State of Idaho
NG9-1-1 Governance Model Recommendations Report

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Final

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1. Introduction

This Governance Model Recommendations Report (Governance Report or Report) is produced as a companion document to the State of Idaho Enhanced[1]/Next Generation 9-1-1 Plan Update (NG9-1-1 Plan). As such, it incorporates Plan components by reference and may require modification when the NG9-1-1 Plan is updated.

The NG9-1-1 Plan addresses governance as follows:

As a result of the way 9-1-1 and E9-1-1 evolved nationally, the 9-1-1 system is made up of independent and unconnected systems with varying levels of capability and quality of service. Governance of these isolated systems has been primarily local or regional across the country for decades. Due to this isolation, the ownership and responsibility for these systems has not been an issue. Public expectation, technological advancements, interoperability and data sharing capabilities, are driving the migration to NG9-1-1. NG9-1-1 technical and operational transition requires a broader ownership, maintenance and governance structure(s).

The 9-1-1 environment becomes more complex with the transition to NG9-1-1 and will require collaboration among all levels of government in a way that was not necessary in the past. Policy and governance issues cannot be addressed by individual ECCs or individual 9-1-1 authorities.[2] Governance for 9-1-1 at the sub-state level is focused on three types of stakeholder groups; regional 9-1-1 authorities, ECC host local governmental agencies, and the ECCs themselves. While those stakeholder groups will continue to be central to the transition to NG9-1-1, NG9-1-1 is not intended to reflect closed systems that are unique to the delivery of 9-1-1 calls, or local sets of emergency responders. Next Generation 9-1-1 is designed around shared, interconnected systems potentially involving a wide variety of public and private stakeholders in a position to facilitate emergency response and incident management.

A NG9-1-1 system is supported by a network environment that separates data "transport" from those "applications" that ride on top of that transport. Applications are those task-specific functions that are designed to ride on top of the transport involved (e.g., the delivery of a 9-1-1 call). The transport part of NG9-1-1 is a statewide ESInet[3].

[1] Enhanced 9-1-1 abbreviated as E9-1-1
[2] Next Generation Partner Program, Next Generation 9-1-1 Transition Policy Implementation Handbook, March 2010, 2.
[3] Emergency Service Internet-Protocol network (ESInet). A managed IP network that is used for emergency services communications, and which can be shared by all public safety agencies.
https://cdn.ymaws.com/www.nena.org/resource/resmgr/standards/NENA-ADM-000.23-2020_FINAL_2.pdf

ESInets have the ability to connect those in need of emergency services with public safety service providers, response agencies. The ESInet provides the ability to interact and share data, resources and functions beneficial to emergency incident outcome beyond the boundaries of the current E9-1-1 systems and networks. The applications and application platforms that use the ESInet for transport are independent of the ESInet. Who owns, deploys and/or manages an ESInet may not be the same stakeholders that own, deploy and manage the applications utilizing the ESInet for transport and connectivity. The delivery of a 9-1-1 call may represent only one application of many. Other applications may include first responder communications, additional incident data providers and incident management functions. The Federal Communications Commission's (FCC's) Network Reliability and Interoperability Council VII suggested that such connectivity could extend well beyond the traditional Public Safety community, and include the following:

- *Traditional Public Safety agencies: law enforcement, fire services, emergency medical services (EMS), 9-1-1*
- *Citizens and businesses: connections between them and agencies (e.g., E9-1-1, truck fleet management systems)*
- *Business safety providers (e.g., telematics[4], alarm monitoring systems, hazmat service providers)*
- *Hospitals/Clinics*
- *Public health*
- *Emergency management*
- *Transportation departments*
- *Different transportation modes (e.g., railroads, ports, trucking)*
- *Non-governmental organizations: Red Cross, Salvation Army, Cleary Emergency Restoration Trailer*
- *Community emergency response team (CERT), mountain rescue groups, etc.*

[4] The mechanisms that support the acquisition of telemetry data and action based upon it.
https://cdn.ymaws.com/www.nena.org/resource/resmgr/standards/NENA-ADM-000.23-2020_FINAL_2.pdf

- *Mental health organizations*
- *National Guard*
- *United States Department of Defense (US DoD)*
- *Utilities, public works, recreation departments*
- *Media*
- *Schools*
- *Critical infrastructure companies*[5]

Interconnection between these kinds of stakeholders provides an opportunity for coordination and the sharing of information and data that would ultimately benefit emergency response and incident outcome. The IPSCC[6] *understands the statewide benefits of the interconnection created by NG9-1-1 and will continue to define and evolve the system management, policy, institutional, and governance considerations.*

As noted, the definition and evolution of the *"…system management, policy, institutional and governance…"* must result in appropriate oversight of the statewide system of systems that best supports all functions and levels of public safety response and recovery.

To that end, this Governance Model Recommendations Report addresses required changes to the current model. ***FE*** worked with the Idaho Public Safety Communications Commission (IPSCC) staff and Commissioners to develop recommended changes to the current framework. These recommendations are based on the IPSCC staff and Commissioners' input, understanding and consideration of the local Emergency Communications Centers' (ECCs') needs and the current State statutes. These recommendations involve policies, procedures, and statutory or regulatory authority necessary to govern a statewide ESInet. This document also provides best practices relative to governance for the transition to NG9-1-1.

[5] FCC NRIC VII FG1D, 62, *available at* http://www.nric.org/fg/index.html.
[6] Idaho Public Safety Communications Commission

2. Current Governance Model

The current governance model for 9-1-1 emergency communications services in Idaho follows the state, regional and county configurations and relationships. The state level of governance is responsible for the stewardship of the 9-1-1 surcharge and other revenues collected at a local level and remitted to the State. These funds support the IPSCC and its activities toward the legislated goal of a consolidated statewide emergency communications system. The regional governance level is in the form of the District Interoperability Governance Boards (DIGBs) that plan and oversee regional consolidations of interoperating emergency communications systems for multiple counties, cities and tribes. The local level of governance is at the county and city level where County Commissioners and City Council representatives oversee the individual ECCs. The relationship between the state, regional and local governance entities is good, and furthers benefits in the form of services and technological advancements for the users of the 9-1-1 systems, the response agencies and the citizens of Idaho. Section 6 provides recommendations for how these relationships, roles and responsibilities should be leveraged, adapted and enhanced to accommodate the migration to a statewide emergency communications system of systems, NG9-1-1.

2.1 Idaho Public Safety Communications Commission (IPSCC)

As detailed in the State of Idaho Enhanced/Next Generation 9-1-1 Plan Update, the Idaho Public Safety Communications Commission (IPSCC) was established in 2016 by Idaho Statute Title 31, Chapter 48, Sections 15, 16, 17, 18, 19, 20 and 21. The authority of the IPSCC by statute is to:

"…provide the governance structure through which public safety communications stakeholders can collaborate to advance consistency and common objectives, to provide integrated facilitation and coordination for cross-jurisdictional consensus building, to assist in the standardization of agreements for sharing resources among jurisdictions with emergency response communications infrastructure, to suggest best practices, performance measures and performance evaluation in the integrated statewide strategic planning and implementation of interoperability among public safety communications professionals and entities that serve people in Idaho regardless of jurisdiction, to manage the Idaho public safety interoperable communications and data systems fund as

established by section 31-4820, Idaho Code, and to pursue budget authorizations as set forth in this chapter."[7]

2.1.1 IPSCC Composition

"The commission shall be composed of eighteen (18) voting members. The statewide interoperability coordinator of the Idaho bureau of homeland security[8] *will not be a member of the commission but shall report quarterly to the commission.*

(5) Appointment by the governor will include the following voting members:

(a) The director of the Idaho bureau of homeland security[9] *or a designated representative and the director of the Idaho state police or a designated representative.*

(b) The chair of the Idaho technology authority and one (1) legislator selected by joint approval from the speaker of the house of representatives and the president pro tempore of the senate.

(c) The governor will receive suggested names of candidates and alternates for representation from the following and will appoint at his own discretion one (1) representative as a voting member from each: one (1) member representing the association of Idaho cities, one (1) member representing the Idaho association of counties, two (2) members representing the Idaho sheriffs' association, one (1) member representing the Idaho chiefs of police association, one (1) member representing the Idaho fire chiefs association, one (1) member representing the Idaho health and welfare department's state emergency medical services communications center, and one (1) member representing the Native American tribes of the state.

(d) Six (6) district interoperable governance board (DIGB) representatives. Each district shall select from the following to represent its district: a county commissioner, sheriff, mayor, chief of police, fire service chief, public safety answering point[10] *manager, public safety technology manager or emergency medical services manager.*

(6) Commission representatives shall be appointed by the governor as follows:

[7] https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH48/SECT31-4801/
[8] The Statewide Interoperability Coordinator is now under the Idaho Office of Emergency Management (IOEM)
[9] Now IOEM
[10] Referred to as ECC throughout this document

(a) Each association, entity or DIGB shall select one (1) primary and one (1) alternate candidate to represent the association, entity or DIGB. Following administrative procedures guidelines, both names shall be submitted to the administrative agency responsible for these tasks, which is the Idaho bureau of homeland security[11], within thirty (30) days after a term expires or a vacancy occurs. The Idaho bureau of homeland security[12] will then forward each entity's names to the governor for consideration and appointment to the commission.

(b) Should any association, entity or DIGB fail to submit the names of the candidate and the alternate as directed in this subsection, the commission shall select a candidate and alternate from the association, entity or district and submit those names to the governor for consideration and appointment to the commission."[13]

2.1.2 IPSCC Authority and Responsibilities

"Providing an emergency communications service shall be considered a governmental function."[14]

The need to implement planning for the migration to the Next Generation 9-1-1 is a directive of Idaho Code § 31-4816 and provides authority to the IPSCC to carry out the mission of a consolidated statewide emergency communications system.

The responsibilities of the commission are to:

(1) Determine the status and operability of consolidated emergency communications systems and interoperable public safety communications and data systems statewide;

(2) Determine the needs for the upgrade of consolidated emergency communications systems and interoperable public safety communications and data systems;

(3) Determine the costs for the upgrades;

(4) Recommend guidelines and standards for operation of consolidated emergency communications systems and interoperable public safety communications and data systems;

[11] Now IOEM
[12] Ibid.
[13] https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH48/SECT31-4815/
[14] https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH48/SECT31-4805/

(5) Recommend funding mechanisms for future implementation of upgrades;

(6) Serve as a conduit for the future allocation of federal grant funds to support the delivery of consolidated emergency communications systems and interoperable public safety communications and data systems;

(7) Serve as the statewide interoperability executive committee (SIEC) for issues related to public safety communications and data communication. Such issues may involve the federal communications commission, national telecommunications information administration and first responder network authority;

(8) Perform an annual review of the statewide communications interoperability plan and provide the statewide interoperability coordinator with guidance to improve operational and interoperable communications in the state;

(9) Designate working groups or subcommittees as appropriate, which may include consolidated emergency communications, information technology, cross-jurisdictional relations with Native American tribes, interoperable public safety communications and data systems, the national public safety broadband network or future technologies, and others as deemed necessary by the commission;

(10) Report annually to the legislature of the state of Idaho on the planned expenditures for the next fiscal year, the collected revenues and moneys disbursed from the fund and programs or projects in progress, completed or anticipated;

(11) Enter into contracts with experts, agents, employees or consultants as may be necessary to carry out the purposes of this chapter;

(12) Assist public safety communications stakeholders in the establishment of consolidated emergency communications systems and public safety communications and data systems, and to provide the governance structure through which public safety communications stakeholders can collaborate to advance consistency and common objectives;

(13) Provide integrated facilitation and coordination for cross-jurisdictional consensus building;

(14) Assist in the standardization of agreements for sharing resources among jurisdictions with emergency response communications infrastructure;

(15) Suggest best practices, performance measures and performance evaluation in the integrated statewide strategic planning and implementation of interoperability;

(16) Manage funds as authorized by this chapter;

(17) Pursue budget authorizations for interoperable public safety communications and data systems; and

(18) Promulgate rules pursuant to the provisions of chapter 52, title 67, Idaho Code, to carry out the purposes of the commission's duties.[15]

2.2 District Interoperability Governance Boards (DIGBs)

There are six District Interoperability Governance Boards (DIGBs) that are regional governing bodies *"…comprised of representatives and organized to provide input to the Idaho public safety communications commission regarding the commission's objectives and regarding consolidated emergency communications and interoperable public safety communications and data systems for the agencies and organizations within its own geographic area."*[16] The following table shows the county/tribal membership of each DIGB:

Table 1 – DIGB Memberships

Districts	Counties/Tribes					
DIGB1	Benewah	Bonner	Boundary	Kootenai	Shoshone	
DIGB2	Clearwater	Idaho	Latah	Lewis	Nez Perce	
DIGB3	Ada	Adams	Boise	Canyon	Elmore	Gem
	Owyhee	Payette	Valley	Washington		
DIGB4	Blaine	Camas	Cassia	Gooding	Jerome	Lincoln
	Minidoka	Twin Falls				
DIGB5	Bannock	Bear Lake	Bingham	Caribou	Franklin	Oneida
	Power					
DIGB6	Bonneville	Butte	Clark	Custer	Fremont	Jefferson
	Lemhi	Madison	Teton			

The DIGBs plan and promote shared resources/service models for emergency communications in their respective regions. They also provide critical input to the IPSCC through representation on the Commission and through communication between the

[15] https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH48/SECT31-4816/
[16] https://ioem.idaho.gov/ipscc/digb-information/

DIGBs and the IPSCC. This collaborative relationship between the DIGBs and the IPSCC has proven to be beneficial to emergency communications at the local/regional level and to the IPSCC as it carries out its responsibilities.

2.3 County Commissions and City Councils

County government in Idaho is managed by County Commissions comprised of elected representatives of the county constituents. Counties have the power to tax property and share in the proceeds gleaned from *"…highway revenues, inheritance taxes and taxes on such things as cigarettes, liquor and gasoline."*[17]

A County Board of Commissioners serves as the administrative branch of county government providing legislative and policy-making support to the County ECC. The Board of Commissioners oversee county services, departments and officers. In Counties where the ECC is housed within the Sheriff's Office, the County may provide for the operation via funding and support.

A City Council is also comprised of elected officials and Cities have similar taxing authority, within their political jurisdiction, as counties. City Councils are the administrative branch of city government providing legislative and policy-making support and funding to the individual city ECCs. Cities differ from counties in that many city ECCs are city departments, answering to City administrators and City Council.

[17] http://idcounties.org/about/

3. 9-1-1 Funding

The State of Idaho Enhanced/Next Generation 9-1-1 Plan Update (Plan) provides the following description of the current 9-1-1 funding mechanism:

Funding of Basic 9-1-1 and wireless E9-1-1 is provided through an assessment of a fee on subscribers of local landline and wireless access in addition to interconnected VoIP service lines.

The emergency communications fee cannot exceed $1.00 per month per access or interconnected VoIP service line. The fee is limited in its use to ***finance the initiation, maintenance, operation, enhancement and governance of a consolidated emergency communications system*** *and provides for the reimbursement of telecommunications providers for implementing enhanced consolidated emergency systems. All emergency communications fees collected and expended are required to be audited by an independent, third party auditor.*[18]

Note that the statute stipulates that *"All emergency communications fees collected and expended pursuant to this section shall be audited by an independent, third-party auditor ordinarily retained by the governing board for auditing purposes."*[19]

The Plan goes on to describe the legislated permissible uses for the fee *"…to pay for the lease, purchase or maintenance of emergency communications equipment for basic and enhanced consolidated emergency systems (NG9-1-1). This includes necessary computer hardware, software, database provisioning and training. Only those salaries that are directly related to enhanced consolidated emergency systems are eligible. Also eligible are costs of establishing enhanced consolidated emergency systems, managing, maintaining and operating hardware and software applications. Agreed-to reimbursement costs of telecommunications providers related to the operation of enhanced consolidated emergency systems are also allowable.*[20]

All other expenditures necessary to operate enhanced consolidated emergency systems and all other safety or law enforcement functions are the responsibility of local governing bodies.[21]

[18] https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH48/SECT31-4804/
[19] Ibid.
[20] Emergency Communications Act, Idaho Code § 31-4804 (5).
[21] Ibid.

3.1 Enhanced Emergency Communications Grant Fee

The Plan provides details to the ongoing Enhanced Emergency Communications Grant Fee of *"…$0.25 per month per access line including interconnected VoIP service lines.*[22] *Funds collected from the grant fee are used for grants to eligible entities that are operating consolidated emergency communications systems.*[23]

To be eligible for grant funds, a county or 9-1-1 service area must be collecting the emergency communications fee in accordance with Idaho Code section 31-4804, in the full amount authorized and must also be collecting the full amount of the enhanced emergency communications grant.[24] *A county, city or consolidated emergency communications system remits the grant fee to the Idaho emergency communications fund on a quarterly basis.*[25]

The IPSCC is required to prepare an annual budget that allocates the grant funds to eligible entities and the portion of the funds necessary for the continuous operation of the IPSCC.[26]

Counties or 9-1-1 service areas that opt to collect the grant fee can retain the full amount of the emergency communications fee established in section Idaho Code section 31-4803. The county or 9-1-1 service area is also exempt from remitting the one percent of emergency communications fees for operation of the IPSCC.[27]

With the implementation of the Enhanced Grant Fee and 40 participating counties of 44 total, the revenue collected through this fee was $2,396,586.83 in FY 2018, with a total of $117,344.00 earned in interest.

The Commission reports that in 2018 through the 25-cent grant fund, the 48 PSAPs continue to be E9-1-1, Phase I and II compliant. Sustainment and maintenance of this funding mechanism will remain the focus of the IPSCC until such time as NG9-1-1 advancements and further consolidation of emergency communications networks and technology replace, in whole or in part, the need to continue this grant program as is. The Commission will advance the principles of prioritizing equipment consolidation and sharing between PSAPs to help decrease costs and duplication of equipment."

[22] Emergency Communications Act, Idaho Code § 31-4819(1).
[23] Emergency Communications Act, Idaho Code § 31-4819(b).
[24] Emergency Communications Act, Idaho Code §31-4819(d-e).
[25] Emergency Communications Act, Idaho Code § 31-4819(b).
[26] Emergency Communications Act, Idaho Code § 31-4819(b).
[27] Emergency Communications Act, Idaho Code § 31-4819(e).

The grant program has distributed $18.2 million to date to sustain low population counties in providing emergency communications services and to assist higher population counties with the necessary upgrades to their systems to prepare for NG9-1-1. To continue to foster parity in service levels in rural and urban areas, the current grant program will be continued. See Section 6 for recommendations on how this program should be enhanced to support the migration to NG9-1-1 statewide.

4. IPSCC Vision and Input

IPSCC Commissioners and the IPSCC 9-1-1 Program Manager, participated in a teleconference that shaped the ***FE*** team's understanding of the IPSCC roles and responsibilities, and provided forethought and input on the following topics:

- The current governance and the roles of the IPSCC and the DIGBs
- Ownership and sustainment of a future statewide consolidated emergency communications system (NG9-1-1)
- Data Sharing
- Education and Training

The 9-1-1 Program Manager noted that the IPSCC is functioning as created by statute as a state level governance structure to facilitate and collaborate sharing of resources toward the build out of a consolidated statewide emergency communications system. By statute[28] the IPSCC is to apply best practices and performance metrics to this statewide initiative and to manage the funds necessary to achieve and maintain the statewide system of systems.

The IPSCC was created by state statute, while the DIGBs were created by counties and cities entering into regional intergovernmental agreements with formal bylaws established. The role of the six DIGBs was discussed as a method for expanding governance to accommodate the planned statewide system. The relationship between the DIGBs, the IPSCC, and the counties and organizations represented at the state and regional levels, is beneficial as each entity has the same goal of improving emergency communications for response agencies and citizens.

Discussion included how the DIGB framework may require some adjustments to address an appropriate representation if they were to become a formal segment of the governance framework for the statewide system. As an example, the state is not represented at the DIGB level although there are some state agencies that work with the DIGBs. Consideration was suggested toward collaboration with the statewide interoperability coordinator (SWIC) as planning activities for state and local collaboration are addressed in the Statewide Communications Interoperability Plan (SCIP). To accomplish this coordination, the IPSCC/9-1-1 Program Manager and the SWIC will need to work

[28] https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH48/SECT31-4801/

together. Through this discussion it was noted that the role of the IPSCC extends beyond 9-1-1 into other voice communications such as public safety radio, and into data sharing.

4.1 Ownership

Discussion about ownership of a statewide system focused on how best to adapt the current structure to accommodate the migration from disparate systems to a statewide system. The IPSCC understands that the current legislation and fee will require adjustments to accommodate the migration and upkeep. As an example, these changes may be necessary to adequately address the disparate capabilities of the emergency communications systems in place. Suggestions included:

- A cooperative agreement between the IPSCC and the DIGBs to facilitate planning as a collaborative approach.
- Any cooperative agreement could preserve ownership for components of the system that is already owned, with anything new or acquired by the DIGBs or by the IPSCC as belonging to the governing body or whomever contributed the component/funding.

Additional ownership discussion included noting questions that will be answered once the system design is determined. These questions include:

- Who owns/provides the core services?
- If there are interconnected ESInets who owns/operates the backbone infrastructure?
- How will funding for planning, acquisition, implementation, monitoring, operations, maintenance/support/upkeep and replacement be appropriated?

One shared example described one of the DIGBs acquiring a system that used a contractor to manage their fiber. The DIGB may realize potential funding sources through the sale of excess facility resources, e.g., dark fiber.

4.2 Data Sharing

Discussion about the expansion of interconnections that would allow ECCs to share data across the state, and with other states. Several IPSCC Commissioners and DIGB

representatives on the IPSCC see this best coordinated at the DIGB level within the region, then intergovernmental/data sharing agreements could be made with other DIGBs. Other input noted that common data uses statewide and beyond, such as Geographic Information System (GIS), may be best addressed in a blanket agreement among all the DIGBs, and as appropriate with the IPSCC and other state agencies such as the Idaho Technology Authority (ITA).

If a statewide cooperative agreement was entered into by the DIGBs for broader or more common service and data needs, the IPSCC would be the appropriate provider of guidance and oversight in support of the DIGBs. It was noted that the ITA has policies for data sharing among state agencies and between state and local agencies, e.g., Idaho State Police (ISP) and Idaho Transportation Department (ITD). These policies provide rules for data sharing, cyber security and common security standards and other requirements that comply with the Criminal Justice Information Services (CJIS), Health Insurance Portability and Accountability Act (HIPAA), and include privacy and confidentiality requirements.

4.3 Education

Discussion regarding education included the need for transparency and frequent dissemination of information for stakeholders. In this planning phase the IPSCC Commissioners are providing information to their respective stakeholders, but all agreed that a method for conveying status and information about the migration to NG9-1-1 should be formalized, perhaps via website content. A broad reaching distribution method will keep more stakeholders informed.

4.4 IPSCC Commissioners Interviews

Four IPSCC Commissioners were interviewed to gain an understanding of the vision and challenges that the IPSCC faces. The Commissioners are appointed by the Governor and are nominated for said appointment based on their role and representation within public safety emergency communications. The following Commissioners were interviewed:

Table 2 – IPSCC Commissioners Interviewed

IPSCC Commissioners Interviewed	
Name	**Title**
Jeff Weak	ITA Chairman
Sheriff Len Humphries	Sheriff Fremont County
Dave Taylor	PSAP Nez Perce 9-1-1 Coordinator
Commissioner Jacob Greenberg	Blaine County Board of Commissioners

4.4.1 Commissioner Jeff Weaks

Commissioner Jeff Weaks, Chairman of the Idaho Technology Authority (ITA), is a recent appointee to the Commission. Commissioner Weaks oversees the information technology services for state agencies. The ITA is undergoing a transition from a decentralized technical services model to a centralized, or enterprise, model of service. Commissioner Weaks' appointment to the IPSCC is timely as the Commission is planning the migration of distinct 9-1-1 systems to a consolidated statewide emergency communications system, NG9-1-1. His contribution to the complexities of the technical transition will be valuable.

The talking points with Mr. Weaks included the following:

- Availability and access to broadband in all forty-four (44) counties. He expressed the need to make certain the counties and cities understood the benefits of the migration and of working with other counties and the IPSCC to make the migration successful. There will be a need to work closely with counties that do not have IP-capable systems, or do not have the technical support on staff to assist with the technology changes.

- Standardization is critical for technical requirements definition, system interfaces and integration, and data that will be shared beyond those that are already compliant with standards such as GIS and National Emergency Number Association (NENA).

- Providing incentives for compliance with legislated requirements in order to be eligible for funding. Demonstrating value to participants of life-safety improvements for responders and citizens. Also demonstrate the risk, degradation in service, that occurs if not participating or complying with standards and eligibility requirements.

- Include lessons learned by other states, for example - what works and what does not.

- Centralized oversight is key. Identifying what local controls should be preserved, expanded or modified.

4.4.2 Commissioner Dave Taylor

Commissioner Dave Taylor is the 9-1-1 Coordinator for Nez Perce County. Commissioner Taylor is a recent appointee to the IPSCC who will bring a local ECC perspective to the Commission.

The talking points with Commissioner Taylor included the following:

- Collaboration with, and support from, the Idaho Association of Counties and the Idaho Sheriffs Association will be key to any changes necessary to the legislation and/or funding to support the migration to NG9-1-1.

- Discussed how the grant program may be modified to include an option to direct a portion of the fee towards the migration to NG9-1-1. This option will require demonstrating the value of redirecting funds to this initiative.

- If the IPSCC staff is expanded to carry out the legislated mission of building out a statewide system, the cost of this expansion will need to be determined and funded. The example of counties funding CJIS requirements through the Idaho Law Enforcement Telecommunication System (ILETS) based on use has created greater costs for small counties. Understanding the costs for NG9-1-1 migration, and ongoing maintenance, upfront may alleviate concerns at the local level.

- Discussed how a statewide system would require a broadband solution, backbone and infrastructure and support. Suggested expanding capabilities of ITA to support and/or contracting technical support and infrastructure use and access via a public/private partnership. Some examples include DIGB owned fiber that is connected to an existing or expanded backbone such as Idaho Regional Optical Network (IRON) or CenturyLink, then contracting with a private entity to manage the network. County and regional PSAPs may benefit from the sale of dark fiber through profit sharing. Noting that other emergency communications needs would benefit from these other funding sources, e.g. radio dispatch console systems and computer aided dispatch.

4.4.3 Commissioner Len Humphries

Commissioner Len Humphries is the Sheriff of Fremont County and has significant time on the IPSCC. Sheriff Humphries provides the perspective of local law enforcement, cross-jurisdictional relationships and experience working at the state level to advance 9-1-1 initiatives.

The talking points with Commissioner/Sheriff Humphries included the following:

- Discussed the need to plan for the provision of automatic number identifier and automatic location identifier (ANI/ALI) service and routing based off geo-mapping statewide. This service should be voluntary for agencies to participate but should have a demonstrated incentive/advantage available to agencies to encourage them to join.

- Counties currently collect and remit to the IPSCC $.25 of the 9-1-1 fee for the grant program sustainment. He would like to see this program extended to counties that do not participate or are not eligible to join at a different rate, perhaps a higher rate.

- When soliciting stakeholder buy-in, be clear about the benefits of a consolidated statewide emergency communications system, and NG9-1-1. Benefits include ability to transfer calls among all agencies in Idaho and routing of calls and other methods of communication, e.g. text, videos, pictures and automatic crash notifications (ACN).

- Limit or attempt to not change legislation. Increasing surcharges may be necessary but be cautious of other organizations that may see an opportunity to weaken the system, e.g. municipalities desiring to take-over 9-1-1 from a Sheriff's Office.

- Any discussion about pursuing physical consolidation of ECCs will trigger concerns about loss of local control and ownership. He prefers the pursuit of consolidating systems and equipment as in the Bonneville and Fremont led initiative where several counties are sharing equipment and systems. This sharing of resources is attracting other counties in eastern Idaho to seek to join the consortium.

- This example of sharing resources brings to the forefront the disparity in cost sharing. Bonneville County does not participate in the grant program, while the

other counties in the partnership do. Bonneville paid their portion out of their general funds while the other counties were able to pay from their grant monies.

- A statewide NG9-1-1 system must be built to NENA i3 standards[29]. Establishing and requiring these standards statewide will allow all participants to align.

- Discussion regarding infrastructure included the option of a relationship with Syringa Networks and/or Idaho Regional Optical Network (IRON) to utilize dark fiber currently available across the state. This can be accomplished via contract and service level agreements (SLAs). This type of public/private partnership can be duplicated across the state at varying levels with independent telephone carriers that support these networks.

- IPSCC should have regulatory and operational oversight of a statewide NG9-1-1 system, adopting NENA standards to facilitate standardization statewide. Caution should be used to avoid siloed results as in the example of radio systems built to open standards, then adding encryption to close it off; and disparate systems at the local and state level that are not able to interoperate.

- An example of intergovernmental relationship misstep is the use of an application to connect disparate computer aided dispatch (CAD) systems among several counties. The changing of one of the decision makers in one County initiated the selective termination of said county from the regionally shared software application. To preserve the shared resources aspect of a statewide NG9-1-1 system the intergovernmental agreements and standardized requirements must have adequate protections from changes such as this.

- Suggested maintaining the county collection of 9-1-1 funds and remittance to state and telephone carriers but rerouting a portion of the funds to support the migration and maintenance of the statewide NG9-1-1 system.

- Expressed concern and the need to address how the auditing of telephone carriers (providers) is accomplished. A recent study demonstrated how inaccurate the reported statistics are among the carriers. Since there is no tariff of 9-1-1 lines, perhaps the IPSCC could be authorized to enforce auditing of telephone lines and the associated remittances. Also suggested clarity be provided by telephone companies for what exactly the remitted funds are

[29] www.nena.org/resource/resmgr/standards/NENA-STA-010.2_i3_Architectu.pdf

supporting. Cited the lawsuit brought forth by the Idaho Association of Counties (IAC).

4.4.4 Commissioner Jacob Greenberg

Commissioner Jacob Greenberg is a Commissioner on the Blaine County Board of Commissioners. He has significant time on the IPSCC providing the local government and regional partnership perspective to the IPSCC. Commissioner Greenberg was nominated for appointment to the IPSCC through DIGB4 representing counties and cities in the southwest region of Idaho.

The talking points with Commissioner Greenberg included the following:

- Commissioner Greenberg noted that DIGB4 comprises seven counties.
- The existing funding mechanism should be redesigned to accommodate cost of service provision and fluctuations in these costs, e.g. adjusting the fee based on a cost index. The $1 per line fee has not changed while technology and public expectation for services has changed. It is understood that it will not be clear if the $1 fee is enough until decisions are made regarding the NG9-1-1 design configuration, and what will be needed to cover the fee, whether it is collected and paid at the local or state level.
- The responsibilities of the IPSCC extend beyond 9-1-1 now including the dispatch component of the overall emergency communications system and public safety radio systems. This would include the infrastructure for land mobile radio and broadband. Legislation will need to be adapted to include all devices in the emergency communications environment and how they will be charged.
- While it is common knowledge that the counties may be reticent about pooling funding at a state level, the benefit of auditing and holding carriers accountable at a state level is attractive.
- There is a need to determine how much funding is needed to buildout and maintain a statewide system, and who will be the stewards of said funding.
- The configuration of the system may work best if approached at a regional level, with regional emergency services IP-networks (ESInets) linked together like the southeast Idaho network.

- State governance via the IPSCC makes sense because there is a cross-section of representatives that provide input and support to and from local governments, ECCs, state agencies and vendors/carriers. The IPSCC already provides oversight for training, the grant program and some control over systems and equipment eligibility.

- There is a need to determine who exercises and enforces legislation at the regional level. Discussed preserving ownership and fiscal responsibility for existing systems as is or under DIGB authority. New acquisitions and infrastructure may be acquired by the IPSCC on behalf of the DIGBs. This will require a state level oversight, monitoring and upkeep.

- Will need to address how to incentivize participation and how to grandfather in or transition those that are not participating in the grant program now. If grandfathering in, or continuing the voluntary participation in the grant program, the commission must address how to continue without degradation or disparity in service across the state.

- Larger counties have different needs than the smaller ECCs. As such, these larger counties may have the revenue in place to sustain standalone systems. Key to the NG9-1-1 transition will be successfully demonstrating the value of a uniform standard across all systems, interconnections, routing, data sharing and default services.

- It is important to learn what other states have accomplished, and what lessons were learned. This will need to be viewed for opportunities to progress toward NG9-1-1 without forcing participants. Identify what separates the counties who do not participate, learn what their requirements are for participating. This is particularly necessary for those sharing resources with counties receiving the grant monies.

- An initial objective should be to encourage DIGBs and IPSCC to work toward each other and toward a common goal, requiring a solution that works for the state and local agencies. DIGBs are looking for IPSCC to give them direction – IPSCC is looking for DIGBs to give requirements.

4.4.5 Summary

The common areas of input are based on the understanding that legislation and funding may require adjustments to accommodate the migration to NG9-1-1. These changes are not yet known until decisions are made regarding the system design and costs. All Commissioners that were interviewed expressed a desire to maintain an appropriate level of local control by expanding or altering existing control as appropriate for broader factors such as infrastructure ownership, and all that the changes entail. The Commissioners expressed similar views supporting the broadening of the IPSCC role as a regulatory and operational oversight entity, with some seeing the need to expand IPSCC authority, via a cooperative agreement with the DIGBs, to provide for statewide coordination of the NG migration.

5. Lessons Learned

This section provides synopses of lessons learned from other states that are planning or have begun their migration to NG9-1-1. The National 911 Progress Report[30] (Progress Report) notes that thirty-one of the states have a statewide NG9-1-1 Plan adopted. The Progress Report links the successful implementation of NG9-1-1 to the presence of a statewide plan and to a strong state coordination role. There are fourteen states that have sub-state level NG9-1-1 plans and initiatives, e.g. regional ESInets. These sub-state plans and initiatives are the result of regional/local advancements ahead of statewide planning and have been leveraged to advance and augment statewide networks. The Progress Report indicates that twenty-five states have released a Request for Proposal for all or part of a statewide system, and some of these are considered to have completed procurement of same.

The following states were selected based on their known or reported NG9-1-1 planning and migration status, ***FE***'s relationship with the project or state 9-1-1 administrators, and the availability of publicized or presentation material about their projects. Like Idaho, these states are either in the planning phase or have recently navigated the planning and are now executing their migration plans. The lessons learned for each were selected from publicized reports and presentations on state websites and first-hand accounts.

5.1 Alabama

Alabama is migrating to a statewide ESInet.

Lessons Learned:

1. Adjust surcharge for wireline, wireless, VoIP and pre-paid to meet costs as needed.

2. Use federal grant money to close the gaps in implementing NG9-1-1. Alabama is using grant money to issue a hosted customer premise equipment (CPE) request for proposal (RFP) and a statewide GIS project RFP.

3. Fund training, expansion of Emergency Medical Dispatch (EMD) program, conduct compliance audit annually.

[30] https://www.911.gov/project_national911progressreport.html

4. Develop sustainable funding model for post-implementation and future.

5. Incentivize ECC consolidation through grant program.

6. Successful litigation with providers over accuracy of surcharge remittances netted an undisclosed award that was distributed to ECCs. This demonstrates the value of auditing the carriers and holding them accountable.

7. Surveyed ECCs to learn pressing issues. Found funding remains the most reported issue by ECCs. This is being addressed through the grant funded RFPs noted above. The second most pressing issue reported by ECCs is the hiring, training and retention of staff. This is being addressed through state sponsored training.

5.2 California

California is migrating to regionalized ESInets with state provisioned core services. Their lessons learned include:

1. Development and the conducting of Fiscal and Operational Review (FOR). This is a legislated requirement to monitor all 9-1-1 telephone systems. The State PSAP Advisors are available to assist each ECC with funding, CPE replacement, training allotment, operational and technical standards. The PSAP Advisors are resources and advocates for the ECCs.

2. Tracking equipment/system replacements is important. They established a CPE System Acceptance date of 2014 or prior as the designated threshold for replacement. The state 9-1-1 staff work with the ECCs to plan and schedule replacements.

3. Tracking deployment, issues and resolutions is critical during migration. For example, in text-to-9-1-1 implementation it was found that ECCs were not able to transfer texts to secondary ECCs.

4. Frequent reporting to legislators, local government and ECCs, and getting the word out across the state via Town Hall forums and conferences.

5. Understanding and educating stakeholders and decision makers on the relationships between technology, funding, collaboration and procurement.

6. Clarifying roles and responsibilities of state, region, local providers/carriers.
7. Education and consensus building messaging must include why NG9-1-1 is important. The California message includes the following points:
    a. Ensured emergency calls are quickly and accurately delivered – in 3 seconds or less.
    b. Delivers increased location accuracy for wireless calls.
    c. Provides a statewide common delivery system for Alerts and Warnings.
    d. Increases resiliency by hardening the system to withstand natural and human-caused disasters.
    e. Allows agencies to re-route 9-1-1 calls to each other during disasters.
    f. Supports seamless text-to-9-1-1 delivery into the call center.
    g. Allows agencies to utilize state of the art mapping in order to better locate callers.
    h. Reduces 9-1-1 system downtime. 9-1-1 outages are an ongoing problem with the aging infrastructure currently being used in California.
8. Plan statewide rollout by regions based on readiness, coordination with region.
9. Buildout backup to statewide network; microwave backhaul, other fiber routes.
10. Be prepared to offset continued revenue declines from the current fee structure, until legislation passes to address necessary changes in surcharge.
11. Established 9-1-1 Goes to Sacramento (modeled after 9-1-1 Goes to Washington), to elicit support for 9-1-1 legislation. They hold coordinated training with the event.
12. Conduct pilot rollouts of new technologies, e.g. location accuracy applications.
13. Develop a statewide GIS database and include in core services.
14. Include long-range planning in post-NG9-1-1 migration activities.

5.3 North Carolina

North Carolina's statewide ESInet is being rolled out now with a goal completion of December 2021. Their lessons learned include the following:

1. Track and schedule ECC system migration. Have contingency planning in place should the schedule slip.

2. Report out to legislators, ECCs and other stakeholders, of the deployment status, successes, goals and objectives.

3. Work closely with vendors to coordinate resources to accommodate the level of productivity necessary to achieve the complete migration of the ECCs to the NG9-1-1 solution within the planned timeframe.

4. If planning to implement a monitoring center for the statewide network, adopt a concept of operations that defines purpose, method and requirements for same. This monitoring center may be a contracted service or an in-house service. It must be a 24X7 operation that has the resources, tools and staff to provide "comprehensive service management oversight"[31].

5. A central core service to NG9-1-1 deployment is the aggregation and validation of GIS data. Developing a Geospatial Service.

6. Public education programs to keep the public, NG9-1-1 stakeholders, and industry partners informed about NG9-1-1 efforts.

7. Accountability and intergovernmental coordination at state, regional and local levels is important.

8. From past 9-1-1 implementation the state of North Carolina learned how critical statewide coordination is to maintain focus and give priority to funding and support of ECCs, service uniformity and quality statewide, ensure the security and reliability of the ESInet.

9. Focus must remain on equal access to NG9-1-1 services across the state.

[31] https://it.nc.gov/about/boards-commissions/nc-911-board

10. Establishing state-level standards and requirements will help with future interoperability and economic incentives for host-sharing and regional collaboration.

11. Seek to maintain and support local autonomy and control of emergency response.

12. Expand the state 9-1-1 Office staff to include regional support staff.

13. Conduct educational and consensus building regional sessions.

14. Adapt legislation to allow 9-1-1 Board to change the surcharge, within specific parameters/limitations, as needed to accommodate costs.

15. Require ECCs to submit their 9-1-1 fund budgets annually demonstrating eligible uses; ECCs can carry over unused funds.

16. Tribes are funded in the same manner as local government entities and are subject to the same distribution determinants and budget submission.

5.4 Ohio

Ohio is in the early migration phase of NG9-1-1 rollout. Their lessons learned include the following:

1. Public service announcements (PSAs) developed and broadcast to media, e.g. radio and television.

2. Monitoring and tracking compliance to reporting requirements from ECCs for funding.

3. Develop and distribute continuing education videos for ECC staffs.

4. Determine costs at all levels; state owned and maintained portion of network/equipment; regions and local government share of ownership of network components and equipment, deployment costs; core services.

5. Conduct scheduled reviews and cost-analysis to be able to determine costs to regions/local governments; serves two purposes: 1) helps state plan legislative changes to surcharge and distributions and 2) helps regions/local governments to determine their share of costs to migrate.

6. Universal service fee, or similar surcharge, adapt legislative language to allow any device that can communicate with 9-1-1 to be covered.

7. Plan at least 10 years out. Revisit and revise Plan in rhythm with legislative review.

8. Differentiate transitional costs of migration, then the ongoing, planning and upkeep costs post-deployment.

9. Provide forum for ECCs and other stakeholders to provide input to system design and migration strategies. This will allow the state to identify common concerns regarding the transition including the cost of operations and the cost of becoming NG9-1-1 compliant.

10. Make certain consideration of costs include the following:

    a. Upgrading of CPE

    b. Adoption of Emergency Medical Dispatch (EMD) systems

    c. ESInet connection costs

    d. Additional staff

    e. 9-1-1 mapping software

    f. Upgrading CAD systems

    g. Upgrading logging recorder system

    h. Upgrading of ECC power systems

    i. Annual Maintenance for CPE & CAD equipment

    j. Rules compliance training

11. Seek to identify and mitigate inconsistencies and knowledge gaps among the stakeholders about what is required to transition to NG9-1-1.

12. Be aware of the cost to implement and maintain a statewide ESInet.

5.5 Virginia

Virginia is in the process of rolling out the statewide ESInet. Their lessons learned include the following:

1. Create and utilize a dashboard to track status of NG initiative and migration project(s) by ECC. Make certain the public facing information includes funding, deployment schedule, connectivity status, timelines and GIS status.

2. Align deployment with ECC readiness; track and support resolving readiness issues; funding for the equipment and connectivity should be part of review and scheduling process.

3. Identify and prioritize strategic initiatives from the state plan, then work the plan.

4. Define key strategic initiatives to improve 9-1-1 service delivery and functionality. Virginia's strategic initiatives are currently publicized as:

    a. *Assess impact of NG9-1-1 on existing statewide 9-1-1 capabilities and services.*

    b. *Improve accessibility to 9-1-1 services and availability of information about the 9-1-1 ecosystem.*

    c. *Training recommendations for the NG9-1-1 telecommunicator[32].*

    d. *Employ analytics to identify future information services.*

5. Routinely evaluate initiatives for gaps in service, technology or resources, and operational impact, additional funding, and the need for legislative change.

6. Areas to focus on during migration include 9-1-1 and operations, education and training, technology, data development and sharing, maintenance and support.

7. Continuous analysis and planning are key.

8. Developed their own standards and best practices, includes existing industry standards and best practices in library, accessible via website.

[32] Referred to as Emergency Communications Officer (ECO) in this document

9. Developed a Regional Advisory Council that works with the state staff to implement their plan. This council is tasked with the following:

    a. *Provide advice to the state staff on new technologies, technical diversity, operational improvements, and best practices.*

    b. *Identify ways to improve communications among the Board, ISP staff, and stakeholder communities.*

    c. *Support the implementation of NG9-1-1 and increase awareness and support of outreach efforts regarding the entire 9-1-1 ecosystem.*

5.6 Montana

Montana is in the process of determining a path forward for the procurement and deployment of either regional ESInets or a statewide ESInet. Complicating matters is the fact that there is no legislated mandate for the State to procure an ESInet, so alternative procurement methods are currently being considered by the State of Montana 9-1-1 Advisory Council. Their lessons learned include:

1. Development and formalization of a grant program intended to assist local and tribal governments in the development of 9-1-1 emergency systems throughout the state. The program manages the quarterly allocation and distribution of state 9-1-1 revenues and monitors use of the funding by local and tribal governments and wireless service providers.

2. Regular reporting to State legislators, local governments, and ECCs.

3. Conducted Town Hall meetings intended to educate stakeholders and decision makers on the technology, funding on forthcoming changes to 9-1-1 technologies.

4. Conducting a statewide inventory of ECC equipment and technologies designed to establish the readiness of ECCs in their evolution to NG9-1-1 systems and technologies.

5. Set priorities for 9-1-1 systems and plans for NG9-1-1 technology deployment.

6. Establish uniform standards relating to 9-1-1 equipment, hardware, and software and NG9-1-1 technology.

7. Review any standards for future and legacy 9-1-1 technologies or principles adopted for baseline NG9-1-1 technologies based on industry standards.

8. Plan for the deployment of a statewide interoperable internet protocol network.

9. Maximize the use of existing commercial communications infrastructure.

10. Promote collaboration among local governments and ECCs to improve efficiency by developing interconnectivity of 9-1-1 systems through partnerships for enhancement, operation, and maintenance of the network.

11. Collaborate with the State GIS authority to establish a standardized approach to the establishment of a statewide, NG9-1-1 centric GIS database.

12. Establish collaborative relationships with the various telephone companies and incumbent cell phone and network facilities providers.

6. Recommendations

6.1 Regulatory Authority

Recommend IPSCC develop and maintain a list of system, equipment and network components that indicates who the current and future owners are or will be and who or what the technical and financial support entity(ies) is. This exercise and evolving document will allow the IPSCC to track points of contact, responsible parties, and the transition of ownership when necessary during the future iterations of the statewide NG network configuration.

Title 31-4816 (4) gives the IPSCC the responsibility and authority to "Recommend guidelines and standards for operation of consolidated emergency communications systems and interoperable public safety communications and data systems". In coordination with the DIGBs, this authority should be applied to the facilitation of standardizing operations, data and data sharing, use and access for the NG9-1-1 system.

The IPSCC should coordinate and leverage existing support mechanisms available within the Idaho Technology Authority (ITA), and technical support in place at the regional and local levels, and contractors/vendors to provide the critical technical planning, migration and upkeep of the infrastructure/backbone statewide, and the locally/regionally owned network components and equipment. The distinction between provisioning network infrastructure/backbone statewide and the existing/legacy networks, systems and equipment, is a natural line of ownership. Planning the initial governance to follow this natural line of ownership while collaborating with other local/regional owners, the IPSCC and contractors/vendors, will provide minimal disruption to the current state and local relationships. This approach will allow the IPSCC and DIGBs a foundation from which to build the future ownership and support model(s). This approach may preclude the need to alter legislation by expanding the IPSCC and DIGBs' relationship via agreement(s) that delineate ownership responsibilities in the near term.

Once the NG9-1-1 statewide system design is finalized recommend the IPSCC and DIGBs leverage or seek out public-private partnerships in the acquisition and use of fiber components of the network.[33] These partnerships may provide a revenue source via profit sharing from the sale/lease of dark fiber and bandwidth. There may be

[33] Examples: State of North Carolina contracted with AT&T to provide ESInet backbone and network components. State of Ohio contracting with Ohio Academic Resources Network (OARNET) to leverage existing statewide infrastructure as backbone.

additional revenue producing aspects in these partnerships that should be determined and considered.

With the formation and effective participation of the DIGBs, Idaho has been able to successfully progress a regional approach to addressing the broader needs of public safety communications statewide. ***Recommend expanding the NG9-1-1 governance and oversight role of the DIGBs within the IPSCC Commission and in the NG9-1-1 migration and upkeep. The latter to be based on ownership of network components, systems, and equipment that may transition or be acquired at local/regional level, and oversight of operations and security at local/regional level.***[34] This may not require legislative changes, but may be addressed through agreements (such as Memorandums of Understanding, Service Level Agreements) between the IPSCC and DIGBs that delineate authority, roles, and responsibilities. These agreements should be flexible in that network ownership and upkeep is expected to transition in future years due to changes in standards, technology, applications, and operations. ***In the current representation, DIGBs should collaborate within the IPSCC to expand the grant program to benefit every county.*** This may require working with the non-participating counties and cities to determine what their needs are and how the grant program can be adapted to meet their needs.

The legislated surcharge should be increased in whole to $1.25. This increase will address the following issues:

1. Raising the surcharge to $1.25 will alleviate the disparity among the counties and cities that do and do not currently collect and remit the $.25 grant program fee.
2. The surcharge should be uniform across the state.
3. Raising the surcharge to $1.25 statewide and including an index for inflation to allow the surcharge to be moderated, will provide a sustainable funding method for the migration and ongoing costs of the statewide ESInet.

Standardizing the surcharge will accommodate a collective understanding of the audit and remittance processes for county clerks, accounting firms conducting audits on behalf of the counties, and vendors that must collect and remit surcharges across the state.

The surcharge standardization and indexing for moderation against inflation will be of great benefit to the IPSCC, the DIGBs, and the individual counties and cities, in the fiscal planning for the NG9-1-1 migration and sustainment. Decisions regarding system design,

[34] Commonwealth of Virginia utilizes a Regional Advisory Council (RAC) with working groups. The RAC was specifically formed to support the NG9-1-1 initiative and provide a bridge between the state 9-1-1 office and local governments. This is a similar relationship to the IPSCC and the DIGBs.

ownership components, and core services are pending, and refined cost estimates are not yet known. However, planning research for preliminary budgeting estimates indicate that a statewide ESInet will cost ~$4 million and escalate annually; GIS will cost ~$1.5 million and escalate annually, and maintenance will cost ~$350,000 annually[35]. These are budgetary costs that have not been distributed based on ownership of network and system components. Nor have these estimates been adjusted for consideration for any legacy components that may migrate initially.

Legislative changes should include an index for inflation as a moderating factor to the surcharge to protect the NG9-1-1 migration and sustainment from fluctuations in migration and sustainment costs. Note, that legislating flexibility will allow adjusting of the surcharge to align with actual costs once determined. Actual costs for initial acquisition and implementation, and ongoing maintenance and sustainment, will be known once a system design and vendor(s) are selected to construct and maintain said design.

As previously recommended, the successful grant program should continue through the remittance of the $.25 grant program support fee. Once fiscal ownership is determined for each component of the statewide network, core services, equipment, and ongoing maintenance and replacement, then a share of the remaining $1.00 of the surcharge should be apportioned and obligated for next generation core services. This may take the form of a percentage or a flat fee. A percentage method should be based on the overall use of the system/network and core services. A flat fee should be based on a shared cost structure that equally distributes costs across all counties and cities, with a tiered threshold fee structure based on county rankings such as per capita income.

This apportionment and obligation can be addressed via memorandums of understanding, or intergovernmental agreements, between the IPSCC and the DIGBs. The grant program should remain as a source from which, the IPSCC approves requests from counties for eligible expenditures.

One method of fostering support from the counties and cities for this apportionment would be to expand the eligible expenditures for local 9-1-1 funds to include currently ineligible public safety communications systems and equipment, such as computer aided dispatch (CAD) systems, and radio dispatch console systems (RDCS).

It is important to understand that without all counties and cities complying with a $1.25 legislated surcharge (which requires entities remit the $.25 grant program fee and an apportioned NG sustainment fee from the remaining $1.00) that a truly statewide system

[35] Funding Analysis Report Executive Summary, Black & Company, January 4, 2018

cannot be realized. Failure to establish a statewide NG system will create, or at least perpetuate:

- Disparate service levels,
- Differences in service levels as well as quality of service,
- Lack of data interoperability, and
- The inability to interface or integrate with other ECCs in Idaho, ESInets in neighboring states, and Canadian bordering provinces.

Further benefit of standardizing the surcharge and legislating the recommended audit process and reporting requirements is the mitigation of the misuse or misunderstanding of the use of funds.

Recommend collaborating with the statewide interoperability coordinator (SWIC) in application of and guidance from the statewide communications interoperability plan (SCIP)[36]. Application and guidance from the SCIP should come in the form of direction for coordination and collaboration with and among local/regional governing entities. The SCIP will assist the IPSCC in developing future direction for emergency communications, voice and data, statewide.

Recommend leveraging or developing relationships with key stakeholder organizations and decision-making entities and persons that will be critical allies in enacting legislative changes.[37] Key stakeholder organizations include the Idaho Association of Counties (IAC), Association of Idaho Cities (AIC) and the Idaho Sheriff's Association (ISA).

Legislatively allocated funding for a NG9-1-1 system is critical for acquiring the infrastructure, equipment and software, operations, and upkeep for the continuation of the statewide system.

Recommend following the current distribution guidelines until the NG9-1-1 system design is determined and decided upon and until the grant program's non-participating counties' needs can be further assessed and possibly addressed within the program. A critical element of the planning for the statewide buildout and migration of the NG9-1-1 system, will be to develop and enact an equitable funding mechanism. ***This funding mechanism should include adapting the legislation to***

[36] Like Idaho, many states have overlapping interests and initiatives with the SWIC and work together to apply the SCIP.
[37] Like Idaho, state 9-1-1 entities have legislated governor appointed positions that include representatives from the state's association of counties, municipalities, law enforcement and fire/medical, and 9-1-1 organizations.

allow for cost factors to frequent cost analysis to impact the surcharge.[38] Cost factors should consider cost for services and system components, population and related demographic impacts such as inflation, and a method by which the surcharge can fluctuate in response to these factors. The IPSCC should study the lessons learned by other states[39] as recommended in the Funding Analysis Report Executive Summary of January 2018 (Funding Analysis)[40] and as detailed in Section 5 Lessons Learned of this report.

Future legislation should include a stipulation that if the surcharge is adjusted by the IPSCC, it would need to be approved by a majority vote, clearly define the reason and the effective time for the adjustment.

Key recommendations from the Funding Analysis that align with the findings of this Governance Report are expanded or edited to be strategic initiatives as follows:

1. ***Continue to utilize the experiences of other states as detailed in Section 5 and as gleaned from resources and contacts such as National Association of State 9-1-1 Administrators (NASNA), the National 9-1-1 Office, National Emergency Number Association (NENA), National Telecommunication and Information Agency (NTIA), Federal Communications Commission (FCC) and many other organizations.*** These resources will continue to be sources for trends in legislation, funding, standards, and technical advances.

2. ***Develop broader language for describing the devices, lines and services to which a fee attaches.[41] Recommend considering the transition to a universal service fee that would attach to devices capable of accessing the 9-1-1 system.*** This would avoid defining lines, services and applications that may/may not be the consistent method of communicating in the future. The current and immediate future of NG9-1-1 systems is internet protocol (IP)-based. It is important to keep in mind that future/emerging technologies may evolve into something that is not within the imagination now. This approach to broadening the definition of device to be any access to 9-1-1 will alleviate the bypass by current

[38] https://www.ncsl.org/research/telecommunications-and-information-technology.aspx NCSL tracking of legislation to include states that have capability to adapt surcharge.
[39] As example, under AL statute § 11-98-5 "…each fifth year, the state board is required to adjust the 911 charge an amount equal to the rate of growth, based on the Consumer Price Index for Urban Consumers (CPI-U for that five-year period

[40] Funding Analysis Report Executive Summary, Black & Company, January 4, 2018
[41] North Carolina statute NC GS §143B-1417 and Alabama statute Chapter 98 §11-98-5 references 'voice communications services'

multi-line telephone systems, voice over internet protocol (VoIP), primary rate interfaces (PRIs), etc.

3. ***Work with the DIGBs to develop a standard message and support for the counties to transition to monthly remittances. This should include developing messaging and a support mechanism for the counties to standardize the conduct and reporting of telephone/carrier/service provider remittance audits.*** The most effective approach will be to formally solicit input from the counties on their current audit process, then collaborate with the DIGBs and the counties to analyze the pros and cons of the processes. Sharing the Funding Analysis findings and other examples of the accountability gap in remittances should be leveraged as an educational tool and incentive for the IPSCC, the DIGBs and the counties. The results can then be compiled in an audit guide and reporting method through the DIGBs.

6.2 Ownership

As is the case in all states and in all initiatives that strive to codify and facilitate statewide initiatives, there are disparities in the willingness and capabilities of the participants. In Idaho the DIGBs' role as the bridge between the state and local governments is key to the success of this NG9-1-1 statewide build out. The question or determination of ownership should not lie with one entity. Ownership, just like emergency communications backup plans, should be distributed across multiple levels of government since the future service model will extend horizontally across the state and vertically between IPSCC, the DIGBs and county/city governments. The current systems are closed and serve only the owner agencies or regional centers. In the NG9-1-1 environment the system of systems will be interconnected, interoperable, provide inter- and intra-state services and at a future point provide national coverage.

Recommend establishing a tiered governance model based first on the current ownership determined by which entity purchased and maintains the system component. As the NG9-1-1 design and implementation matures so should the governance. Governance at implementation should reflect ownership of legacy components and ownership of new components. For example, the infrastructure/backbone and core services may be funded by the IPSCC through surcharge and/or other funding mechanism. This would establish the IPSCC as the owner of these components, therefore responsible for the ongoing maintenance and general oversight of said components. The systems, applications and localized network components may be funded and/or acquired at regional or local levels and therefore

would be considered owned by the DIGBs and/or counties. This would establish the DIGBs and/or counties as the owner of these components therefore responsible for the ongoing maintenance and general oversight of said components.

Future iterations of the network configuration and services may require the IPSCC and DIGBs to adjust or shift ownership that may impact governance. ***Recommend developing flexible collaborative agreements between the IPSCC and the DIGBs that assigns ownership, responsibilities and roles that attach, and a method by which the agreement can be adapted for future system changes.***

In developing the details of governance there will be specific standardized clauses that should be agreed upon once key questions are made. These questions include;

- Who owns or will own the infrastructure/backbone?
- Will it be segmented in ownership?
- Who owns the core services?
- Will ownership be strictly or loosely tied to which entity or entities funds it and/or supports it?
- How will contracted services play into determining ownership? If for example the IPSCC or the DIGB(s) enter into a contract on behalf of a county(ies), how will ownership be determined?
- Would shared ownership be acceptable and how would that be provisioned?
- How would a public/private partnership play into determining ownership?
    - Would/should it be based on who funds the public component?
    - Who and how would any revenue sharing be governed?

6.3 Fiscal Responsibility

Recommend expanding the grant program based on input from the DIGBs to better address the needs. Once network infrastructure and core services designs and plans are finalized, review the surcharge ability to fund the selected design and services. ***Utilizing the recommendations regarding funding in the previous section, have ready legislative changes that would adjust the surcharge to meet the funding need. The legislative changes should include, as noted previously, an adjustment mechanism that does not require legislative action in order to raise and lower the surcharge based on an annual review of pre-set cost factors.***

In the interim, recommend transitioning funding from carriers to the IPSCC for facilitating a relationship with IRON and/or other infrastructure owners such as Syringa.

Recommend future legislation changes that would give the IPSCC authority for auditing carriers. In the interim, recommend working with the IAC and DIGBs to develop a support program and resources as detailed in the previous section to aggregate information from locals carrying out audits.

Once the system design is complete and cost estimates refined, determine which future components will be funded at state, regional and local levels.

Recommend leveraging existing relationships for infrastructure/backbone through public/private partnerships.

The following Funding Analysis recommendations align with the findings of this report and are edited to meet the needs of the IPSCC, DIGBs and counties:

1. ***Work with the DIGBs to standardize and increase accountability in the providers' remittance process.***[42]

2. ***Expand the DIGBs' role in the provider remittance process by collaborating on a scheduled analysis of remittances toward better recognition of revenue.*** The Funding Analysis provided examples of missed revenue from the largely unchecked provider remittance process.

3. Process should include more required detail from the providers, such as requiring remittances to include bad debt and exempt lines to be included on remittance forms.

6.3.1 Proper Use of Funds

Title 31-4804 (5) Use of Fees states: *The emergency communications fee provided hereunder shall be used only to pay for the lease, purchase or maintenance of emergency communications equipment for basic and enhanced consolidated emergency systems,*

[42] As example, Georgia statute O.C.G.A. § 46-5-133 and 134 amended to "…increase prepaid 911 charges from $.75 to $1.50, reduced the administrative fee retained by vendors from 3% to 1%, and stopped vendors from charging cost recovery to local governments." The changes were made by legislation in 2018 with an effective date of January 1, 2019. As reported Net911 report to FCC Collection and Use of 911 Fees

and next generation consolidated emergency systems (NG911), including necessary computer hardware, software, database provisioning, training, salaries directly related to such systems, costs of establishing such systems, management, maintenance and operation of hardware and software applications and agreed-to reimbursement costs of telecommunications providers related to the operation of such systems. Use of the emergency communications fee should, if possible, coincide with the strategic goals as identified by the Idaho public safety communications commission in its annual report to the legislature. However, the county or 911 service area governing board has final authority on lawful expenditures. All other expenditures necessary to operate such systems and other normal and necessary safety or law enforcement functions including, but not limited to, those expenditures related to overhead, staffing, dispatching, administrative and other day-to-day operational expenditures, shall continue to be paid through the general funding of the respective governing boards

This Use of Fees clause is explicit in stating what the emergency communications fee can be used for. This section is not explicit about what the fees cannot be used for, nor does it provide authority to enforce this clause. ***Recommend amending the language to include the following:***[43]

1. ***Further defining <u>ineligible</u> expenditures as equipment and systems, to include:***

    a. ***Vehicles and apparatus, used by law enforcement, fire and rescue and medical response agencies, such as mobile and portable radios, and land mobile radio infrastructure and equipment, and mobile computers***

    b. ***Facility construction or renovation***

Note that other states typically include at least some portion of funding that can be applied to CAD systems, GIS and the support function/persons associated with GIS.

[43] As example, TN Code Ann.§7-86-102(d) requires funds received to be used "exclusively" in the operation of the emergency communications district. TECB has 911 Revenue Standards established pursuant to Tenn. Code Ann. § 7-86-306(a)(11), which provide guidance on the Required, Permissible and Prohibited Uses of 911 revenue. ECDs are subject to annual audits to assure compliance and auditing standards. Audits are submitted to the Comptroller of the Treasury. ECDs are also prohibited from spending 911 revenue except as specifically set forth in their annual budgets.

2. ***To address the authority to enforce this clause, the IPSCC should amend the following content:***

> ***Use of the emergency communications fee should, if possible, coincide with the strategic goals as identified by the Idaho public safety communications commission in its annual report to the legislature. However, the county or 911 service area governing board has final authority on lawful expenditures.***

This should be amended to state:

> ***Use of the emergency communications fee must coincide with the strategic goals as identified by the IPSCC in its annual report to the legislature as these goals are standards-based and applied for the exclusive benefit of the citizens and first responders of Idaho. The county or 9-1-1 service area governing board has final authority on lawful expenditures within the allowable use of the emergency communications fee.***

6.3.2 Cost Recovery

Recommend leveraging the future audit authority and accountability in the provider remittance process that will be developed and implemented in collaboration with the DIGBs to include an audit and reporting requirement of the providers. This audit and reporting requirement should include information about what and how the cost recovery fee is applied in their service model. If the provider will not provide audit results and report on cost recovery or is not able to demonstrate a continued need for cost recovery within the 9-1-1 service model, then the IPSCC should amend Title 31 to exclude cost recovery.

In considering whether to continue or remove cost recovery for providers, there are some points that should be clarified within Title 31. There are two cost recovery fees described in Title 31. The first is deduction and retention of 1% of the collected amount as the cost of administration for collecting the charge. The second is an implementation and operation reimbursement amount determined via an agreement between the provider and the county. ***The audit and reporting requirement and analysis should include both areas of 1) administration, and 2) implementation and operation. This will allow the IPSCC and DIGBs to review the audit, report and analysis as part of the decision process of whether cost recovery in one or both areas should be left as is, or removed from the legislation.***

6.4 Organizational Change

Title 31-4821 Administrative Support describes the process by which support positions are added to the IPSCC. The process requires consensus between the IPSCC, the governor and the legislature to create positions. ***Recommend proposing legislation amendment to shift authority to determine support needs to the IPSCC within the defined support positions named in this clause.*** The named support positions are "…executive director, 911 program manager, 911 grants manager, statewide interoperability coordinator, national public safety broadband network program manager, or other administrative support positions as required to carry out the provisions of this chapter." The IPSCC should leave intact their authority to "…hire, fix the compensation and prescribe the powers and duties of such individuals. (Title 31-4821)". ***In the interim, the IPSCC should utilize the existing process to request consensus in adding a NG9-1-1 Project Manager and an Administrative Assistant to the IPSCC staff.*** These positions will be critical to the planning and implementation of the statewide system and the associated strategic initiatives. The current staff of one 9-1-1 Program Manager is not adequate to carry out all the duties of the IPSCC.

6.4.1 Policies/Procedures and Best Practices

Recommend leveraging the relationship between the IPSCC and DIGBs to develop, approve and distribute standardized policies and procedures regarding the use and access of the statewide NG9-1-1 system. This relationship should be expanded via intergovernmental agreement (IGAs), memorandum of understanding (MOU) or other collaborative agreement, to effect the changes in the emergency communications service environment necessary to transition to a NG9-1-1 statewide system of systems.

Expanding and leveraging successful relationships is a best practice that provides consistent positive results in progressing an initiative. Best practices in general are a more welcome method of attaining and maintaining a quality of service for matters that do not require legislated standards.

Recommend the IPSCC as a regulatory and system operation oversight entity providing support to the DIGBs as they collaborate and align to address common needs. The first step in aligning the DIGBs will be to enter into an overall agreement that defines the relationship among the DIGBs, with the IPSCC and others integral to the NG9-1-1 migration. This agreement should include common goals and

objectives relative to NG9-1-1. The common needs that should be addressed through collaboration between the DIGBs includes, but are not limited to, the following:

1. Data sharing agreements that will be essential to the NG9-1-1 system as it progresses beyond call handling and routing into sharing of data such as CAD, technical and operational resources, GIS data, etc.

2. Standard templates for forms and agreements.

3. Ways to apply existing policies at state and local levels regarding data sharing, such as ITA's data sharing and cyber security policies.

4. Compliance with existing requirements such as Health Insurance Portability and Accountability Act (HIPAA), Criminal Justice Information System (CJIS), privacy and confidentiality.

Educating sponsors, decision makers and stakeholders is key to the success of any project, particularly one that impacts all levels of government. ***Recommend publishing all IPSCC and DIGB activities relative to the NG9-1-1 migration in several formats and forums, such as websites, social media, media/press releases, etc., as appropriate and without jeopardizing the security of the project. Recommend including the most impacted by this initiative into appropriate decision-making processes and status reporting.*** Those most impacted are the local 9-1-1 staffs, response agencies and the public. The IPSCC and the DIGBs should together develop consistent messaging, in content and format, for sharing status and information about the NG9-1-1 initiative.