**9-1-1 Advisory Council**

**Meeting Executive Summary**

**Wednesday July 10, 2019**

**9:00 a.m. to 4:30 p.m.**

**State Capitol, Room 152**

**Helena, Montana**

**Attendees:**

Voting Council Members/Alternates:

Adriane Beck - PSAPs >30K; Kimberly Burdick - MAPCO; Mike Doto - MVFFA; Geoff Feiss - Montana Telecommunications Provider; Peggy Glass - PSAPS <30K; Burke Honzel - DMA/DES (Alternate); Lisa Kelly - Montana Telecommunications Provider; Andrew Knapp - DOJ/MHP (Alternate); Clint Loss – MEMSA; Quinn Ness - DOA (Alternate), Council Chairman; Pat Roos – MSPOA; Shantil Siaperas - MACO (Alternate); Jason Smith – Governor’s Office of Indian Affairs; Jennie Stapp – MSL; and Curt Stinson - MACOP

Non-Voting Council Members/Alternates: Gary Evans - Montana Telecommunications Provider (Alternate).

Guests: Sandra Barrows - Barrows Consulting; Evan Hammer - MSL ☎; John Joseph – Motorola Solutions ☎; Kraig Kaizumi - Federal Engineering (FE); Mike Kilgore – Nemont - Sagebrush Communications; John Murray - FE; Eric Parry - Federal Engineering (FE); and Remi Sun - Nemont ☎

Staff: Don Harris, DOA/SITSD; Wing Spooner DOA/PSCB; and Rhonda Sullivan, DOA/PSCB.

**Chairman Ness called the meeting to order at 9:02 a.m.**

**Welcome & Introductions**

The Council members and guests introduced themselves.

**Approval of Meeting Minutes**

There was one correction or addition made to the March 13-14, 2019, meeting minutes. Transposition on Page 10, second bullet under 9-1-1 Grant Award Recommendations.

**Motion was made by Member Doto to approve the March 13-14, 2019 minutes and the motion was seconded by Member Kelly. The motion passed with all in favor, none opposed, and none abstaining.**

**Draft Statewide 9-1-1 Plan**

Eric Parry, Federal Engineering presented the draft statewide 9-1-1 plan. Eric thanked everyone for their participation and encouraged everyone to send comments, questions or corrections on the draft documents.

Review of Statewide 9-1-1 Plan Milestone Deliverables

* Milestone 1 - Completion of Project and Communications Plan
* Milestone 2 - PSAP Site Visits
* Milestone 3 - PSAP Inventories
* Milestone 4 - ESInet Inventory
* Milestone 5 - NG9-1-1 Technology Standards and Requirements
* Milestone 6 - PSAP Needs Assessments
* Milestone 7 - ESInet Implementation Options

*GIS was discussed.* Member Beck noted that it is critical that all PSAPs are “GIS ready”. When the Council is considering the next round of grant applications, it can look at the individual PSAP needs assessments. It will be helpful to know where the PSAPs are in terms of a GIS perspective. Member Stapp reminded the Council that the recent GIS assessment revealed that only two PSAPS were nearing the 95% threshold of NENA compliance, but statewide we are less than 50%. If calls are routed correctly based on the physical location of the device, PSAPs will experience greater response efficiency.

*Cost efficiencies of hosted CPE were discussed.* Member Beck stated that her assumption would be that cost savings would initially be minimal. On a global scale there will be cost savings because of reduced equipment redundancy, but individual PSAP costs will probably be about the same. Member Stapp suggested that state 9-1-1 grant funding should be used to cover the capital expenses involved in this model. Member Kelly indicated that caution is needed regarding suggestions that this be state controlled. It is already a big jump for PSAPs to lose control of their back-room equipment, and having the state be in charge would make PSAPs very nervous. Rolling this model out on a PSAP-by-PSAP basis would be a preferred approach.

*Disadvantages of hosted CPE were discussed.* Member Kelly indicated that there can be a sense of a loss of control by the PSAPs. Also, if an entity were to change its mind and decide to go back to onsite CPE, re-deploying all that equipment would be expensive. Attitudes could be changed by showing additional benefits, such as being able to have a logging recorder or a CAD system in the cloud. Trepidation is normal.

*The current PSAP networks were discussed*. Member Kelly explained CenturyLink’s tariff: It is 27¢ per wireline access line for PSAPs serving a population of under 30,000 and 20¢ per wireline access line for PSAPs serving a population of over 30,000. When asked why the 18 PSAPs who are not on the CenturyLink – VisonNet network have not already moved to it, Member Kelly explained that in some cases their rates go up and in some, the rates go down. There is also a one-time fee of about $25,000 that the PSAP would need to pay to change networks. Potentially those 18 PSAPs could apply for a state 9-1-1 grant to pay for those initial costs associated with switching. Any future rate changes would need to go through the Public Service Commission. She noted that NG911 services are not necessarily tariffed in all states.

*The six ESInet options were discussed*. Chairman Ness noted that even if a PSAP is not moving to full NG911 capabilities, it should participate in the ESInet to ensure that they are interconnected and interoperable with all of the PSAPs. If all PSAPs were on the ESInet, they would have the ability to communicate with each other. They can take steps at a later point to move forward with NG9-1-1. Member Feiss stated that multiple ESInets do not seem to provide cost efficiency. Regional ESInets would seem to create more points of vulnerability. He doesn’t see the advantages of Option 6. Chairman Ness noted that the statewide 9-1-1 plan is a high-level strategic planning document. If an individual or group of PSAPs want to do further due diligence by vetting out these six options and looking at the advantages and disadvantages of each option in more depth, they should do so. That kind of detailed analysis and information is not available in the plan. One eligible use of the grant funds is for pre-project planning. So, an individual PSAP could apply for a grant to hire a consultant to do more in-depth analysis of the options to make a more informed decision. Member Feiss asked: “To what extent do the ESInet options include existing communications infrastructure and using it to the maximum extent possible?” Eric Parry responded that one of the Milestone Deliverables was the ESInet Inventory. It was critical to identify what the existing infrastructure of the two current 9-1-1 networks included. The ESInet Inventory is included in the plan for everyone’s review. Eric reiterated that all the plan documents are considered draft documents and comments are welcome and strongly encouraged. Input from everyone is essential. The adoption of the statewide 9-1-1 plan will be included on the agenda for the September 11 – 12, 2019 council meeting. So please submit your comments and suggestions to the FE team and the state 9-1-1 office by September 1, 2019.

**Rural Wireless 9-1-1 Service**

Mike Kilgore, Nemont – Sagebrush Cellular presented an overview of rural wireless 9-1-1 service in eastern Montana. In Northeastern Montana, small wireless carriers have roughly 88 cell sites, T-Mobile has 13, AT&T has 0 and Verizon has 3. All the national providers roam on their network. Nationwide, his network is available to some three million customers. Telecommunications facilities are another component of a 9-1-1 system, and there is an enormous cost to that part of the system. Small rural wireless providers do not have the same customer count to spread these costs across or the revenue stream from its subscriber base. How do you allocate grant funds to a cellular service provider? A cell site costs about $350,000. The 9-1-1 system includes not only the network, which facilitates the call from the cell phone to the tower and back to the core of the network, but also from the core of the network back to the PSAPs. Without that entire link, 9-1-1 is not possible. We need all the pieces of the puzzle to work harmoniously together in order to facilitate effective 9-1-1 service. From a wireless provider’s perspective, there’s no funding mechanism to handle all the operations, maintenance and administrative costs associated with the wireless 9-1-1 system. Fortunately, we still have 25 cents collected per customer that goes into the 9-1-1 grant program, and telecom providers have priority to those funds. What we do in rural Montana is very costly. The more we work together, the better chance we have of making 9-1-1 better for our residents.

Part of Nemont’s success is due to having applied several years ago to acquire an eligible telecommunications status (ETS), which was granted by the Public Service Commission. That made Sagebrush eligible for funding from the Federal Communications Commission (FCC) Universal Service Fund (USF). However, the FCC reformed the USF and reduced the funding available by 40%. Nemont and Triangle are the last two small wireless providers in the state. Nemont is limited in its operations because you must have spectrum licenses from the FCC to expand operations. Revenue streams from roaming fees also have diminished. Without the USF, Montana would be in the dark ages. Many states have their own state USF; Montana does not. Securing more federal support from the FCC to support rural wireless service, wireless enhanced 9-1-1 and NG9-1-1 from the USF would be good for all stakeholders. Montana’s congressional delegation advocates for advancing telecommunications in Montana and they are very receptive to the needs of rural telecommunication providers.

Currently rural wireless providers do need assistance from the state 9-1-1 grant program and will need more support in the future for NG9-1-1. There are costs with technology advancement. How do we fund NG9-1-1? Increasing rates or taxes is not popular. The FCC estimates that NG9-1-1 nationwide will cost $14+ billion over 10 years. How are we going to pay for NG9-1-1 over its lifespan? Is a $1.00 fee per subscriber enough? If NG9-1-1 is that big of a priority for Montana, then we must find a way to fund it.

Chairman Ness believes that NG9-1-1 funding is one of those issues where telecom providers and PSAPs should collaborate. A rural state like Montana with a very limited tax base does not have the ability to fully fund NG9-1-1. Montana will need significant financial help from the FCC and federal agencies.

**9-1-1 Grant Program Report**

Chairman Ness reviewed the final grant awards for state fiscal year (SFY) 2019. The Department approved all the Council’s recommended grant awards, which totaled $6.78 million. Members were provided with a letter from Mid-Rivers wireless indicating that they have withdrawn their grant request for $150,000, so those funds have been released and will be available for grant awards in SFY 2020. The Department must develop new processes for the grant program, which has been time consuming. Award letters have been sent out to awardees and the Department is making progress on drafting the grant contracts. This status report will be added as a standing agenda item.

**Certified PSAPs Quarterly Distribution Report**

Chairman Ness informed the Council about the state funding that is distributed to PSAPs on a quarterly basis. For the 3rd quarter of SFY 2019, total funds distributed were $2,879,000. Tribal government PSAP money is earmarked and being set aside for the tribal PSAPs until they complete the certification process.

**Implementation of HB 150 Status Report**

Chairman Ness informed the Council about House Bill (HB) 150 that amended the 9-1-1 laws to include tribal governments. Tribal governments that host certified PSAPs are now eligible to receive quarterly distributions. The membership of the Council has been amended to include Jason Smith, State Director of Indian Affairs. Tribal PSAP assessments will be included in the Statewide 9-1-1 Plan. Last month, the Department amended the certified PSAP administrative rules to include tribes. There are three tribes that host primary PSAPs: Blackfeet, Northern Cheyenne and Rocky Boy.

**Public Comment**

Member Evans (alternate), commended Federal Engineering for reaching out to VisionNet for information included in the ESInet Inventory. It is important to understand what is in place in terms of efficiencies and cost. There are challenges with a state as rural as Montana, such as expensive last-mile circuits. NENA’s core requirements originally asked for two T-1s to every PSAP, which is cost prohibitive. The current CenturyLink – VisionNet network is very protected from attacks that could be carried out on the public internet and is very redundant except where it was too expensive to implement. Very few PSAPs nationwide really have redundancy. Member Evans referred to the bulleted list of ESInet Core Requirements on Page 14, Section 3.5.2.1 of the ESInet Design and Implementation Plan document. The only bullet point that the current ESInet does not have is diverse and logically separate circuits. Eric Parry mentioned VisionNet’s Network Operations Center (NOC) in Great Falls, which during a tour, he observed network problems that were automatically identified. CenturyLink has a large NOC dedicated to 9-1-1 in Denver, but has chosen to stay with VisionNet, which is a testament to their service. The primary core service that needs to be replaced in the CenturyLink – Qwest network are the selective routers, which need to be decoupled. There was no other public comment.

Chairman Ness announced that the meeting would continue the next day at 10:00 a.m.

**Adjournment**

**Member Honzel moved to adjourn and Member Knapp seconded. The motion passed with all in favor, none opposed, and none abstaining. Chairman Ness adjourned the meeting at 4:11 p.m.**

**9-1-1 Advisory Council**

**Meeting Executive Summary**

**Thursday July 11, 2019**

**10:00 a.m. to 2:00 p.m.**

**State Capitol, Room 152**

**Helena, Montana**

**Attendees**

Voting Council Members/Alternates:

Adriane Beck - PSAPs >30K; Mike Doto - MVFFA; Geoff Feiss - Montana Telecommunications Provider; Peggy Glass - PSAPS <30K; Burke Honzel - DMA/DES (Alternate); Lisa Kelly - Montana Telecommunications Provider; Andrew Knapp - DOJ/MHP (Alternate); Clint Loss – MEMSA; Commissioner Gary MacDonald – MACO; Quinn Ness - DOA (Alternate), Council Chairman; Pat Roos – MSPOA; Jason Smith – State Director of Indian Affairs; and Curt Stinson – MACOP.

Non-Voting Council Members/Alternates: Liz Brooks - PSAPs >30K (Alternate); Gary Evans - Montana Telecommunications Provider (Alternate); and Shantil Siaperas - MACO (Alternate).

Guests: Sandra Barrows - Barrows Consulting; John Joseph – Motorola Solutions ☎; Kraig Kaizumi - Federal Engineering (FE); Mike Kilgore – Nemont - Sagebrush Communications; John Murray - FE; Eric Parry - Federal Engineering (FE); and Remi Sun - Nemont ☎.

Staff: Don Harris, DOA/SITSD; Wing Spooner DOA/PSCB and Rhonda Sullivan, DOA/PSCB.

**Chairman Ness called the meeting to order at 10:03 a.m.**

**Welcome & Introductions**

The Council members and guests introduced themselves.

**Chairman Ness announced that Council members Stapp and Burdick are not available today and they gave him their proxies.**

**Network Redundancy and Diversity**

Member Evans (alternate) said that VisionNet has three fiber rings in the state; their network is the most redundant network in the state. Fiber cuts have less of an impact because of this redundancy. Last-mile redundancy was discussed. Details of the Missoula PSAP’s redundancy were discussed. Reliability requirements for a PSAP are likely to be significantly higher than a commercial network. Member Brooks (alternate) described instances of single-points-of-failure at the Flathead PSAP. Flathead County was recently awarded state 9-1-1 grant funding for fiber redundancy and diversity. Mike Kilgore, Nemont said that they deal with network reliability and redundancy all the time as well as eliminating single points of failure. So, when he hears “geodiversity,” “diversity” and “multiple T 1’s” related to the same facility, they can sound good, but everyone should understand what is meant by these terms. When you have diverse paths into a facility that may house a PSAP, you don’t want those two circuits going over the same telecom facility and the same single entrance into that facility. You typically want two physically diverse entrances on two different cables, and two different paths into and out of the central office. Diversity comes at an enormous cost. Fiber optic installation can cost between $10,000 to $40,000 per mile. Is it a fundamental requirement to connect our PSAPs redundantly back to these networks?

Member Kelly said that NENA recommends redundancy. CenturyLink looks at redundancy differently than diversity. Redundancy may mean that you have two paths to a PSAP in the same fiber sheath. If “Backhoe Bob” digs it up, both paths are cut. Diversity is where you have two entirely different paths to a PSAP, which typically costs a lot more money.

**Existing Commercial Communications Infrastructure**

Discussion ensued regarding the ESInet inventory, which includes information about the two current 9-1-1 networks that was provided by CenturyLink and VisionNet. Including all commercial communications infrastructure that exists in Montana in the ESInet inventory is not possible. The other providers will not provide any information about their network infrastructure. Member Feiss said that the statute refers to existing commercial infrastructure. The legislative intent behind that phrase was that we do not go out and build new infrastructure duplicating what we already have. The emphasis is on “existing” rather than “commercial.” The ESInet inventory is a good snapshot of the two networks, but he believes the focus needs to be on how we maximize the existing two networks rather than building new networks. Chairman Ness commended both VisionNet and CenturyLink for their willingness to provide detailed information on the current 9-1-1 networks. Member Evans expressed concern about a possible scenario where several PSAPs get together and build a regional ESInet with Charter Communications. Chairman Ness stated Charter’s infrastructure could meet the definition of “existing commercial communications infrastructure”. Member Evans said yes, that is correct, but it would duplicate an ESInet that has already been built and there are several significant disadvantages to that; it’s the letter of the law versus the spirit of the law. Chairman Ness reminded the Council that the ESInet procurement decisions will be made by the local and tribal governments that host the PSAPs; not by the Council or the Department. The PSAPs are the network subscribers/customers.

**Federal PSAPs**

Member Kelly pointed out that one of the PSAPs that needs to be upgraded to the CenturyLink – VisionNet network is Malmstrom Airforce Base. The City of Great Falls won’t upgrade unless Malmstrom upgrades. If Great Falls won’t make the switch, then other PSAPs, such as Chouteau County’s, probably won’t be able to make the switch either. Park County has a similar situation with Yellowstone National Park. These are federal government agencies and the State of Montana does not have any authority over them. The Yellowstone National Park PSAP is in another state (Wyoming). The plan and grant program are specific to local and tribal government hosted certified PSAPs in Montana. A certified PSAP could apply for a state 9-1-1 grant on behalf of a secondary or federal PSAP. Transferring an asset from a county to a federal entity could be extremely difficult, and vice versa. Jurisdiction makes this issue very complicated. Member Glass suggested that one entity apply for a state 9-1-1 grant to cover all 18 PSAPs, especially when they are all eligible entities. It would make it easier for the smaller counties who don’t have a grant writer or technical staff. Member Brooks asked if it would make sense for CenturyLink to submit a grant application on behalf of the 18 PSAPs if there was buy-in ahead of time from the PSAPs? This would avoid local procurement issues. Member Kelly will vet this proposal out within CenturyLink and report back to the Council. VisionNet will also vet this proposal out internally and determine if they are eligible to apply to the state 9-1-1 grant program.

**Wireless Provider 9-1-1 Cost Recovery**

Chairman Ness asked Mike Kilgore, Nemont about his priorities for state 9-1-1 grant funding. Mike stated that PSAP allowable expenses are well documented, but there is very little related to allowable costs for wireless providers. The statute clearly allows for operations and maintenance. He recognizes the challenge of dealing with a finite amount of dollars and he is willing to work with the stakeholders in finding a solution. It’s a matter of looking at needs and costs to create a greater good for all while living within our means. And we need to be respectful of everyone’s needs. Nemont can help educate folks about the costs involved with providing 9-1-1 service and how do you allocate 9-1-1 costs? Would it be appropriate to submit a grant for a new cell tower and everything involved with that when that cell tower will be used for commercial purposes? Is it reasonable to re-coup 100% of the costs; no, but wireless 9-1-1 service is not available without that cell tower. Rural wireless providers do not have the same revenue base that national providers have, who, unfortunately, do not cover many of the rural parts of our state. Many counties have a limited tax base as well and face similar challenges.

Chairman Ness asked Mike to consider allocating an amount or percentage from the grant account that would be set aside for wireless provider 9-1-1 cost recovery. The remaining amount would be available for grants for NG9-1-1.

**Council Subcommittees**

Chairman Ness provided an overview of the current council subcommittees. Previously the Council created two subcommittees in 2017 to implement House Bill 61 that included the Administrative Rules and GIS/Statewide 9-1-1 Plan Subcommittees. He clarified that these are not standing subcommittees. The work tasked to these subcommittees by the Council has been completed. Subcommittee work is directed and assigned by the Council. Currently there is only one active subcommittee, which is the 9-1-1 Grant Program Subcommittee. The Administrative Rules and GIS/Statewide 9-1-1 Plan Subcommittees should be closed. Member Kelly asked about the outstanding tasks for the Administrative Rules Subcommittee, which could not be completed because it was waiting for the Statewide 9-1-1 Plan to be finished. Chairman Ness reported that there was an outstanding task to draft rules for the NG9-1-1 Infrastructure program. We could not complete those rules because the draft Statewide 9-1-1 Plan was not complete. The Department requested that the 2019 Legislature amend the termination language for the NG9-1-1 Infrastructure program. Unfortunately, those efforts were met with political opposition and the program has expired in law. Since the NG9-1-1 Infrastructure program no longer legally exists in law, there isn’t a need or requirement to develop administrative rules for the program. The work of these two subcommittees is complete.

**Motion was made by Member Honzel to close the Administrative Rules and GIS/Statewide 9-1-1 Plan Subcommittees and the motion was seconded by Member Beck. The motion passed with all in favor, none opposed, and none abstaining.**

**9-1-1 Grant Program Improvements**

Chairman Ness provided an overview of the recommendations from the 9-1-1 Grant Program Subcommittee and requested that the Council advise the Department in adopting the subcommittee’s recommended grant award criteria. The recommended criteria include:

* project duration: prioritize projects that require two years or less to complete;
* number of applications submitted: prioritize applicants that submit one application over applicants that submit multiple applications in a single grant application cycle;
* cost estimate detail: prioritize applications that include a detailed cost estimate;
* equipment and system life cycle: prioritize applications to replace equipment and systems that are at or near end of life or support; and
* proportion of grant funding requested: prioritize applications that request less than 33% of the total amount of grant funding available during the grant cycle.

Chairman Ness suggested adding an additional criterion: the inclusion of the project or need in the statewide 9-1-1 plan. The Council and the Department should prioritize applications that address needs identified in the statewide 9-1-1 plan. Member Feiss objected to adding this criterion because the Council did not provide prior public notice of this recommendation and the Council is amending administrative rules.

Don Harris explained that the duties of the Council include advising the Department on significant matters concerning 9-1-1 system and services in the state, including rule making. The advisory duty of the Council does not mean that the Council must approve a set of draft rules. These are things the Department can consider when engaging in rule making. So, if the Council felt it was appropriate to add the Statewide 9-1-1 Plan to the recommended criteria, then it would be within the authority of the Council to do that.

**Motion: Member Kelly moved to approve the list of six recommended grant award criteria and the Statewide 9-1-1 Plan criteria and Member Doto seconded.**

**Discussion on the Motion**

Member Feiss said this added recommendation risks turning the grant application into a capital expense fund for upgrades to PSAPs at the expense of the operations and maintenance of telecom providers that Mr. Kilgore articulated were also legitimate funding objectives for state 9-1-1 grant funding. This criteria conflicts with the telecom provider preference in law.

Don Harris stated the Council and the Department must comply with the provider preference in the grant program statute. Administrative rules and policies are all secondary to the law. If we were to include a recommendation to consider NG9-1-1 or other needs that are included in the Statewide 9-1-1 Plan, these would be secondary to the provider preference the law already addresses.

Member MacDonald stated that we awarded grant money to PSAPs that had money in their reserve fund, and he thinks this practice should not be allowed. Member Beck stated the subcommittee did discuss this issue in terms of financial need, and struggled on how to define financial need, especially with private telecommunications providers. The subcommittee also looked at the financial need of the local government, their tax base and their ability to generate funding for 9-1-1. We couldn’t determine how this information could be obtained and how it would be applied in a fair and equitable manner; this issue became too intangible to implement in an equitable way.

Member Honzel stated that all the proposed criteria will support the Council in improving the grant award process. Member Beck stated that the current administrative rules and 9-1-1 laws are insufficient to support the Council in making effective decisions on the grant funding. All these criteria will improve the Council’s ability to be transparent, strategic and not arbitrary. Member Feiss stated that he will be voting against the motion.

**Motion: Member Kelly moved to withdraw her motion and Member Doto seconded. The motion passed with all in favor, none opposed, and none abstaining.**

**Motion: Chairman Ness moved to approve the six subcommittee award criteria recommendations and Member Feiss seconded.** **The motion passed with all in favor, none opposed, and none abstaining.**

**Motion: Chairman Ness moved to approve the award criteria recommendation of prioritizing applications that address needs identified in the statewide 9-1-1 plan and Member Honzel seconded.**

**The motion passed with Member Feiss voting in opposition.**

**Public Comment**

No public comments were received.

**Meeting Schedule**

Discussion took place about the Council meeting monthly. The Department does not have the required resources to host monthly meetings. The Department could host a maximum of two additional meetings annually to focus on a specific subject. Reviewing grant applications and making the grant award recommendations is an example of this type of meeting. Several members stated that they prefer quarterly meetings due to the distance they must travel. Member Feiss requested meetings to focus on developing legislation for the 2021 legislative session. Member Beck suggested that the Council focus on one specific topic at each meeting. So, for example, one meeting could address the Statewide 9-1-1 Plan and the next meeting would focus on the grant program. It was agreed that the Council will maintain a quarterly meeting schedule with two additional meetings annually if needed.

**Next Meeting**

September 11 – 12, 2019.

**Adjournment**

**Motion: Member Doto moved to adjourn and Member Kelly seconded. The motion passed with all in favor, none opposed, and none abstaining. Chairman Ness adjourned the meeting at 1:42 p.m.**