

COLORADO DEPARTMENT OF REGULATORY AGENCIES

Public Utilities Commission

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PART 2

RULES REGULATING TELECOMMUNICATIONS SERVICES AND

PROVIDERS OF TELECOMMUNICATIONS SERVICES

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[indicates omission of unaffected rules]

Basic Emergency Service

Basis, Purpose, and Statutory Authority

The basis and purpose of these rules is to: (1) define and describe basic emergency service as regulated by § 40-15-201, C.R.S.; (2) prescribe multi-line telephone system (MLTS) operator requirements regarding disclosure to end users of the proper method for accessing 9-1-1 service, and regarding the capability of the MLTS to transmit end users' telephone numbers and location information; (3) prescribe the interconnection environment and relationships between basic emergency service providers (BESPs) and originating service providers and other BESPs; (4) permit use of 9-1-1 databases for outbound wide area notifications in times of emergency; (5) prescribe reporting times of 9-1-1 outages and interruptions; ~~and~~ (6) explicitly recognize the potential for multiple BESPs in Colorado; and (7) prescribe the process for the establishment of the annual threshold, surcharge, and prepaid wireless 9-1-1 charge amounts.

The statutory authority for the promulgation of these rules is found at §§ 29-11-101.5; 29-11-102(2)(b); 29-11-102.3; 29-11-102.5(2)(c); 29-11-102.7(2); 29-11-103; 29-11-106(3); 40-2-108; 40-3-102; 40-3-103; 40-4-101(1) and (2); 40-15-201; 40-15-301; and 40-15-503(2)(g), -C.R.S.

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[indicates omission of unaffected rules]

2131. Definitions.

The following definitions apply only in the context of rules 2130 through 2159:

- (a) "9-1-1" means a three-digit abbreviated dialing code used to report an emergency situation requiring a response by a public agency such as a fire department or police department.
- (b) "9-1-1 access connection" means any communications service including wireline, wireless cellular, interconnected voice-over-internet-protocol, or satellite in which connections are enabled,

configured, or capable of making 9-1-1 calls. The term does not include facilities-based broadband services. The number of 9-1-1 access connections is determined by the configured capacity for simultaneous outbound calling.

- (c) "9-1-1 call" means a request for emergency assistance from the public by dialing 9-1-1 or addressing the ESInet regardless of the technology used, and may include voice, text, images, and video, whether originated by wireline, wireless, satellite, or other means.
- (db) "9-1-1 facilities" means the facilities (e.g., trunks or transmission paths) that connect from the central office serving the individual telephone that originates a 9-1-1 call to the 9-1-1 selective router or functional equivalent and subsequently connects to a Public Safety Answering Point (PSAP). These may include, but are not limited to, point-to-point private line facilities owned, leased or otherwise acquired by a BESEP. Common or shared facilities also may be used. These facilities may include private network facilities and governmental facilities (if available) obtained for alternative routing of E9-1-1 calls for temporary use during service interruptions.
- (ee) "9-1-1 outage" means a situation in which 9-1-1 calls cannot be transported from the end users to the PSAP responsible for answering the 9-1-1 emergency calls. 9-1-1 failures also include the inability to deliver location information to the PSAP from the 9-1-1 Automatic Location Identification (ALI) database or a loss of the 9-1-1 ALI functionality.
- (fd) "9-1-1 selective router" means the telecommunications switch or functional equivalent dedicated to aggregation of 9-1-1 call traffic from public networks and proper routing of 9-1-1 call traffic to PSAPs.
- (ge) "9-1-1 service" means the service by which a 9-1-1 call is routed and transported from the end user placing a 9-1-1 call to the PSAP serving the caller's location. 9-1-1 service also includes any related caller location information routed to the PSAP, if any.
- (h) "9-1-1 surcharge" or "state 9-1-1 surcharge" means the surcharge established pursuant to § 29-11-102.3, C.R.S.
- (if) "Automatic Location Identification" (ALI) means the automatic display, on equipment at the PSAP, of the telephone number and location of the caller. ALI data includes non-listed and non-published numbers and addresses, and other information about the caller's location.
- (ig) "ALI provider" means any person or entity that, on a for-profit or not-for-profit basis, provides ALI to basic emergency service providers and the governing body for a specific geographic area.
- (kh) "ALI service" means all the services, features, and functionalities of elements and components used to provide ALI, including the applications, databases, management processes and services, selective routing, aggregation, and transport, without regard to the technology used, provided to the governing body or PSAP or a specific geographic area. ALI service does not include the provision of ALI by originating service providers, PSAPs, 9-1-1 governing bodies, or local governments.
- (li) "Automatic Number Identification" (ANI) means the automatic display of the caller's telephone number at the PSAP.

(jm) "Basic emergency service" means the aggregation and transportation of a 9-1-1 call directly to a point of interconnection with a governing body or PSAP, regardless of the technology used to provide the service. The aggregation of calls means the collection of 9-1-1 calls from one or more originating service providers or intermediary aggregation service providers for the purpose of selectively routing and transporting 9-1-1 calls directly to a point of interconnection with a governing body or PSAP. The offering or providing of ALI service or selective routing directly to a governing body or PSAP by any person is also a basic emergency service. Basic emergency service does not include:

- (I) the portion of a 9-1-1 call provided by an originating service provider;
- (II) the services provided by an intermediary aggregation service provider;
- (III) the delivery of a 9-1-1 call from the originating service provider or an intermediary aggregation service provider to a point of interconnection with the BESP;
- (IV) the delivery of a 9-1-1 call from the point of interconnection between the BESP and a PSAP to the PSAP facility that receives and processes the 9-1-1 call; or
- (V) the delivery of text-to-9-1-1 via interim methods.

(kn) "Basic Emergency Service Provider" (BESP) means any person certificated by the Commission to provide basic emergency service.

(o) "Concurrent session" means a channel for an inbound simultaneous 9-1-1 call.

(pl) "Demarcation point" means the physical point where the responsibility of a portion of a network changes from one party to another.

(mq) "Emergency notification service" (ENS) means a service in which, upon activation by a public safety agency:

- (I) the 9-1-1 database or a database which may be derived in whole or in part from the 9-1-1 database is searched to identify all stations located within a geographic area;
- (II) a call is placed to all such stations or all of a certain class of stations within the geographic area (e.g., to exclude calls to facsimile machines, Internet/data access lines, etc.); and
- (III) a recorded message is played upon answer to alert the public to a hazardous condition or emergency event in the area (e.g., flood, fire, hazardous material incident, etc.).
- (IV) ENS may also include the transmission of messages to individuals by other means, including text messages, e-mail, facsimile, or other mass alerting method or system.

(ra) "Emergency telephone charge" means a charge established by a governing body pursuant to § 29-11-102(2)(a), C.R.S., or established by § 29-11-102.5(2)(a), C.R.S., to pay for the expenses authorized in § 29-11-104, C.R.S.

- (~~se~~) "Enhanced 9-1-1" (E9-1-1) means 9-1-1 service that includes the association of ANI and ALI (including non-listed and non-published numbers and addresses), and selective routing.
- (~~tp~~) "Geographic area" means the area such as a city, municipality, county, multiple counties or other areas defined by a governing body or other governmental entity for the purpose of providing public agency response to 9-1-1 calls.
- (~~uq~~) "Governing body" means the organization responsible for establishing, collecting, and disbursing the emergency telephone charge in a specific geographic area, pursuant to §§ 29-11-102, 103, and 104, C.R.S.
- (~~yf~~) "Intermediary aggregation service provider" means a person that aggregates and transports 9-1-1 calls for one or more originating service providers for delivery to a BESP selective router or the functional equivalent of such a router.
- (~~ws~~) "Multi-line telephone system" (MLTS) means a system comprised of common control units, telephones, and control hardware and software providing local telephone service to multiple customers in businesses, apartments, townhouses, condominiums, schools, dormitories, hotels, motels, resorts, extended care facilities, or similar entities, facilities, or structures. Multi-line telephone system includes:
- (I) Network and premises-based systems such as Centrex, PBX, and hybrid-key telephone systems; and
 - (II) Systems owned or leased by governmental agencies, nonprofit entities, and for-profit businesses.
- (~~xt~~) "Multiple-line telephone system operator" means the person that operates an MLTS from which an end user may place a 9-1-1 call through the public switched network.
- (~~yh~~) "Originating service provider" (OSP) means a local exchange carrier, wireless carrier, Voice-over-Internet-Protocol service provider, or other provider of functionally equivalent services supplying the ability to place 9-1-1 calls.
- (~~zv~~) "Public Safety Answering Point" (PSAP) means a facility equipped and staffed to receive and process 9-1-1 calls from a BESP.
- (~~aa~~) "Selective routing" means the capability of routing a 9-1-1 call to a designated PSAP based upon the location of the end user, as indicated by the ten-digit telephone number of the fixed location subscriber dialing 9-1-1, the p-ANI (ESRK or ESQK), or otherwise permitted by FCC rule, regulation, or order.

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[indicates omission of unaffected rules]

2148. Process for the Establishment of Annual Emergency Telephone Charge Threshold, State 9-1-1 Surcharge Rate, Wireless Prepaid 9-1-1 Surcharge Rate, and Associated Fund Distribution Schedules.

- (a) On or before August 1 of each year, the Commission shall initiate a proceeding to be concluded on or before October 1 to establish the emergency telephone charge threshold, a statewide 9-1-1 surcharge, a wireless prepaid 9-1-1 charge, a distribution schedule for the funds raised by the state 9-1-1 surcharge, and a distribution schedule for the funds raised by the wireless prepaid 9-1-1 charge for the following calendar year.
- (I) The emergency telephone charge threshold:
- (A) shall take into account inflation through the consideration of historical data and future projections; and
- (B) shall take into account the needs of governing bodies through the consideration of historical data, inflation rates, the rate of increase of the average emergency telephone charge, comments provided under this rule, and other factors the Commission deems relevant.
- (II) The 9-1-1 surcharge:
- (A) shall not exceed fifty cents per month per 9-1-1 access connection;
- (B) shall be calculated to meet the needs of governing bodies to operate the 9-1-1 system by considering historical data, costs to the 9-1-1 governing bodies of basic emergency service tariffs, comments provided under this rule, and other factors the Commission deems relevant; and
- (C) shall be uniform, regardless of the technology used to provide the 9-1-1 access connection.
- (III) The wireless prepaid 9-1-1 charge shall be calculated by determining the average of all local emergency telephone charges as they existed on July 1 of that year plus the amount of the statewide 9-1-1 surcharge established by the Commission for the upcoming year.
- (IV) The distribution schedule for the funds raised by the state 9-1-1 surcharge shall be based on the number of concurrent sessions at all of the PSAPs associated with a governing body as a percentage of the total number of concurrent sessions statewide.
- (V) The distribution schedule for the funds raised by the wireless prepaid 9-1-1 charge shall be based on the wireless 9-1-1 call volume at all of the PSAPs associated with a governing body as a percentage of the total number of wireless 9-1-1 calls received by all PSAPs statewide.
- (b) The decision initiating this proceeding shall be accompanied by proposed amounts and distribution schedules as described in (a) (I) through (V) for comment.

- (c) The wireless prepaid 9-1-1 charge rate and wireless prepaid 9-1-1 distribution schedule shall be transmitted to the Colorado Department of Revenue on or before October 1.
- (d) The new rates and distribution schedules established by this proceeding shall take effect on the following January 1.