



City of Kalispell

# FLATHEAD EMERGENCY COMMUNICATIONS BOARD

625 Timberwolf Parkway \* Kalispell, MT 59901 \* 406-758-5560

Re: Draft Bill LC ET04

June 8, 2016

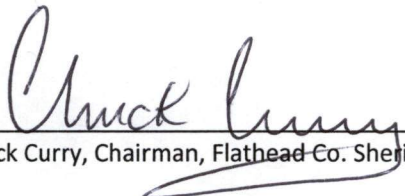
To Whom It May Concern,

Upon review of draft bill LC ET04 regarding Next Generation 911 and the new funding structure being proposed, it has become clear that the Administrative Board of the Flathead Emergency Communication Center cannot support the bill as it is currently written. While there are many changes needed in Montana's current antiquated 911 laws as we move closer to the implementation of NG911, it is paramount that current operations of all 911 Public Safety Answering Points (PSAPS) in the state are not compromised. This requires a priority be put on maintaining funding levels where they currently are for all PSAPs, regardless of their size, while still searching out additional revenue options, such as applying the same fee to pre-paid wireless phones as is applied to all other phones.

FECC receives approximately \$625,000 annually from the State 911 Fund. Under draft bill LC ET04, our revenue would decrease by \$140,000. For the last three years FECC has also received an additional \$60,000-\$75,000 annually from the HB-575 disbursement. Those funds will also be redirected under LC ET04. The total loss to our current revenue would be over \$200,000. In total, the six largest PSAPs in the state would lose over \$940,000 in critical funding, not including the loss of HB-575 revenue.

We urge the Energy and Telecommunications Interim Committee to support an alternative fund distribution method that maintains current funding levels necessary to existing operations, specifically to those PSAPs supporting the largest populations in Montana.


ADMINISTRATIVE BOARD  
Flathead Emergency Communications Center


By:   
Chuck Curry, Chairman, Flathead Co. Sheriff

By:   
Phil Mitchell, Flathead Co. Commissioner

By:   
Ed Corrigan, Flathead Co. Attorney

By:   
Susan Nicosia, City of Columbia Falls

By:   
Mark Johnson, City of Kalispell

By:   
Bill Dial, City of Whitefish

## Nowakowski, Sonja

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**From:** Chuck Lee <clee@midrivers.com>  
**Sent:** Monday, June 06, 2016 2:52 PM  
**To:** Nowakowski, Sonja  
**Cc:** 'Jason Rital'; 'Chuck Lee'  
**Subject:** HJ7- Next Generation 911

Sonja, here is my response to the Public Comment Request for: Next generation 9-1-1

I had previously read this Document, so I will provide my Comments from the Page #'s in the Document-  
Page 2- Grant Program- BADDDDDD Idea. 25% going to this Fund is a bad idea also. Eliminate the Grant  
program and return the funds to the PSAPs.

Page 3- \$80,000 for GIS, \$350,000 for NG911 Plan, \$5 million for IP routers. Is there a prize to see who can  
spend the \$10 million stranded funds the quickest?

Page 4- 1<sup>st</sup> paragraph- "Allowable Uses" concerns me. The Grant ideas are a DISASTER and will end up in the  
hands of the "Bigs". The guidelines, rules, authorities, and lack of "Arms Length" transactions will be the road  
map to the DISASTER this idea will spawn. Abandon the Grants idea, just return the funds to the PSAPs.

Page 8- Why didn't or isn't Montana looking for Grant sources to fund the NG 911 transition? It sure is easy  
when you have a pot of \$10,000,000 dollars to get to.

Page 9-How was Jason Horning (North Dakota NG911) program manager able to roll out NG911 for 1.2  
million in North Dakota, when we want to spend 5 million dollars just for IP enabled routers?

Page 16- Talk, Talk, Talk about the 10 Million dollar prize. Everyone seems obsessed with the money, and boy  
do they have ideas on how to spend it. Give the monies to the PSAPs ,and not the Grants program, IP routers  
idea, and any other idea that soaks up the funds.

Pages 17 & 18- Why the obsession with what the local PSAPs have? Is someone going to provide funding when  
a new radio console is needed? What about the costs for a new CAD system? What about the Call Taking  
equipment? Trust us to take care of our local problems, and why not provide additional funding from the  
"Stranded Funds". In the end we will be the ones trying to keep our centers running with whatever funding we  
can cobble together. Bottom of Page 18- Other council members don't need to concern themselves with how  
Reserves are used, and actual 9-1-1 needs. If this happens the LOCAL portion of the equation is erased.

Page 19- The Grant idea stinks. 2/3 of the way down the page it says "The proposal strikes the definition of  
allowable costs and no longer requires the department to determine whether wireless providers have incurred  
allowable costs and should be reimbursed." I have spoken above and in my previous e-mail to you about the  
idea that this whole process is a Blank Check to the Telcos. Notice how the locals will now be allowed  
(Pressured) to provide reimbursement to Telcos on project that probably didn't meet muster before. I am  
amazed that this type of verbiage even made it to this document.

This process is filled with flaws, and the Grant idea and the purchase of \$5,000,000 in equipment for Telcos  
seems especially egregious.

Chuck Lee  
911/DES Coordinator

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**From:** Castle, Carrie [mailto:ccastle@mt.gov]

**Sent:** Thursday, June 02, 2016 11:59 AM

**To:** Chris Hoffman ; Winn, Chuck ; Bruno, Delila ; Macdonald, Gary ; Feiss, Geoff ; Megaard, Greg ; Stapp,  
Jennie ; Box, Kevin ; Burdick, Kim ; Lundby, Leonard ; Lisa Kelly ; Glass, Peggy ; Musson, Rick ; Baldwin,

**Unofficial Draft Copy**

As of: June 13, 2016 (10:24am)

LCkr01

\*\*\*\* Bill No. \*\*\*\*

Introduced By \*\*\*\*\*

By Request of the \*\*\*\*\*

A Bill for an Act entitled: "An Act ."

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

AMENDMENT REQUESTED BY CHAIRMAN KEITH REGIER FOR ETIC

CONSIDERATION AT JULY 14-15 MEETING

NEW SECTION. **Section 7. Distribution of 9-1-1 systems account by department (on page 8 of LCET04).** (1) For the first quarter of the 2019 fiscal year and for each quarter after that, the department shall make quarterly distributions of the account established for local government entities that host public safety answering points pursuant to [section 6(2)(a)], and each public safety answering point shall receive an allocation of the total quarterly balance of the account.

(2) Except as provided in subsection (3), beginning July 1, 2018, the department shall allocate the total quarterly balance of the account provided for in [section 6(2)(a)] as follows:

(a) an amount equal to 1% of the total quarterly balance of the account to each local government entity that hosts a public safety answering point; and

(b) the remainder allocated on a per capita basis to each local government entity that hosts a public safety answering point.

(3) After July 1, 2018, if local government entities enter

**Unofficial Draft Copy**

As of: June 13, 2016 (10:24am)

LCkr01

into an agreement to combine or consolidate public safety answering points, the allocation to the newly combined or consolidated public safety answering point must include the 1% of the total quarterly balance of the account previously provided to each individual local government entity prior to the combination or consolidation pursuant to subsection (2)(a).

- END -

{Name : Sonja E. Nowakowski  
Title : Research Analyst  
Agency : LSD LEPO  
Phone : 406-444-3078  
E-Mail : snowakowski@mt.gov }

*Flathead County*  
**Board of Commissioners**

(406) 758-5503

Pamela J. Holmquist  
Gary D. Krueger  
Philip B. Mitchell



June 14, 2016

RE: Draft Bill LC ET04

To Whom It May Concern,

Upon review of draft bill LC ET04 regarding Next Generation 911 and the new funding structure being proposed, it has become clear that the Flathead County Board of Commissioners cannot support the bill as it is currently written. While there are many changes needed in Montana's current antiquated 911 laws as we move closer to the implementation of NG911, it is paramount that current operations of all 911 Public Safety Answering Points (PSAPS) in the state are not compromised. This requires a priority be put on maintaining funding levels where they currently are for all PSAPs, regardless of their size, while still searching out additional revenue options, such as applying the same fee to pre-paid wireless phones as is applied to all other phones.

We urge the Energy and Telecommunications Interim Committee to support an alternative fund distribution method that maintains current funding levels to existing operations.

Sincerely,  
BOARD OF COMMISSIONERS  
FLATHEAD COUNTY, MONTANA

  
Pamela J. Holmquist, Chairman



BOARD OF COUNTY COMMISSIONERS  
MAILING ADDRESS: 200 WEST BROADWAY  
PHYSICAL ADDRESS: 199 WEST PINE  
MISSOULA, MT 59802-4292

PHONE: (406) 258-4877  
~~FAX: (406) 721-4043~~  
FAX: (406) 258-3943

BCC 2016-077  
June 16, 2016

Dear Energy and Telecommunications Interim Committee Members,


Missoula County is in general support of LCETC04 - Generally Revise 9-1-1 Laws, but has concerns regarding the funding distribution formula as proposed. As Montana looks to incorporate Next Generation 9-1-1 standards and technology into current systems, there are several existing challenges to successful statewide implementation. LCETC04 addresses many of the current barriers and offers legislative solutions to help prepare public-safety answering points (PSAPs), large and small, across the state by bringing all PSAPs to a baseline IP network, while acknowledging the need for enhanced GIS data. Additionally, LCETC04 provides for modernization of current statutes to meet new standards, definitions and future technologies that will be necessary to facilitate Next Generation 9-1-1 implementation in Montana.

The proposed funding formula reduces the funds available to larger PSAPs around the state. In Missoula, this reduction is nearly 25 percent. Cuts to critical funding will result in either a decrease in service levels or shifting the burden to Missoula County tax payers. Missoula County requests that an alternate funding model be considered which maintains the current levels of funding for all PSAPs across the state. This could be accomplished in several ways, including maintaining the existing funding distribution formula currently in statute or by converting the current amounts to percentages.

Missoula County believes formalizing membership of the State 9-1-1 Advisory Board will ensure more inclusion and diversity in considering statewide 9-1-1 issues. Missoula County also favors the proposal to give authority to the Department of Administration to create rules for acceptable use of State 9-1-1 funds. Although general guidelines have existed in the past, we believe the rule making process is a better solution to ensure these funds are spent appropriately by PSAPs. Finally, we support the creation of a grant account to assist PSAPs and telecommunication companies to work collaboratively while also solving the persistent and existing issue of stranded funds in the state 9-1-1 account.

Although LCETC04 provides many needed solutions to current statutes, Missoula County cannot support the funding allocation as presented in this draft bill. As drafted in LCETC04, Missoula County would lose nearly \$190,000 in annual revenue from the State 9-1-1 fund. As a large PSAP, upon whom several smaller PSAPs depend, we cannot afford the level of revenue lost under LCETC04 and would ask that an alternate funding distribution mechanism be found.

Respectfully,  
BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Nicole Rowley, Chair

  
\_\_\_\_\_  
Jean Curtiss, Commissioner

**NOT AVAILABLE FOR SIGNATURE**

\_\_\_\_\_  
Stacy Rye, Commissioner



# CITY OF BILLINGS

**THOMAS W. HANEL, MAYOR**

P.O. BOX 1178  
BILLINGS, MONTANA 59103  
(406) 657-8296  
FAX (406) 657-8390

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June 16, 2016

Energy and Telecommunications Interim Committee  
c/o Sonja Nowakowski  
Legislative Services Division  
PO Box 201706  
Helena MT 59620-1706

**Subject: Next Generation 9-1-1 and LC ET04**

Dear Senators and Representatives:

The Energy and Telecommunications Interim Committee (ETIC) will meet in July to discuss the Next Generation 9-1-1 (NG 911) study report and to review draft legislation identified as LC ET04. The City of Billings endorses the report and most of the proposed bill, but it must oppose the 9-1-1 funding distribution formula contained in the report and the LC.

The Governor's 9-1-1 Advisory Council, the ETIC's stakeholders working group and Legislative Services staff should be commended for the NG 911 report and most of its recommendations. The City supports using a substantial portion of the stranded 9-1-1 providers' reimbursement account to develop a statewide NG 911 plan, to create an Internet Protocol (IP) based infrastructure and to identify statewide GIS capabilities. Creating a permanent 9-1-1 Advisory Council and clarifying the Dept. of Administration's (DOA) role and regulatory authority will help as the State transitions to NG 911. The City supports combining three (3) of the 9-1-1 accounts into a single one that will be distributed to PSAPs by formula and supports creating a local government grant program that will be funded by \$.25 of the 9-1-1 tax.

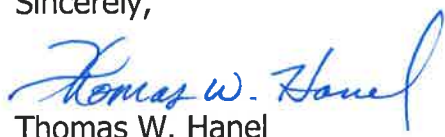
However, the City cannot support the proposed 9-1-1 fund distribution formula in LC ET04. The formula strips hundreds of thousands of dollars per year from the PSAPs that serve the State's urban centers and their surrounding areas and gives them to the PSAPs serving smaller populations. For example, the formula would reduce the Billings/Yellowstone County PSAP funding by about \$300,000 per year. Billings and Yellowstone County (minus Laurel) contain approximately 15% of the state's population and their emergency responders serve a market area population of over 300,000. The current formula distributes about 11% of the 9-1-1 funding to the Billings/Yellowstone



County PSAP. The revised formula would reduce that already inadequate proportion to about 7%, or less than 1/2 of the PSAP's resident population. The City supports the DOA's desire to simplify the distribution formula, but believes that there are other ways to simplify the formula without creating 9-1-1 funding winners and losers.

When the ETIC meets in July, the City of Billings urges the committee to reject the LC ET04 distribution formula and to support one that produces results that approximate the current funding, especially for PSAPs that serve the state's largest population centers.

Sincerely,

A handwritten signature in blue ink that reads "Thomas W. Hanel". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Thomas W. Hanel



# Yellowstone County



**COMMISSIONERS**  
(406) 256-2701  
(406) 256-2777 (FAX)

P.O. Box 35000  
Billings, MT 59107-5000  
commission@co.yellowstone.mt.gov

June 16, 2016

Energy and Telecommunications Interim Committee  
c/o Sonja Nowakowski  
Legislative Services Division  
PO Box 201706  
Helena MT 59620-1706  
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Dear Senators and Representatives:

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The Governor's 9-1-1 Advisory Council, the ETIC's stakeholders working group and Legislative Services staff should be commended for the NG 911 report and most of its recommendations. Yellowstone County supports using a substantial portion of the stranded 9-1-1 providers' reimbursement account to develop a statewide NG 911 plan, to create an Internet Protocol (IP) based infrastructure and to identify statewide GIS capabilities. Creating a permanent 9-1-1 Advisory Council and clarifying the Dept. of Administration's (DOA) role and regulatory authority will help as the State transitions to NG 911. Yellowstone County supports combining three (3) of the 9-1-1 accounts into a single one that will be distributed to PSAPs by formula and supports creating a local government grant program that will be funded by \$.25 of the 9-1-1 tax.

However, Yellowstone County cannot support the proposed 9-1-1 fund distribution formula in LC ET04. The formula strips hundreds of thousands of dollars per year from the PSAPs that serve the State's urban centers and their surrounding areas and gives them to the PSAPs serving smaller populations. For example, the formula would reduce the Billings/Yellowstone County PSAP funding by about \$300,000 per year. Billings and Yellowstone County (minus Laurel) contain approximately 15% of the state's population and their emergency responders serve a market area population of over 300,000. The current formula distributes about 11% of the 9-1-1 funding to the Billings/Yellowstone County PSAP. The revised formula would reduce that already inadequate proportion to about 7%, or less than 1/2 of the PSAP's resident population. Yellowstone County supports the DOA's desire to simplify the distribution formula, but believes that there are other ways to simplify the formula without creating 9-1-1 funding winners and losers.

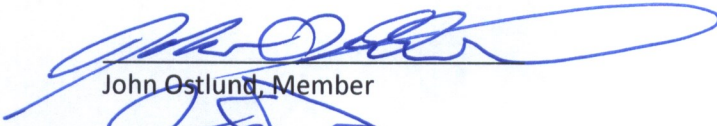
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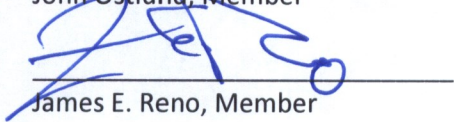
BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA



Bill Kennedy, Chair

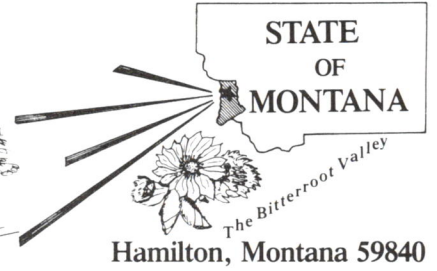
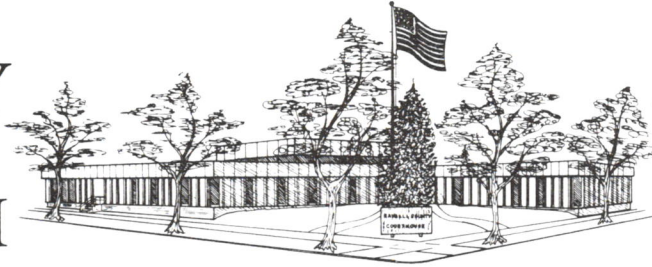


John Ostlund, Member



James E. Reno, Member

# COUNTY OF RAVALLI



Ravalli County Commissioners  
215 S. 4<sup>th</sup> Street, Suite A  
Hamilton, MT. 59840  
406-375-6500  
[commissioners@rc.mt.gov](mailto:commissioners@rc.mt.gov)

June 13, 2016

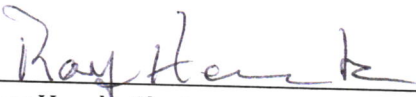
To Whom It May Concern:

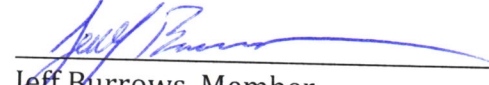
Over the past few months, the 9-1-1 Advisory Council has been meeting, in part, to draft legislation to submit to the Energy and Telecommunications Interim Committee. Draft bill LC ET04 proposes a new funding structure for Next Generation 911 as well as makes many needed changes in Montana's outdated 911 statutes. Upon review of this draft bill, we have determined that we cannot support it as written. This is due to the proposed funding structure that dramatically reduces allocations to some 911 Public Safety Answering Points (PSAP) in the state.

Ravalli County receives approximately \$275,000 annually from the State 911 Fund. The proposal contained in LC ET04 would decrease our revenue by \$36,000. In addition, six of the larger PSAPs in the state (one of which serves as a backup for the Ravalli County PSAP) stand to lose close to \$500,000 among all six in annual 911 funding.

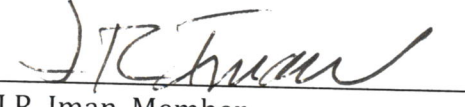
We urge the Energy and Telecommunications Interim Committee to support an alternative fund distribution method that maintains current funding levels necessary to existing operations, specifically to those PSAPs supporting the largest populations in Montana.

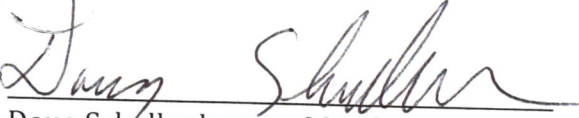
Sincerely,  
BOARD OF RAVALLI COUNTY COMMISSIONERS

  
Ray Hawk, Chairman

  
Jeff Burrows, Member

  
Greg Chilcott, Member

  
J.R. Iman, Member

  
Doug Schallenberger, Member

## Nowakowski, Sonja

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**From:** Mark Baker <markbaker@abslegal.net>  
**Sent:** Friday, June 17, 2016 12:46 PM  
**To:** Nowakowski, Sonja  
**Cc:** Myhre, Aidan; Baker, Mark  
**Subject:** 911 comments

Sonja,

Please accept the following comments from AT&T on the proposed legislation:

AT&T thanks the Energy and Telecommunications Interim Committee for the invitation to provide comments on the proposed legislation to update Montana's 9-1-1 statutes. AT&T would like to focus on the assessment of 9-1-1 fees, as they may be impacted by the proposed legislation. Our reading of the legislation is that it does not intend to change assessment as it currently exists. For instance, there is no provision current in Montana law for the assessment of prepaid telecommunications revenues for 9-1-1, and we do not read this statute as changing that fact.

However, there is a change made that indirectly impacts assessment. Section 14 of the Bill deletes the definition of "place of primary use." We believe this is probably because the term is not used elsewhere in the chapter, which makes it unnecessary. The term is defined in slightly different terms in 15-53-129 MCA, and is used in 15-53-131 MCA to clarify how wireless telecommunication service is assessed by location. Given that the term is not used in 10-4 MCA, and that it varies from the definition used in 15-53-129 MCA, we agree that it is probably best to eliminate the redundant and necessary definition. It might be wise in comments on the draft, however, to note that the deletion of this definition was not intended to change the rules of wireless assessment provided in 15-53 MCA.

Thanks. Please let me know if you have questions.

Mark

*Mark Baker*  
*ABS LEGAL*  
*Attorneys-at-Law*  
*One South Montana Avenue, Lower Level*  
*PO Box 866*  
*Helena, MT 59624-0866*  
*406.449.3118 – Office*  
*406.459.2160 – Mobile*  
[markbaker@abslegal.net](mailto:markbaker@abslegal.net)

Energy and Telecommunications Interim Committee  
Updating Montana's 911 Statute  
Draft Legislation (LCET04)

**Comments of the Montana Telecommunications Association**  
June 17, 2016

**I. Background**

The Montana Telecommunications Association (“MTA” or “we”) is pleased to submit comments to the Energy and Telecommunications Interim Committee (“ETIC”) regarding legislation the Committee is considering to update Montana’s 911 statute.

MTA has been privileged to participate as a member of a working group established under HJ 7 to study the next-generation 911 (“NG 911”) statutory and regulatory environment and to “make recommendations for the implementation, management and operation and ongoing development of next-generation 9-1-1 emergency communications.” We appreciate the active leadership and engagement of members of this committee in the working group’s deliberations.

MTA also is a member of the Governor’s 911 Advisory Council and a member of the Statewide Interoperability Governance Board (“SIGB”). All of these entities (ETIC, the working group, the 911 Council and SIGB) have played influential roles in developing a framework for modernizing Montana’s emergency communications ecosystem.

The HJ 7 working group looked at the current state of 911 emergency communications in Montana and recommended four items that could be implemented—if approved by the Legislature—to improve Montana’s 911 environment. Those four recommendations are:

1. Complete the Internet Protocol (“IP”) transport backbone (or “ESInet”) which enables the digital communications upon which NG 911 emergency communications depend. This backbone is approximately 80% complete.

2. Upgrade those public safety answering points ("PSAPs") which are not yet IP-capable.
3. Upgrade "legacy" selective routers in Montana through which 911 calls are routed to PSAPs.
4. Survey the state of geographic information systems ("GIS") being implemented to varying degrees by Montana counties.

The working group reached consensus on a variety of other issues. For example, the group determined that the cost of implementing the four recommendations above would be approximately \$5 million, and that funds accumulated in the 911 wireless account (commonly referred to as the "stranded fund") could be used to pay for the recommendations. The "stranded fund" currently holds around \$10 million. The working group also noted that upgrades to current "legacy" infrastructure should be implemented through a public request for proposal ("RFP") process. Another consensus finding of the working group was that state 911 funds should be invested in infrastructure and related services that carry emergency telecommunications from the emergency caller to the PSAP. Expenses and other obligations (e.g., dispatch activity and other "post-PSAP" expenses) from the PSAP to the emergency responder primarily are the responsibility of the county and/or PSAP.

Meanwhile, the 911 Council deliberated reforms to Montana's current 911 statute (10-4-101, ff, MCA). Among other things, the Council adopted the working group's recommendations and added a provision to fund a statewide NG 911 strategic implementation plan. The Council also recommended that a 911 advisory council be established with rulemaking authority to oversee funding of Montana's migration to a NG 911 environment. Further, the Council recommended streamlining Montana's arcane statutory funding mechanism.

Both the working group and the Council presented their findings and recommendations to ETIC, which gave the Council the green light to proceed



with draft legislative proposals. ETIC has posted these proposals as LCET04 and now seeks public comment on the draft legislation.

LCET04 essentially meets the broad consensus recommendations proposed by the working group and 911 Council. MTA commends the members of ETIC, and the many diverse stakeholders who have collaborated to bring this legislation to its current status. We now are down to short strokes; the current draft is nearly ready for prime time.

In this regard, MTA offers several recommendations for further revision and improvement of LCET04. MTA discussed many of these recommendations at the 911 Council meeting on June 16, and is working with Council and ETIC staff to incorporate these conceptual recommendations into specific legislative language prior to ETIC's July 14-15, 2016, meeting.

With the adoption of further modifications discussed herein, assuming specific legislative language is crafted that is agreeable to parties, MTA is optimistic that consensus legislation will be ready for introduction in the 2017 Legislative Session.

## **II. MTA Recommendations**

### *1. Sec. 1. Advisory Council.*

Twenty-five percent of all 911 funds collected by the \$1.00 per subscriber 911 fee is set aside for provider cost recovery. Moreover, telecommunications providers enable our current, and future, emergency communications capabilities. Yet, LCET04 creates a 911 advisory council with 17 members, only three of whom represent Montana's telecommunications providers. We support creation of an advisory council. And while 17 members is rather large and cumbersome, our main concern is with the lopsided population of the council with government representatives.

*2. Sec. 7. Distribution of funds to local governments.*

LCET04 “automatically” distributes 75% of all 911 funds collected to “local government entities that host [PSAPs.]” MTA realizes this is how 911 funds “traditionally” have been allocated. Nonetheless, this allocation method has developed characteristics of an “entitlement” upon which local governments have become dependent. In most cases, the automatic quarterly allocation of 75% of the 911 fund to counties has been used for a variety of directly-related 911 implementation expenses. In some cases, however, 911 funds are used by local governments for buildings, personnel and other purposes not directly related to 911 emergency communications. MTA urges the adoption of language which provides greater clarity and governance over how the “75% fund” may be used—and not used—by local government entities.

*3. Sec. 8(1). County grant authority.*

Sec. 8(1), as currently drafted, requires that all grants “must be awarded to local governments...” MTA is concerned that this language may unintentionally serve as a barrier to cost recovery by emergency communications providers. County governments may lack the resources to process requests for reimbursement from providers in a timely and efficient manner. MTA does not object to a process that requires county government involvement as a first step. However, we suggest that there also be a provision that allows either the county or the provider to apply directly for grant approval when either party requests it, or if the county fails to process applications for cost recovery in a timely manner.





4. *Sec. 8(2). Grant criteria.*

LCET04 provides purposes for which grants may be awarded to local governments. Such purposes include, among other things, “the purchase of 911 systems, equipment, devices and data.” “911 systems” are defined in Sec. 14. MTA suggests that the “purchase of 911 systems” include such other expenses related to the operation and maintenance of 911 systems.

5. *Sec. 8(3). Grant priority.*

As currently drafted, subsection 8(3) assigns “priority to grant requests that include participation and commitment by a private telecommunications provider for services to support 911 systems.” This is new language with which MTA is unfamiliar. We are not certain what “services to support” 911 systems means. We recommend language that more clearly directs the department to assign first priority to requests from providers for purchasing, deploying, operating and maintaining emergency communications facilities necessary to enable emergency communications.

Further, MTA is working with 911 Council and ETIC to attain greater clarity in prioritizing grants awards *after* funds are dedicated first to providers. In this regard, MTA suggests that PSAPs may qualify for grants, in accordance to rules established that ensure that PSAP requests are for legitimate 911 and NG 911 implementation (i.e., not for unrelated purposes). Any remaining funds after grants are awarded to providers and PSAPs may be awarded to counties or for dispatch purposes.



*6. Sec. 13. Statewide Plan*

This section establishes an account to fund the development of a statewide 911 plan. Subsection 13(4) provides various criteria to be included in the plan. MTA has no objection to the criteria listed in this subsection. We recommend an additional criterion: the state plan should, among other things, develop recommendations to maximize the efficient and prudent use of public resources by leveraging to the maximum extent possible existing network infrastructure and facilities.

**III. Conclusion**

MTA is greatly encouraged with the progress that many stakeholders, including importantly, ETIC, have made to date in developing comprehensive approach to reforming Montana's 911 environment. We are optimistic that legislation can be passed in the 2017 Legislative Session to modernize our emergency communications statute.

Respectfully submitted,

Geoff Feiss, General Manager  
Montana Telecommunications Association  
208 North Montana Avenue, Suite 105  
Helena, Montana 59601  
406-442-4316  
[gfeiss@telecomassn.org](mailto:gfeiss@telecomassn.org)



911

## Communications of Gallatin County

1705 Vaquero Parkway • Bozeman, MT 59718

Kerry O'Connell, Director

June 17, 2016

Re: LC ET04 Draft

To Members of the Energy and Telecommunications Interim Committee,

Thank you for the opportunity to offer public comment on the draft of LC ET04. As Director of Gallatin County 911, I recognize the need to update the language in legislation pertaining to 911 and applaud those involved in drafting the bill. Gallatin County 911 supports the bulk of the content of the draft. Our agency stands in opposition to the funding distribution method specific to the PSAPs.

The State Public Safety Communications Office distributes a base of about \$606,000 annually to Gallatin County 911. The proposed distribution method would reduce our base funds by about \$73,000. We oppose this reduction in our funding. We would support a distribution model that better maintains our current level of funding.

As of June 16, 2016, members of the State 911 Advisory Council agreed in concept to a proposed "Status Quo" funding distribution model for PSAPs. We will continue to work with the Council to suggest changes that can be widely supported by the PSAPs across the State. The diverse nature of the PSAPs in Montana will likely prevent unanimous support of any proposed language. It is my hope that we can provide you with feedback that results in legislation for the benefit all of our citizens and visitors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kerry O'Connell".

Kerry O'Connell, Director

Gallatin County 911 Communications