$11,829.85
THCNTY	\$882.98	\$5.64	\$880.04	\$3.92		\$901.60		\$910.91	\$911.16	\$861.42	\$5,357.67
TRCNTY	\$254.31	\$0.74	\$250.15	\$0.98		\$255.29		\$257.25	\$260.68	\$250.39	\$1,529.79
UNIFIED	\$12,875.49	\$4,146.38	\$13,338.54	\$3,538.78		\$14,697.31		\$14,233.77	\$14,408.94	\$13,821.19	\$91,060.40
WACNTY	\$180.08	\$2.94	\$183.02			\$185.47		\$188.41	\$189.39	\$181.06	\$1,110.37
WBCNTY	\$385.39	\$149.94	\$403.03	\$30.63	\$103.88	\$301.60	\$104.37	\$410.87	\$408.17	\$402.05	\$2,699.93
WHCNTY	\$252.60	\$0.25	\$252.60	\$0.49		\$263.38		\$257.25	\$257.01	\$243.78	\$1,527.36
WINFIELD	\$1,916.88	\$114.42	\$1,273.76	\$3.19	\$842.31	\$1,211.53	\$896.70	\$1,982.30	\$2,078.09	\$2,009.49	\$12,328.67
WLCNTY	\$592.41	\$29.40	\$610.30	\$9.56	\$0.25	\$613.24	\$0.25	\$622.30	\$599.76	\$578.69	\$3,656.16
WOCNTY	\$408.42	\$9.31	\$336.63	\$1.72	\$76.93	\$334.67	\$79.38	\$418.22	\$422.63	\$392.00	\$2,479.91
WSCNTY	\$717.36	\$9.56	\$478.49	\$0.98	\$245.74	\$475.79	\$247.45	\$729.12	\$726.67	\$715.40	\$4,346.56
Total	\$261,420.66	\$61,285.34	\$271,650.64	\$32,660.01	\$15,707.06	\$261,885.46	\$16,100.04	\$272,030.89	\$279,840.99	\$266,317.46	\$1,738,898.55

Notes: JOCNTY, LEAWOOD, LENEXA, OLATHE, OLPARK, PRAIRIEV, and SHAWNEE all go to Johnson County. True JO Total: \$439,360.85

- Pawnee County is represented by LARNED.
- Montgomery County is represented by INDEPEND.
- Wyandotte County is represented by UNIFIED.
- Finney County is represented by GARDENCITY.
- Lyon County is represented by EMPORIA.
- Cloud County is represented by CONCORDIA.
- Bourbon County is represented by FTSCOTT.
- Cowley County is represented by ARKCITY and WINFIELD.



League of Kansas Municipalities

To: House Utilities Committee
From: Kimberly Winn, Director of Policy Development & Communications
Date: January 18, 2006
Re: Enhanced Wireless 911

Thank you for the opportunity to appear before you today to discuss the deployment of enhanced wireless 911 in Kansas. Since the passage of the wireless E-911 legislation two years ago, we have seen amazing strides toward deployment. LKM's role in this process has been focused on the Public Safety Answering Points (PSAPs) in the following areas:

- **Internal Accounting.** Since enactment, we have been handling the accounting for the local portion of the enhanced wireless 911 fees. Each month we distribute 116 checks to PSAPs. Beginning this month, most of those will be sent electronically. We will also be making some of the technical changes as suggested in the audit that has just been completed.
- **Training.** Together with the KAC, we have hosted numerous training events and distributed training materials. As soon as Legislative Post Audit completes its 2006 survey of deployment, we are going to schedule additional trainings focused on the areas of greatest need as identified by the survey.
- **Deployment Figures.** Representatives at SBC estimate that by the end of the year 2006, 75% of the PSAPs served by SBC will be live with Phase 1 or 2 deployment.

Pre-legislation	4% of PSAPs had wireless Phase 1 or 2
Post-legislation	31% of PSAPs are live with Phase 1 or 2
	17% have requested Phase II
	27% are expected to request Phase II in 2006

The SBC representative had this to say about jumping from 4% to 75% deployment in two years: "In my experience with all 5 Southwestern Bell states, that is a phenomenal rate of deployment."

- **2006 Legislature.** We believe that there are two issues that the 2006 Legislature should address.
 - (1) **HB 2590.** We support the inclusion of VOIP in the 911 system in Kansas.
 - (2) **Extend Deadline.** Under current law, a PSAP must make a valid request for services by July 1, 2006 or return the monies received to date. While we are making amazing progress, this deadline is simply approaching too quickly for all 116 PSAPs to accomplish this goal by this deadline. We would support an extension of the deadline in order to have more time to assist the remaining PSAPs with their deployment efforts.

Local Fee PSAP Payments: 2005

	July 2005	August 2005	September 2005	October 2005	November 2005	December 2005	Total
PSAP	1	1	1	1	1	1	
TY	\$1,495.73	\$1,551.59	\$1,552.32	\$1,593.48	\$1,606.96		\$7,800.08
NTY	\$614.95	\$624.51	\$625.73	\$2,310.35	\$669.59		\$4,845.13
ANDOVER	\$696.54	\$701.44	\$704.62	\$1,059.63	\$1,204.91		\$4,367.14
ARKCITY	\$1,316.88	\$1,336.48	\$1,330.84	\$1,419.78	\$1,450.16		\$6,854.14
ATCNTY	\$322.42	\$322.67	\$323.65	\$1,828.68	\$1,369.55		\$4,166.97
AUGUSTA	\$513.03	\$517.93	\$517.93	\$863.14	\$1,034.39		\$3,446.42
BACNTY	\$850.40	\$865.59	\$888.37	\$905.52	\$895.48		\$4,405.36
BRCNTY	\$658.32	\$681.84	\$686.74	\$1,335.50	\$838.88		\$4,201.28
BTCNTY	\$2,985.57	\$3,076.22	\$3,084.06	\$3,116.65	\$3,114.20		\$15,376.70
BUCNTY	\$2,890.51	\$2,921.38	\$2,940.74	\$5,002.17	\$5,802.83		\$19,557.63
CACNTY	\$218.05	\$222.22	\$221.73	\$222.95	\$209.72		\$1,094.67
CFCNTY	\$1,474.90	\$2,237.10	\$2,184.18	\$2,228.28	\$2,249.84		\$10,374.30
CKCNTY	\$1,495.24	\$1,498.91	\$1,506.26	\$1,827.95	\$1,875.97		\$8,204.33
CMCNTY	\$203.11	\$206.54	\$207.27	\$210.46	\$209.48		\$1,036.86
CNCNTY	\$287.39	\$304.54	\$304.78	\$310.42	\$309.19		\$1,516.32
CONCORDIA	\$1,110.83	\$1,125.04	\$1,132.64	\$1,140.23	\$1,144.89		\$5,653.63
CQCNTY	\$300.86	\$305.03	\$306.25	\$438.80	\$404.74		\$1,755.68
CRCNTY	\$3,277.61	\$3,336.17	\$3,332.49	\$3,928.33	\$4,029.52		\$17,904.12
CSCNTY	\$314.58	\$315.81	\$322.91	\$332.47	\$338.35		\$1,624.12
CYCNTY	\$981.96	\$1,001.32	\$1,004.75	\$1,023.61	\$1,045.91		\$5,057.55
DCCNTY	\$328.55	\$333.94	\$335.41	\$343.00	\$333.45		\$1,674.35
DGCNTY	\$9,677.26	\$9,693.92	\$9,677.26	\$10,694.74	\$14,294.28		\$54,037.46
DKCNTY	\$2,241.26	\$2,298.10	\$2,311.58	\$2,335.10	\$2,363.03		\$11,549.07
DPCNTY	\$124.46	\$126.18	\$125.69	\$971.67	\$633.33		\$1,981.33
EDCNTY	\$373.38	\$379.75	\$381.47	\$385.39	\$380.00		\$1,899.99
EKCNTY	\$133.53	\$137.69	\$141.12	\$159.74	\$159.74		\$731.82
ELCNTY	\$3,711.75	\$3,863.16	\$3,880.31	\$3,902.12	\$3,804.61		\$19,161.95
EMPORIA	\$3,803.63	\$3,904.81	\$3,909.71	\$4,066.27	\$4,136.09		\$19,820.51
EWCNTY	\$756.56	\$779.59	\$777.39	\$784.74	\$787.92		\$3,886.20
FOCNTY	\$3,204.85	\$3,272.47	\$3,216.61	\$3,331.27	\$3,314.36		\$16,339.56
FRCNTY	\$3,045.84	\$3,070.10	\$3,030.65	\$3,409.42	\$3,520.41		\$16,076.42
FTSCOTT	\$1,368.57	\$1,391.60	\$1,380.58	\$1,566.04	\$1,581.23		\$7,288.02
GARDENCITY	\$3,576.27	\$3,678.68	\$3,743.36	\$3,760.51	\$3,739.93		\$18,498.75
GECNTY	\$3,998.16	\$4,020.70	\$3,990.07	\$4,100.32	\$4,153.49		\$20,262.74
GHCNTY	\$452.76	\$459.13	\$460.11	\$448.60	\$431.20		\$2,251.80
GLCNTY	\$192.57	\$193.06	\$192.33	\$212.42	\$191.59		\$981.97
GOCNTY	\$408.42	\$414.05	\$411.85	\$413.32	\$404.99		\$2,052.63
GTCNTY	\$1,034.64	\$1,097.85	\$1,122.10	\$1,113.28	\$1,118.18		\$5,486.05
GWCNTY	\$651.21	\$666.89	\$676.69	\$763.91	\$776.16		\$3,534.86
GYCNTY	\$916.79	\$930.27	\$924.39	\$940.07	\$924.63		\$4,636.15
HGCNTY	\$219.28	\$224.42	\$222.95	\$229.08	\$227.12		\$1,122.85
HMCNTY	\$277.59	\$277.83	\$277.59	\$288.12	\$278.81		\$1,399.94
NTY	\$529.20	\$543.90	\$549.05	\$605.15	\$610.54		\$2,837.84
ITY	\$484.37	\$501.27	\$502.25	\$503.97	\$504.95		\$2,496.81
NTY	\$3,144.82	\$3,191.86	\$3,207.30	\$3,631.64	\$3,865.86		\$17,041.48
INDEPEND	\$2,741.06	\$2,743.76	\$2,736.65	\$4,003.55	\$3,613.51		\$15,838.53

	July 2005	August 2005	September 2005	October 2005	November 2005	December 2005	Total
PSAP	1	1	1	1	1	1	
ITY	\$992.74	\$1,006.95	\$1,008.67	\$1,420.02	\$1,357.55		\$5,785.93
ITY	\$873.67	\$873.43	\$877.59	\$2,137.38	\$2,462.25		\$7,224.32
JWCNTY	\$12,288.96	\$12,687.82	\$12,714.77	\$15,518.79	\$16,395.16		\$69,605.50
JWCNTY	\$344.47	\$354.27	\$356.23	\$358.93	\$359.91		\$1,773.81
KECNTY	\$457.42	\$470.89	\$475.06	\$479.96	\$476.28		\$2,359.61
KMCNTY	\$868.04	\$884.94	\$894.01	\$938.11	\$947.42		\$4,532.52
KWCNTY	\$351.33	\$357.46	\$356.23	\$361.38	\$362.11		\$1,788.51
LARNED	\$772.49	\$804.34	\$809.48	\$817.81	\$818.06		\$4,022.18
LBCNTY	\$2,167.76	\$2,193.00	\$2,192.51	\$2,347.84	\$2,368.66		\$11,269.77
LCCNTY	\$400.82	\$412.58	\$419.20	\$417.24	\$418.71		\$2,068.55
LEAWOOD	\$4,313.72	\$4,324.25	\$4,292.89	\$5,165.09	\$5,445.86		\$23,541.81
LECNTY	\$288.86	\$293.02	\$293.27	\$293.27	\$292.29		\$1,460.71
LENEXA	\$8,275.61	\$8,324.12	\$8,279.04	\$10,211.85	\$10,754.77		\$45,845.39
LGCNTY	\$475.30	\$483.63	\$485.84	\$488.04	\$477.75		\$2,410.56
LNCNTY	\$922.67	\$921.45	\$915.57	\$1,010.87	\$1,088.05		\$4,858.61
LVCNTY	\$2,665.85	\$2,675.40	\$2,677.36	\$4,916.66	\$5,341.74		\$18,277.01
LWORTH	\$1,972.74	\$1,997.98	\$1,988.91	\$3,565.98	\$3,667.41		\$13,193.02
MCCNTY	\$901.60	\$917.77	\$922.43	\$927.33	\$927.57		\$4,596.70
MECNTY	\$507.64	\$522.83	\$522.10	\$527.00	\$524.30		\$2,603.87
MICNTY	\$4,291.67	\$4,296.81	\$4,238.50	\$5,685.72	\$5,030.10		\$23,542.80
MNCNTY	\$1,246.56	\$1,277.68	\$1,294.58	\$1,358.77	\$1,369.55		\$6,547.14
MPCNTY	\$3,713.71	\$3,835.48	\$3,829.11	\$3,912.65	\$3,926.37		\$19,217.32
MRCNTY	\$776.90	\$800.66	\$800.42	\$806.05	\$811.20		\$3,995.23
MSCNTY	\$1,100.30	\$1,117.69	\$1,115.24	\$1,129.45	\$1,150.52		\$5,613.20
MTCNTY	\$256.27	\$260.44	\$262.64	\$271.95	\$274.40		\$1,325.70
NMCNTY	\$821.49	\$849.42	\$859.22	\$897.68	\$898.91		\$4,326.72
NOCNTY	\$1,779.44	\$1,817.41	\$1,839.71	\$1,902.43	\$1,904.39		\$9,243.38
NSCNTY	\$520.38	\$526.26	\$524.55	\$514.75	\$496.86		\$2,582.80
NTCNTY	\$625.00	\$595.11	\$595.35	\$570.36	\$544.15		\$2,929.97
OBCNTY	\$558.11	\$568.40	\$571.10	\$573.79	\$568.16		\$2,839.56
OLATHE	\$14,730.87	\$14,812.70	\$14,677.95	\$18,346.58	\$19,008.82		\$81,576.92
OLPARK	\$24,594.08	\$24,716.34	\$24,478.20	\$29,865.99	\$31,008.18		\$134,662.79
OSCNTY	\$849.91	\$846.97	\$841.09	\$1,860.78	\$1,979.60		\$6,378.35
OTCNTY	\$782.78	\$809.24	\$812.67	\$814.14	\$820.26		\$4,039.09
PLCNTY	\$684.78	\$695.56	\$699.23	\$708.05	\$658.32		\$3,445.94
PRAIRIEV	\$3,202.15	\$3,214.16	\$3,204.85	\$3,896.48	\$4,004.28		\$17,521.92
PRCNTY	\$1,195.36	\$1,222.06	\$1,229.66	\$1,238.48	\$1,240.44		\$6,126.00
PTCNTY	\$3,353.56	\$3,442.25	\$3,455.97	\$3,582.15	\$3,616.69		\$17,450.62
RACNTY	\$283.96	\$295.23	\$294.74	\$295.72	\$292.78		\$1,462.43
RCCNTY	\$1,179.43	\$1,426.88	\$1,532.97	\$1,538.11	\$1,534.93		\$7,212.32
RHCNTY	\$455.21	\$463.30	\$462.32	\$448.60	\$428.75		\$2,258.18
RLCNTY	\$5,374.81	\$5,418.42	\$5,468.16	\$5,573.75	\$5,731.53		\$27,566.67
RPCNTY	\$6,963.15	\$7,142.49	\$7,157.19	\$7,299.53	\$7,357.35		\$35,919.71
NTY	\$652.19	\$658.32	\$663.46	\$654.15	\$630.88		\$3,259.00
NTY	\$614.22	\$622.06	\$622.79	\$629.65	\$629.41		\$3,118.13
RCNTY	\$844.27	\$863.63	\$868.53	\$878.33	\$866.57		\$4,321.33
SACNTY	\$6,766.17	\$6,936.69	\$6,986.91	\$7,072.91	\$7,104.51		\$34,867.19

17-2

	July 2005	August 2005	September 2005	October 2005	November 2005	December 2005	Total
PSAP	1	1	1	1	1	1	
S'	\$706.58	\$715.40	\$719.57	\$724.47	\$725.69		\$3,591.71
S.	\$357.95	\$366.77	\$367.99	\$359.91	\$355.01		\$1,807.63
SFCNTY	\$556.89	\$566.69	\$572.57	\$574.77	\$578.69		\$2,849.61
SGCNTY	\$32,441.68	\$32,859.16	\$33,103.18	\$46,109.25	\$57,530.66		\$202,043.93
SHAWNEE	\$7,022.68	\$7,052.08	\$7,046.20	\$9,083.13	\$9,257.82		\$39,461.91
SHCNTY	\$771.26	\$788.66	\$793.31	\$797.23	\$796.25		\$3,946.71
SMCNTY	\$453.25	\$462.81	\$464.77	\$467.71	\$454.48		\$2,303.02
SNCNTY	\$14,066.92	\$14,231.07	\$14,297.96	\$21,968.42	\$23,516.82		\$88,081.19
STATEWIDE	\$2,048.20	\$2,190.79	\$876.12	\$3,765.41	\$2,118.27		\$10,998.79
STCNTY	\$274.40	\$288.61	\$305.03	\$285.43	\$283.71		\$1,437.18
SUCNTY	\$1,947.02	\$1,981.56	\$2,006.06	\$2,449.76	\$2,541.63		\$10,926.03
SVCNTY	\$653.66	\$669.34	\$668.12	\$669.10	\$671.55		\$3,331.77
SWCNTY	\$2,055.55	\$2,127.58	\$2,165.56	\$2,184.91	\$2,160.90		\$10,694.50
THCNTY	\$935.90	\$956.73	\$965.06	\$972.41	\$964.57		\$4,794.67
TRCNTY	\$270.97	\$280.04	\$282.24	\$280.28	\$267.54		\$1,381.07
UNIFIED	\$14,561.09	\$14,578.24	\$14,488.57	\$18,780.23	\$19,537.28		\$81,945.41
WACNTY	\$194.53	\$202.13	\$203.60	\$206.29	\$205.56		\$1,012.11
WBCNTY	\$433.41	\$441.49	\$445.90	\$595.11	\$606.38		\$2,522.29
WHCNTY	\$260.93	\$273.91	\$273.67	\$275.87	\$275.63		\$1,360.01
WINFIELD	\$2,169.72	\$2,212.60	\$2,218.23	\$2,332.40	\$2,358.13		\$11,291.08
WLCNTY	\$632.10	\$638.23	\$639.70	\$933.21	\$876.12		\$3,719.36
WOCNTY	\$429.98	\$440.27	\$441.25	\$454.23	\$458.64		\$2,224.37
WSCNTY	\$751.42	\$757.30	\$754.85	\$763.18	\$770.53		\$3,797.28
Total	\$281,460.17	\$286,466.56	\$285,330.51	\$353,325.10	\$371,639.59	\$0.00	\$1,578,221.93

Notes: True JO Total: \$394,694.32

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Testimony on HB 2590 - VoIP Providers and E-911

January 18, 2006

House Utilities Committee

Mr. Chairman, Members of the Committee: HB 2590 recognizes that the telecommunications opportunities for many Kansans continue to evolve. Voice over Internet Protocol (VoIP), simply stated, is talking over computer lines instead of the traditional or wireless telephone systems. As you know from looking at your telephone and cellular phone bills, those customers contribute to the development and maintenance of the emergency responder service or E 911. At the present time, VoIP providers and customers do not contribute to the E 911 fund.

Funding the E 911 program is essential to maintain public safety officers' ability to locate and provide emergency police, fire, and health care services to persons in distress. Without funding from VoIP customers, as consumers switch to VoIP services, the remaining land line and wireless customers would pay a disproportionate share of E 911 operating costs.

The Federal Communications Commission (FCC) ordered all Internet phone carriers to make their VoIP services E 911 capable. This order followed several well publicized situations where people called 911 using their computer-based telecommunications system and the calls did not go to the local PSAP. Emergency service personnel never received the call and assistance was not sent. In response to the FCC order, AT&T and other companies have rolled out equipment and procedures to make sure that VoIP users are connected to the local PSAP and thus to emergency personnel.

HB 2590 requires that VoIP providers pay .50 cents per month per subscriber whose primary address (billing address) is in Kansas. This is the same fee paid by wireless providers. The money collected from VoIP providers have the same expenditure restrictions as those funds collected by land line and wireless providers — essentially to assist PSAPs receive and handle E 911 calls.

The FCC has determined that VoIP calls must be automatically routed to the appropriate PSAP, VoIP providers are heavily marketing their communications services, and it is philosophically and ethically important that those persons using VoIP capable communications devices contribute to the service that may save their lives — the E 911 service. This fee is equitable and essential to maintain the E 911 service; I ask for your support of HB 2590.

The AT&T representative will offer some technical clarifications for definitions specified in the bill. I agree with their recommendations. Thank you for your attention and consideration. I will be pleased to respond to questions at the appropriate time.

HOUSE UTILITIES


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1/18/06

ATTACHMENT

3

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AT&T solves VoIP's 911 issue

By Leslie Cauley, USA TODAY

NEW YORK — AT&T says it's solved a problem that has dogged Internet-based phone service: how to provide emergency 911 to people who use VoIP — short for Voice over Internet Protocol — on the road.

The problem: VoIP users who call 911 from hotels and other remote sites sometimes can't be found by 911 operators. That's because the correct locations of these "nomadic" users don't show up on operators' screens.

The Federal Communications Commission has given Internet phone carriers until Nov. 28 to make their VoIP services 911-capable. AT&T's rival carriers are still working on the problem.

The national 911 service uses databases crammed with customers' home addresses to pinpoint the location of callers. VoIP is mobile. So home addresses are meaningless if a customer uses an Internet phone in a different location.

AT&T, which invented the USA's 911 service in 1968, estimates that about 5% of its 53,000 VoIP customers use the service on the road. There are about 2 million VoIP users nationwide.

"That is the bane of everybody's existence," says Robert Quinn, an AT&T vice president.

AT&T's nomadic solution, called Heartbeat, uses its Internet network to track the location of users. Here's how it works:

When VoIP customers power down, AT&T's network will automatically suspend VoIP service. Once the phone adapter is plugged back in, AT&T will ask the user to verify his or her location.

For customers who indicate they haven't moved, service will be instantly restored. If they have moved, they'll be directed to an 800 number or a Web page to register the



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new location.

AT&T's VoIP units — sold under the CallVantage name — are programmed to contact the carrier's global network once every 24 hours. During these communications, AT&T sends software upgrades and does maintenance.

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Heartbeat works off that same protocol, Quinn notes.

AT&T's solution isn't foolproof. If a customer fails to verify he's moved to a remote location, AT&T has no way to check, Quinn says.

The plan also has a limited reach. CallVantage now connects to about 50% of the "public safety administration points" that administer the 911 program. Those who travel outside that footprint will immediately lose service, Quinn says.

Quinn allows that AT&T's fix "isn't the most elegant solution." Still, he says, AT&T is hopeful it will help educate the public about VoIP, particularly the 911 limitations.

AT&T, which has been sold to SBC — the deal could close as early as next month — is open to licensing its Heartbeat solution to other carriers, Quinn says.

The letter outlining the Heartbeat plan was sent to the FCC on Friday. Quinn says AT&T developed the plan after talking with FCC Chairman Kevin Martin.

Vonage, the USA's biggest VoIP player, is working with vendors to meet the FCC's Nov. 28 deadline. Spokeswoman Brooke Schulz says Vonage's 911 plans are "moving along nicely."

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Main Identity

From: "Mary Galligan" <MaryG@klrd.state.ks.us>
To: <kuet@aol.com>; <RepCarl@aol.com>; <joshuasvaty@hotmail.com>; "Jim Morrison" <Morrison@house.state.ks.us>; "Athena Andaya" <AthenaA@klrd.state.ks.us>; <carlkreh@mtelco.net>; <glsloan@prodigy.net>; "Mary Torrence" <MaryT@rs.state.ks.us>; "Jay Emler" <Emler@senate.state.ks.us>
Sent: Wednesday, November 16, 2005 12:29 PM
Subject: FCC/NARUC Task Force on VoIP 911 Enforcement Website

The Joint FCC/NARUC Task Force on VoIP 911 Enforcement has launched a new Web site to provide consumers, industry and state and local governments information about the rules that require certain providers of Voice over Internet Protocol (VoIP) services to supply 911 emergency calling capabilities to their customers. The Web address is www.voip911.gov.

The ability to access emergency services by dialing 911 is a vital component of public safety and emergency preparedness. VoIP service allows consumers to place a call like traditional telephone service; however, recent incidents in which consumers using VoIP service dialed 911 but were unable to reach emergency operators have highlighted a critical public safety gap. The FCC has taken steps to close this gap by requiring that, effective November 28, 2005, interconnected VoIP providers deliver all 911 calls to the customer's local emergency operator. Interconnected VoIP providers must also provide the customer's call back number and location information to the emergency operator if the emergency operator is capable of receiving this information.

FCC Chairman Kevin J. Martin said, "Anyone who dials 911 has a reasonable expectation that he or she will be connected to an emergency operator; this expectation exists whether that person is dialing 911 from a traditional wireline phone, a wireless phone, or a VoIP phone. This new Web site will provide an easy way for consumers, industry and other government agencies to get the most current information on this important issue."

Main Identity

From: "Mary Galligan" <MaryG@klrd.state.ks.us>
To: <kuet@aol.com>; <RepCarl@aol.com>; <joshuasvaty@hotmail.com>; "Jim Morrison" <Morrison@house.state.ks.us>; "Athena Andaya" <AthenaA@klrd.state.ks.us>; <carlkreh@mtelco.net>; <glsloan@prodigy.net>; "Mary Torrence" <MaryT@rs.state.ks.us>; "Jay Emler" <Emler@senate.state.ks.us>
Sent: Saturday, January 14, 2006 9:29 AM
Subject: S&P Cuts Verizon Credit Rating

The Wall Street Journal

January 13, 2006 3:02 p.m. EST

S&P Cuts Verizon Credit Rating

WALL STREET JOURNAL ONLINE NEWS ROUNDUP

January 13, 2006 3:02 p.m.; Page A6

Standard & Poor's Corp. lowered its credit rating for Verizon Communications Inc. and said other phone companies are in danger of downgrades, amid competition from Internet-based phone services.

S&P lowered Verizon's corporate credit rating one notch to an A, with a negative outlook, from a previous rating of an A+. It also lowered long-term credit ratings for Verizon Wireless.

The agency said credit ratings for AT&T Inc., BellSouth Corp., Cingular Wireless and CenturyTel Inc. were under review for potential one-notch downgrades. S&P said its moves would affect more than \$100 billion in debt.

In its statement, S&P said the traditional phone business has been undermined by voice-over-Internet-protocol technology and wireline providers will continue to lose customers to cable operators, which are rolling out Internet-based phone services. "In the battle between telephone and cable, the early advantage should go to cable," S&P said.

In December, Moody's Investors Service downgraded the long- and short-term debt ratings of Verizon, citing increased competition from cable operators as well as the high cost and slow pace of Verizon's multibillion-dollar effort to upgrade its network with fiber optics.

These actions could fuel investors who already are critical of Verizon's expensive plans to replace its copper network with fiber to offer a wide range of new services like television. Investors' concerns also could force Verizon to shed low- or no-growth assets such as landlines in rural areas to collect cash to reduce debt.

In a statement Friday, Verizon said it disagreed with S&P's ratings, which "reflect more of an overall industry view than the reality of Verizon's present performance and future prospects." The company added that it doesn't expect the downgrades to change its ability to borrow money as needed in the credit markets.

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Testimony of Timothy S. Pickering, General Attorney – SBC Kansas
220 SE 6th Street, Topeka, Kansas 66603 (785) 276-8411
Regarding HB 2590
Before the House Utilities Committee
January 18, 2006

Chairman Holmes and members of the Committee, good morning. My name is Tim Pickering and I am the General Attorney for AT&T Kansas. We appreciate the opportunity to speak to you today on House Bill 2590 and Voice over Internet Protocol Services (VoIP) and 911 services.

I. What is VoIP Service?

You have all heard about VoIP services, which are offered by an ever increasing number of providers, including cable companies, some traditional phone companies, and start-ups, like Vonage. In today's marketplace, there are numerous types of VoIP services. Some VoIP services are purely computer to computer applications, such as those used for gaming (Microsoft's Xbox Live), and to enhance instant messaging. These VoIP services do not use telephone numbers and cannot make calls to or receive calls from the public switched telephone network (PSTN). However, other VoIP services perform functions similar to traditional wireline voice calls made over the PSTN. These services allow customers to send and receive voice communications, and access other features like caller ID and voicemail, over the Internet.

A few additional points on the VoIP services that connect with the PSTN. First, VoIP customers must have access to a broadband connection to the Internet. However, unlike a telephone line, once service is established, most VoIP services are "portable" and it does not matter where the broadband connection is located or even whether it is the same broadband connection every time the subscriber accesses the service. So the provider may not know where the customer is actually located. Some providers use wireline broadband connections, such as DSL or cable modem connections. Also, as wireless broadband availability expands, more providers are also using this as a platform for VoIP calls. Recently, some vendors have introduced wireless phones that allow users to seamlessly switch between traditional wireless/cellular networks and new Wi-Fi and Wi-Max networks.

Second, special customer premises equipment (CPE) attached to a broadband connection is usually required to access VoIP services. This CPE typically consists of a dedicated IP phone or a terminal adapter that attaches to a standard telephone and converts analog signals into VoIP communications. Third, customers may access their service through an Internet web page including viewing calls placed and received and playing voicemails back through a computer in e-mails with the actual message attached as a sound file. Fourth, VoIP services use "telephone numbers" but a customer's number is not necessarily tied to the customer's physical location and does not require the customer to remain at a single location. So a customer in Kansas might have a St. Louis or New York phone number, and may make and receive calls from any location with a broadband connection.

HOUSE UTILITIES

DATE: 1/18/06

ATTACHMENT 4

II. HB 2590 and VoIP E911 Services.

All would agree that it is important for consumers to have reliable access to E911 services. With numerous providers and technologies competing for consumers' business, it is important for the government to be very precise in identifying exactly what types of services it will require to adhere to state and federal E911 regulations. In June 2005, the Federal Communications Commission (FCC) issued its *VoIP E911 Order*, which placed certain requirements on some VoIP providers to provide E911 functionality.¹ Specifically, the FCC required services that connect to the PSTN to provide E911 services. These types of providers were defined by the FCC in its *VoIP E911 Order* at 47 C.F.R. § 9.3:

- "Interconnected VoIP Service," An interconnected Voice over Internet protocol (VoIP) service is a service that: (1) enables real-time, two-way voice communications; (2) requires a broadband connection from the user's location; (3) requires Internet protocol-compatible customer premises equipment (CPE); and (4) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

This definition clarifies the types of services that are subject to the FCC's 911 rules – generally those in which the VoIP service is used as the primary communications service, including for making and receiving traditional telephone calls. The state of Kansas should follow suit as assess E911 fees only on these types of services. For example, it would make no sense to require a teenager playing interactive games on Xbox Live to pay a \$.50 monthly E911 fee, when that teenager could not use Xbox Live to call 911. The same would be true for instant messaging services that cannot make calls to or receive calls from the PSTN.

Additionally, it can be difficult to determine the location at which a VoIP service is primarily used. As such, the FCC also defined a term to require VoIP companies to obtain each customer's primary place of use, so that the information could be transmitted to the local 911 entity that might receive such a call:

- "Registered Location." The most recent information obtained by an interconnected VoIP service provider that identifies the physical location of an end user.

The VoIP user can also change the "Registered Location" frequently. From an administration standpoint, the "nomadic" nature of VoIP could make collection efforts very difficult, if not impossible, as VoIP users with primary service addresses leave Kansas, and establish a registered location outside of the state for some period of time. As such, we recommend using the subscriber's primary service address (not the "registered location") as the basis for determining which subscribers will be assessed the 911 fees. This approach would be very similar to that used in assessing the 911 fees on wireless users, which may also use cell phones in other areas of the country, but pay fees in Kansas and not in other states.

¹ See In the Matters of Vonage IP Enabled Services and E911 Requirements for IP-Enabled Service Providers, WC Docket Nos. 04-36 and 05-196; FCC 05-116; First Report and Order and Notice of Proposed Rulemaking; Released June 3, 2005 ("*VoIP E911 Order*").

III. Proposed Amendments.

In light of the information provided above, we offer the following recommendations to the Committee to modify HB 2590.

1. **Definitions.**

- New Section 2(h): “VoIP Provider” means a provider of “Interconnected VoIP service” as defined by 47 C.F.R. § 9.3.
- New Section 2(i): “VoIP service user” means a subscriber to “Interconnected any person that is provided VoIP service” whose primary service address is in Kansas.

2. **Modification of references to “VoIP Service User” and “primary residence.”**

- New Section 4, lines 6-7: “...enhanced 911 grant fee in the amount of \$.25 per month per VoIP ~~subscriber whose primary residence is in the state of Kansas.~~ service user
- New Section 5, line 19: “...VoIP ~~subscriber whose primary residence is in the state of Kansas.~~ service user

3. **Limitation of Liability.** In order to protect all entities associated with the provision of VoIP E911 service from frivolous lawsuits and the expensive costs of defending such suits, we recommend adopting a “gross negligence” standard, as follows:

- New Section 8, lines 33 to 40: “...Except as provided by the Kansas tort claims act, in contracting for such service and in providing such service, and except for gross negligence, ~~failure to use ordinary care,~~ or for intentional acts, the secretary, local collection point administrator, each governing body, each public agency, each VoIP provider and their employees and agents shall not be liable for the payment of damages resulting from the performance of installing, maintaining or providing VoIP enhanced 911 service.

We have provided “balloons” showing exactly where these modifications would fit in HB 2590 and those are attached to this testimony.

Thank you for your time this morning.

HOUSE BILL No. 2590

By Committee on Utilities

1-11

9 AN ACT concerning telecommunications; enacting the VoIP enhanced
10 911 act; imposing certain fees and providing for disposition thereof;
11 amending K.S.A. 2005 Supp. 12-5323, 12-5328, 12-5330, 12-5334 and
12 19-101a and repealing the existing sections.

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 New Section 1. (a) Sections 1 through 10, and amendments thereto,
16 may be cited as the VoIP enhanced 911 act.

17 (b) If any provisions of this act or its application to any person or
18 circumstances is held invalid, the invalidity does not affect other provi-
19 sions or applications of the act that can be given effect without the invalid
20 provisions or application. To this end the provisions of this act are
21 severable.

22 New Sec. 2. As used in this act, unless the context otherwise
23 requires:

24 (a) Terms have the meanings provided by the wireless enhanced 911
25 act.

26 (b) "VoIP" means voice over internet protocol.

27 (c) "VoIP enhanced 911 grant fee" means the fee imposed under
28 section 4, and amendments thereto.

29 (d) "VoIP enhanced 911 local fee" means the fee imposed under
30 section 5, and amendments thereto.

31 (e) "VoIP enhanced 911 service" means a communication service by
32 which VoIP providers can provide automatic number identification,
33 pseudo-automatic number identification and VoIP automatic location
34 identification information to a requesting PSAP.

35 (f) "VoIP project" means the development and acquisition of the nec-
36 essary improvements in order to facilitate the establishment of VoIP en-
37 hanced 911 service.

38 (g) "VoIP project costs" means all costs or expenses which are nec-
39 essary or incident to a VoIP project and which are directly attributable
40 thereto.

41 (h) "VoIP provider" means a provider of VoIP service.

42 (i) "VoIP service user" means ~~any person who is provided VoIP~~
43 ~~service.~~

"Interconnected VoIP service" as defined by 47 C.F.R. § 9.3.

a subscriber to Interconnected VoIP service
whose primary service address is in Kansas.

17-4

1 New Sec. 3. The secretary shall administer the provisions of the VoIP
2 enhanced 911 act. The secretary is hereby authorized to adopt rules and
3 regulations necessary for effectuation of the provisions of this act.

4 New Sec. 4. (a) Subject to the provisions of section 10, and amend-
5 ments thereto, effective July 1, 2006, there is hereby established a VoIP
6 enhanced 911 grant fee in the amount of \$.25 per month per VoIP sub- ~~scri-
7 ber whose primary residence is in the state of Kansas.~~ service user.
8 duty of each VoIP provider to collect such fee from the VoIP service user
9 and remit such fee to the secretary as provided by section 6, and amend-
10 ments thereto.

11 (b) The secretary shall remit to the state treasurer, in accordance with
12 the provisions of K.S.A. 75-4215, and amendments thereto, any fees re-
13 ceived pursuant to this section. Upon receipt of the remittance, the state
14 treasurer shall deposit the entire amount in the state treasury and credit
15 it to the wireless enhanced 911 grant fund.

16 New Sec. 5. (a) Effective July 1, 2006, there is hereby imposed a
17 VoIP enhanced 911 local fee. Subject to the provisions of section 10, and
18 amendments thereto, the amount of such fee shall be \$.25 per month per ~~VoIP
19 subscriber whose primary residence is in the state of Kansas.~~ service user.

20 (b) The proceeds of the VoIP enhanced 911 local fee, and any interest
21 earned on revenue derived from such fee, shall be used only for the
22 purposes provided in K.S.A. 2005 Supp. 12-5330, and amendments
23 thereto.

24 (c) Each PSAP shall submit to the secretary an annual report ac-
25 counting for the money received by the PSAP from the VoIP enhanced
26 911 local fee. Such report shall be submitted on a form provided by the
27 secretary, which shall be consolidated with the report accounting for mon-
28 eys received from the wireless enhanced 911 local fee required pursuant
29 to K.S.A. 2005 Supp. 12-5330, and amendments thereto.

30 (d) If pursuant to K.S.A. 2005 Supp. 12-5330, and amendments
31 thereto, a PSAP is required to pay to the secretary all moneys from the
32 wireless enhanced 911 local fee which have been or are received by such
33 PSAP, such PSAP shall also pay to the secretary all moneys from the VoIP
34 enhanced 911 local fee which have been or are received by such PSAP
35 and the secretary shall notify the local collection point administrator that
36 distributions of moneys from the VoIP enhanced 911 local fee to the
37 PSAP shall be stopped and that such moneys shall be instead remitted to
38 the secretary until the PSAP is again eligible to receive moneys from the
39 wireless enhanced 911 local fee. The PSAP thereafter shall not be eligible
40 to receive moneys from distributions by the local collection point admin-
41 istrator until the PSAP is again eligible to receive moneys from the wire-
42 less enhanced 911 local fee. The secretary shall remit any moneys re-
43 ceived from the repayment by the PSAP or from distributions by the local

1 point administrator. Such return shall be in such form and shall contain
2 such information as required by the administrator. The VoIP provider
3 required to file the return shall deliver the return together with a remit-
4 tance of the amount of the fees payable to the local collection point ad-
5 ministrator. The VoIP provider shall maintain records of the amount of
6 any such fees collected pursuant to action in accord with this act. Such
7 records shall be maintained for a period of three years from the time the
8 fees are collected.

9 (g) Except as provided by subsection (d) of section 5, and amend-
10 ments thereto, not later than 30 days after receipt of moneys from VoIP
11 providers pursuant to this section, the local collection point administrator
12 shall distribute such moneys collected from the VoIP enhanced 911 local
13 fee to PSAP's based upon primary residence information provided by
14 VoIP providers. The local collection point administrator may retain an
15 administrative fee of not more than 2% of moneys collected from such
16 fee.

17 (h) The local collection point administrator shall keep accurate ac-
18 counts of all receipts and disbursements of moneys from the VoIP en-
19 hanced 911 local fee. The receipts and disbursements shall be audited
20 yearly by a licensed municipal accountant or certified public accountant
21 and the audit report shall be submitted to the secretary.

22 New Sec. 7. In 2008, the secretary shall require, and thereafter may
23 require, an audit of any VoIP provider's books and records concerning
24 the collection and remittance of fees pursuant to this act. Any such audit
25 shall be conducted at the expense of the secretary. Information provided
26 by VoIP providers to the secretary or the advisory board pursuant to this
27 act or the wireless enhanced 911 act will be treated as proprietary records
28 which will be withheld from the public upon request of the party sub-
29 mitting such records.

30 New Sec. 8. As permitted by regulations of the federal communi-
31 cations commission, the VoIP enhanced 911 service described in this act
32 is within the governmental power and authority of the secretary, local
33 collection point administrator, governing bodies and public agencies. Ex-
34 cept as provided by the Kansas tort claims act, in contracting for such
35 service and in providing such service, and except for ~~failure to use ordi-~~
36 ~~nary care~~, or for intentional acts, the secretary, local collection point ad-
37 ministrator, each governing body, each public agency, each VoIP pro-
38 vider, and their employees and agents, shall not be liable for the payment
39 of damages resulting from the performance of installing, maintaining or
40 providing VoIP enhanced 911 service.

41 New Sec. 9. Nothing in the VoIP enhanced 911 act shall be con-
42 strued to limit the ability of a VoIP provider from recovering directly
43 from the provider's customers its costs associated with designing, devel-

gross negligence