2004

ANNUAL REPORT

OF THE

TENNESSEE EMERGENCY COMMUNICATIONS BOARD*

* This Annual Report covers the time period from June 1, 2004 through December 31, 2004. The 2003 Annual Report included a Supplemental Report current through May 30, 2004.

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Introduction

Pursuant to Tenn. Code Ann. §§ 7-86-108(a)(1)(B)[1] and 7-86-315,[2] the Tennessee Emergency Communications Board (the Board) hereby proffers its annual report to the Governor, Speakers of the General Assembly and the Senate and House Finance, Ways and Means Committees. This annual report of the Board's activities covers the period from June 1 through December 31, 2004. The 2003 annual report includes a supplemental report current though May 30, 2004.

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[1] Tenn. Code Ann. § 7-86-108(a)(1)(B) states in pertinent part:

> The board shall report annually to the senate and house finance, ways and means committees on the status of statewide implementation of wireless enhanced 911 service and compliance with the federal communications commission order, the status and level of the emergency telephone service charge for commercial mobile radio service subscribers and users, and the status, level, and solvency of the 911 Emergency Communications Fund.

[2] Tenn. Code Ann. § 7-86-315 states in pertinent part:

> The board shall report annually to the governor and the speakers of the general assembly on the activities of the board for the preceding year. The board shall receive and consider from any source whatsoever, whether private or governmental, suggestions for amendments to this chapter.

Statement of the Chairman

On behalf of the members of the Board, I am pleased to present you with a report of the Board's major activities and accomplishments for the second half of 2004.[3] At the time of this writing, only one of the state's 100 Emergency Communications Districts (ECDs), the Sequatchie County ECD, remains offline with E-911 service. Since our last report in May of 2004, considerable technical and financial assistance has been provided to various ECDs to assist with implementation and/or operations. We can proudly say that we are near achieving what the General Assembly intended by establishing an organization charged with ensuring wireline and wireless E-911 service for all citizens of the state, overseeing local E-911 revenues and providing technical assistance to the state's ECDs.

The second half of 2004 has been eventful. The Board held a series of three hearings across the state on "The Status and Future Challenges of E-911 in Tennessee's E-911 System." These hearings were the first of their type to be held in the state, quite possibly the nation, and such was noted by the national trade press. A cross section of stakeholder witnesses with local, state and national perspectives provided testimony on what is working, what is needed and the challenges ahead. The testimony will be provided to state, local and federal decision makers to assist with matters regarding E-911. In addition, the Board's staff was quite instrumental in helping secure passage of federal E-911 legislation that will provide first-ever financial and technical assistance to states and localities to implement and operate E-911.

The Board has continued to cooperate with the Tennessee Advisory Commission on Intergovernmental Relations ("TACIR"), the agency charged by the legislature with providing a study of Tennessee's emergency telephone service statutes, including, but not limited to, local emergency communications districts and their respective boards, the state emergency communications board, the provision of enhanced 911 service, and the assessment of emergency telephone service charges upon telecommunications service providers and customers.

No greater concerns face the Board and local emergency communications districts than those posed by emerging telecommunications technologies such as Voice over the Internet Protocol ("VoIP"), and the cost of rural service. Our nation is struggling with the proper regulatory framework to address VoIP and emerging telecommunications technologies. This includes E-911 location data enjoyed by traditional wireline phone service since the mid-1980's, and for wireless since 2001, as well as E-911 surcharges and fees that have historically helped fund our nation's local E-911 operations. The Board continues to engage these issues on a national level in hopes that the federal government will recognize the important historical role of states in formulating policy and regulating and funding E-911.

In 2004, two new members joined the Board. Katrina Cobb, Director of Broadcast Operations at the public television station WLJT in Martin, Tennessee, replaced Shelby Sheffield as the public citizen appointment to the Board. In addition, we welcomed Mike Taylor, a Tipton County Commissioner and Tipton Emergency Communications District Chairman from Munford. Mike replaces David Purkey as the representative of county

[3] The 2003-2004 Annual Report included a supplement current through May 2004.

government. I want to express the Board's sincere appreciation for the contributions of Ms. Sheffield and Mr. Purkey.

I also wish to acknowledge the continued hard work, dedication and innovation of hundreds of E-911 professionals and telecommunications industry officials. Because of them, Tennessee remains a nationally recognized leader in wireless E-911 deployment. This fact was corroborated in March when the E-911 Institute and Congressional E-911 Caucus honored the Board with their first annual "Best State or Regional 911 Program" award for excellence at a ceremony at the Library of Congress.

Sincerely,

Randy Porter

Randy Porter
Chairman

Overview

The Board is a self-funded agency administratively attached to the Department of Commerce and Insurance.[4] The Board was created primarily to implement and maintain wireless Enhanced 911 or 'E-911' for the state, as set forth by the Federal Communications Commission ("FCC") in orders and regulations it has issued on 911-related issues since 1994.

As the state's sole authority charged with implementing "the establishment of emergency communications services for all citizens of the state," the Board works on many fronts to facilitate the technical and operational advancement of the state's emergency communications districts ("ECDs"), which are the statutorily created municipalities[5] that administer the local E-911 call taking and/or dispatching services. By statute, the Board exercises exclusive financial oversight over the state's one hundred ECDs.[6] The Board also administers a reimbursement program which distributes funds to both ECDs and commercial mobile radio service providers ("wireless carriers") to cover "expenditures to implement, maintain, operate or enhance statewide wireless enhanced 911 service."[7]

In addition, the Board provides advisory technical assistance to ECDs[8] and may review decisions of the boards of directors of ECDs upon request by city or county governing bodies.[9] As a result of legislation passed in 2003, the Board is presently in the process of promulgating rules and regulations governing dispatcher training.[10] The Board also works closely with the Tennessee Emergency Numbering Association to ensure that members (most of whom are associated with the state's ECDs) are kept abreast of technical and governmental developments in emergency communications.

The Board consists of nine members with a staff of six. Eight of its nine members are appointed by the Governor for a fixed term. The ninth member is the designee of the Office of the Comptroller of the Treasury.

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[4] *See* Tenn. Code Ann. §§ 7-86-302, 7-86-303(c).
[5] *See* Tenn. Code Ann. § 7-86-106.
[6] Tenn. Code Ann. § 7-86-301.
[7] Tenn. Code Ann. § 7-86-303.
[8] *See* Tenn. Code Ann. § 7-86-306(a)(7).
[9] *See* Tenn. Code Ann. § 7-86-312.
[10] *See* Tenn. Code Ann. § 7-86-205.

Members of the Tennessee Emergency Communications Board

Randy Porter
Chairman
Director, Putnam Co. Emergency Services
ECD Appointment

The Honorable Tom Beehan[11]
Vice Mayor, City of Oak Ridge
TML Nominee

Charles Bilbrey
Asst. Director Management Services, Comptroller of the Treasury
Designee of the Comptroller

Katrina Cobb
Director, Broadcast Operations, WLJT, Martin
Public Citizen Appointment

Ike Lowry
Director, Sullivan Co. ECD
ECD Appointment

The Honorable Wanda Moody
Vice Chairman
Commissioner, Knox Co.
ECD Appointment

Freddie Rich
Director, Maury Co. ECD
ECD Appointment

The Honorable Mike Taylor[12]
County Commissioner, Tipton Co.
TACS Nominee

Johnny Vickers
Board Member, Gibson Co. ECD
ECD Appointment

[11] *Appointed in January 2004 to fill the unexpired term of the Honorable Jerry Sharber, former mayor, Franklin, TN.*

[12] *Appointed in October 2004 to fill the unexpired term of the Honorable David Purkey, Mayor, Hamblen County.*

STAFF

Anthony Haynes	Executive Director
Lynn Questell	General Counsel
Don Johnson	Director of Audit
Duple Travillion	Director of Government & External Affairs
Vanessa Williams	Account Tech/Administrative Asst.

Quotes

"I am very proud of my home State's E–911 leaders. They, along with the wireless industry, have helped make Tennessee one of the Nation's leaders in wireless E–911 implementation."

Senator Bill Frist, M.D.
U.S. Senate Majority Leader
Remarks on the Floor of the U.S. Senate
December 8, 2004

"Thanks in large part to the efforts of this Board and the support and leadership it has provided, Tennessee is recognized as a national leader in E-911 implementation. . . I want to commend the members of this board, both past and present, for their work, dedication and their integrity toward achieving the intent of its statute. . . ."

Senator Joe Haynes
Tennessee General Assembly
December 1, 2004

"We commend the Emergency Communications Board members and districts, the staff and most importantly, those at the local public safety answering points, the PSAPS, for their tremendous job of implementing Phase II and the development of E-911 in Tennessee. Your combined leadership and vision has been critical. It speaks well of your efforts that Tennessee is often cited as a national leader in E-911 technology. . ."

Julius Johnson
Chief Administrative Officer, Tennessee Farm Bureau
December 1, 2004

". . . We appreciate all the help the Board has given us and all the things that have been done. We'll call and ask questions and we always get our answers. The Board came out and visited us. In fact, they visited all four of those counties that we were working with in our region. And that was really great to see people of this caliber interested in what we were doing out there just on the edge of the Plateau. . . ."

Chairman Larry White
Van Buren County Emergency Communications District
December 1, 2004

". . . the State of Tennessee is one of the handful of states in which you have fundamentally statewide Phase II coverage, and that puts you in a very elite group of people, and that's certainly done through the leadership of this Emergency Communications Board...."

Joe Hanna
Past President, APCO International
October 12, 2004

*"In my more than 30 years of law enforcement, no one at the state ever cared about what we **[**the law enforcement community**]** thought, much less asked for our input…I commend the Board for their efforts and approach…"*

Chief Bob Williamson
Dyersburg Police Department
Speaking before the Chiefs of Police Roundtable in Nashville
on the Board's Dispatcher Standards Outreach
October 6, 2004

BOARD ACTIVITIES AND OUTREACH EFFORTS:

Status of Statewide Implementation of Wireless E-911 Service

As of December 31, 2004, 99 of Tennessee's 100 emergency communications districts ("ECDs") were E-911 Phase II ready. The sole exception is the Sequatchie County ECD, which is predicted to come on line in early April, 2005. Tennessee is the third most Phase II deployed state in the nation, behind Rhode Island and Vermont, neither of which face the topographic and demographic challenges presented in Tennessee. Tennessee is in compliance with all applicable E-911 directives issued by the Federal Communications Commission.

New TECB Policies

Since July 1, 2004, the Board has adopted a number of new policies.[13] These include Policy No. 23 which provides guidance to CMRS providers with regard to the application of Tenn. Code Ann. § 7-86-108(a) to T1 and PRI circuits. The policy was adopted to discourage providers from using the emergency telephone service charge on T1 and PRI circuits for competitive advantage. Under Policy 23, in the case of a T1 circuit, the service charge would apply to each of the twenty-four (24) lines available to the subscriber that can transmit a telephone call and, as to a PRI, each of the twenty-three (23) lines used for telephonic purposes that are available to the subscriber would be subject to the service charge.

During the September 10 meeting, the Board adopted Policy No. 25, which requires all interlocal agreements entered into by emergency communications districts to be memorialized in writing. Policy No. 26, which was also adopted in September, identifies districts as "at risk" if they have actual budget deficits or net losses for two consecutive years as identified by budgets of audits. Policy No. 26 requires districts meeting this definition to notify the Board and provide information to staff. New Policy No. 28 governs procedures for seeking an extension for an increase to the emergency telephone service charge when the increase expires before the Board has considered a request for extension.

The Board also adopted Policy No. 29, which urges emergency communications districts to adopt ethics policies to regulate their activities, including but not limited to contractual obligations and acceptance of gifts. This policy encourages districts to self-monitor their transactions and dealings with vendors and others with an eye to avoiding conflicts of interest and the appearance of impropriety. For the convenience of the ECDs, the Board provided an example of such a policy modeled after Governor Bredesen's Executive Order No. 3, which applies to the State's executive service employees. The Board adopted such an ethics policy for itself (Policy No. 18) in January 2004. During the September 10, 2004 meeting, the Board also adopted Policy No. 30, which requires wireless carriers to provide all call data obtained from each call, including but not limited to cell sector, tower location, Phase 2 location data, carrier name, call-back number, class of service, PANI or ESRK and call confidence level, shall be provided to the public safety answering point receiving the call.

[13] The Board's policies are included on its website at http://www.state.tn.us/commerce/911/.

TECB Grants and Reimbursements

The TECB continues to administer two grant programs, the GIS Mapping Maintenance Grant and the Rural Dispatcher Grant. The GIS Mapping Maintenance Grant is an annual grant program to assist ECDs with costs up to $10,000 associated with the installation and maintenance of a GIS mapping system. GIS mapping systems assist public safety answering points ("PSAPs") in determining the precise location from which each 911 call originates. In addition, GIS mapping systems enable emergency personnel to dispatch emergency vehicles more efficiently and effectively to the scene of the emergency. To work effectively, GIS mapping systems must be updated and maintained for accuracy.

In 2004, the GIS Mapping Maintenance Grant was amended to encourage ECDs to consolidate operations to improve efficiency as is contemplated by Tenn. Code Ann. § 7-86-105(b)(6).[14] To that end, the amendment provides that recipients of the grant that consolidate their operations pursuant to Tenn. Code Ann. § 7-86-105(b)(6) shall each continue to receive the full GIS Mapping Maintenance Grant.

The Rural Dispatcher Grant has recently been amended to expand the number of eligible recipients. During the Board's recent hearings on the Status and Future Challenges of E-911, many witnesses commented on the success of the Rural Dispatcher Grant in mitigating the inequities to rural districts inherent in the state's current funding mechanism, particularly as the general decrease in land line revenue continues and support from other governmental entities is cut. During the January 13, 2005 meeting, the Board unanimously voted to expand the grant by increasing its funding and reworking its selection criteria by making districts eligible that have populations of under 50,000 and a per cent rural population of 40% or more, criteria provided by the U.S. Department of Agriculture. This amendment makes 77 districts eligible (as opposed to the 42 districts that were eligible under the previous criteria). This result is very similar to a breakdown of counties by rural, suburban and urban conducted by the Office of the Comptroller. The total previous outlay for the grant program was $1.5 million annually, limited to five years. The amendment will increase the total annual outlay to $2.31 million.

Status of Wireless Fund

The emergency telephone service charge on wireless telephone users and subscribers remains at $1.00 per month, the rate originally set by the Board and ratified by a joint resolution of the General Assembly as contemplated by Tenn. Code Ann. § 7-86-

[14] Tenn. Code Ann. § 7-86-105(b)(6) states in pertinent part:

> It is the public policy of this state to encourage the consolidation of emergency communications operations in order to provide the best possible technology and service to all areas of the state in the most economical and efficient manner possible. Pursuant to this policy, if two (2) or more counties, cities, or existing emergency communications districts, or any combination thereof, desire to consolidate their emergency communications operations, a joint emergency communications district may be established by the parties using an interlocal agreement as authorized by title 5, ch. 1, part 1, and title 12, ch. 9, part 1; provided, that notwithstanding the language of this subdivision or any other law to the contrary, no such consolidation of emergency communications operations shall result in the creation of a separate emergency communications district within the boundaries of an existing emergency communications district.

108(a)(1)(B)(i). As of May 31, 2004, the balance of the 911 Emergency Communications Fund was $63,438,068.78. The balance at the close of the fiscal year, June 30, 2004, was $49,683,642.38. The balance as of December 31, 2004 was $60,718,817.76. The balance as of March 30, 2005 was $32,770,140. Much of the decrease was due to a one-time reimbursement payment to a wireless carrier that had widely deployed in the state.

Status of TECB Advisory Committees

During the November 2004 meeting, the Board took steps to refocus its Technical Committee, which is required by statute, by including technical experts rather than the governmental affairs personnel who had formerly been appointed.[15] The following individuals were invited to serve a one-year term on the Technical Committee:

Verizon Wireless	Susan Sherwood
BellSouth	Mickey Cobb
Sprint PCS	Kathy Owens
Cingular Wireless	Patricia Jones
Alltel	Candi Green
Advantage	Daryle Fowler
TCS	Dick Dickenson
Citizens	Donnie Jones

Once the position of TECB Director of E-911 Technology is filled, that person will chair the Technical Committee. The Board also dissolved the Finance and Audit Committee, which was established soon after the ECB's inception to provide the Board with guidance and recommendation during its infancy, because the Board has taken on its responsibilities and the committee had not met in at least a year. The Board also dissolved the Homeland Security Committee and Advisory Committee on Dispatcher Training, as they have completed their work products for the Board.

Status of Dispatcher Training Regulations

The General Assembly adopted legislation requiring the Board to establish "training and course of study requirements" for all public safety dispatchers and call takers in line to take a 911 or an emergency call from the public regardless of their agency or governmental jurisdiction in 2003.[16] Shortly after this law was passed, the Board created an advisory committee comprised of individuals involved in various aspects of public safety and dispatching to make recommendations with regard to dispatcher training standards. During the September 10, 2004 Board meeting, this committee presented their recommendations to the Board. During the November 5, 2004 Board meeting, the committee was dissolved.

The committee's recommendations were subsequently reviewed and revised by the Board's legal staff and its technical consultant, Kimball and Associates, to assure their

[15] Tenn. Code Ann. § 7-86-308 states that "the technical advisory committee shall be composed of representatives of [CMRS] members of such advisory committees shall not be voting members of the Board."
[16] *See* Tenn. Code Ann. § 7-86-205.

compliance with state and federal laws and regulations and their consistency with good public safety policy. The Board released these revised recommendations for public comment during its January 13, 2005 meeting to use as a starting point for the regulations that it will ultimately promulgate.[17] The Board also authorized staff to conduct a series of Roundtable Discussions throughout the state before the official rulemaking process was initiated to provide a forum to obtain meaningful suggestions and comments on the draft regulations from public safety officials, educators and other interested parties. The Chairman sent letters to the ECD directors, the state's police and fire chiefs and sheriffs and to the presidents and directors of the State universities, community colleges and technology centers inviting their participation and comment. The Chairman also corresponded with the presidents and directors of the State universities, community colleges and technology centers to encourage their participation and to request their assistance in developing educational programs specifically targeted to public safety dispatching that will mirror the dispatcher training regulations. The Executive Director attended a meeting of the Tennessee Association of Chiefs of Police to personally solicit their participation.

The Roundtable Discussions were held in Murfreesboro, Knoxville and Martin in February 2005. In addition, staff addressed a quarterly meeting of the Association of Fire Chiefs held in Chattanooga in February. Thereafter, staff made a number of recommendations for revisions to the proposed Dispatcher Training Regulations. During its March 17, 2005 meeting, the Board adopted these recommendations and directed staff to commence the rulemaking process. The Rulemaking Hearing is tentatively scheduled for late May 2005.

Withdrawal of Administrative Appeal by AT&T Wireless

During its January 15, 2004 meeting, pursuant to Tenn. Code Ann. § 7-86-306(a)(10), the Board unanimously approved the cost recovery requests of a number of wireless carriers, including AT&T Wireless PCS, LLC d/b/a AT&T Wireless ("ATW"). The approval was conditioned upon compliance with the Board's policy prohibiting wireless carriers from "double dipping" by seeking reimbursement for costs that were covered by "regulatory fees" some carriers had unilaterally begun imposing on their Tennessee customers.

On March 15, 2004, ATW filed a Notice of Appeal in the Office of the Secretary of State pursuant to Tenn. Code Ann. § 7-86-306(b), seeking review of the Board's above described decision on "double dipping." The Board declined to provide reimbursement to ATW so long as it refused to comply with the double dipping policy.

In December 2004, weeks after ATW merged with Cingular Wireless, the Board and Cingular Wireless reached a settlement of ATW's appeal. Cingular unequivocally agreed to comply with the Board's "no double dipping" policy. Cingular has provided a certification of its agreement that it will not seek reimbursement for costs recovered by any other fee or amount charged to any customer. Cingular also withdrew ATW's appeal. The Board agreed to provide Cingular with ATW's previously approved cost recovery, subject to the "no double dipping" policy.

[17] The proposed regulations are included in the Appendix.

To that end, Cingular recalculated ATW's cost recovery request to assure that any funds ATW collected as its self-imposed "regulatory fee" were omitted. To completely preclude the possibility of double dipping, Cingular subtracted all the funds collected from ATW's Tennessee customers as its "regulatory fee" from the amount the Board had previously approved for ATW's cost recovery. The reimbursement was provided to Cingular in February 2005. Cingular Wireless must be commended for its good corporate citizenship in expeditiously and equitably resolving this dispute.

Increases to the Emergency Telephone Service Charge on Landlines

Between July 1 and December 31, 2004, the Board granted requests for increases to the emergency telephone service charge by the following ECDs: Hamblen, Houston, Blount, Tipton and Bledsoe. White County ECD successfully requested an extension to a service charge increase that was scheduled to expire. Unicoi, Marshall, Grainger, Sullivan and Hamilton County ECDs filed applications that were considered and approved during the January and March 2005 TECB meetings. As described below, Johnson County ECD's request for an increase to its emergency telephone service charge was also approved.

Outreach Efforts in Historically Unserved Areas

At the beginning of 2003, eight ECDs in Tennessee were incapable of providing E-911 service within their areas. By December 2004, only Sequatchie County ECD was not deployed.

During the May 27, 2004 meeting, the Board expressed concern regarding the lack of progress in the four counties that had not yet deployed E-911, Bledsoe, Grundy, Sequatchie and Van Buren. At the Executive Director's request, the Board unanimously authorized him to take all necessary and appropriate action to expedite the provision of E-911 service to the citizens of the four counties. To that end, the Executive Director and the Board's technical consultant made numerous trips and provided assistance to the four undeployed counties. In August, Van Buren ECD began offering the service, followed by Bledsoe in September, and Grundy in November.

Giles County Emergency Communications District Request for Assistance

After reviewing a number of newspaper articles critical of the operation of the Giles County Emergency Communications District (GECD), TECB staff attended a meeting of the GECD Board of Directors in August 2004 to inquire about the situation and discuss possible ways to improve it. In the wake of that meeting, the GECD passed a resolution requesting technical and operational assistance from the Board. During the September 10, 2004 meeting, the Board granted this request pursuant to Tenn. Code Ann. §§ 7-86-302(a) and 7-86-306(a)(7).

To obtain the assistance, the GECD entered into a consent agreement with the Board which set forth the responsibilities of the parties. These responsibilities included having the Board's new technical consultant conduct a site visit and issue a report and recommendation and having the GECD implement the agreed to recommendations within a specific timeline and notify the Board of any objections. The agreement was

incorporated into a Consent Order issued on October 28, 2004.[18] The technical consultant conducted the site visit in November 2004. The TECB will soon begin work with the ECD to address a number of recommendations raised in the site visit report.

Release of Jackson County Emergency Communications District

During the November 5, 2004 meeting, the Board unanimously voted to release Jackson County Emergency Communications District (JxECD) from the terms of the Consent Order issued on February 5, 2004. The Consent Order was issued in the wake of JxECD's January 2004 request to be deemed a financially distressed district, after discovering it was operating under a financial deficit. The Consent Order required JxECD to take a number of actions to improve its financial and record keeping situation in order to receive targeted assistance from the Board. During the November meeting, the Board congratulated the ECD on the speed with which it stabilized its finances.

The Challenge Posed in Mountain City

In January 2004, the Town of Mountain City filed a request pursuant to Tenn. Code Ann. § 7-86-312 for the Board to review a decision of the Johnson County Emergency Communications District (JCECD). The dispute arose after Mountain City reduced its funding of the JCECD's county-wide dispatching service from approximately $63,000 annually to $25,000 purportedly because the JCECD had decided to move into the new County jail and begin dispatching for the County. In response, the JCECD threatened to cease dispatching for Mountain City, and instead utilize the transfer method with regard to Mountain City's 911 calls.

After unsuccessfully encouraging the parties to compromise, the Board decided to require the JCECD to continue dispatching for Mountain City and Mountain City to continue funding that service at a rate of no less than $60,000 per year. Mountain City sought reconsideration of that decision. After a hearing in which expert evidence was presented showing that the cost for Mountain City to provide Phase II E-911 dispatching service to its citizens would be over $115,000 per year, the Board unanimously granted the motion for reconsideration, issuing an October 1, 2004 Order requiring Mountain City to provide notice by October 24, 2004 of its choice among the following:[19]

(a) Continue its contribution of $60,000 per annum to the JCECD for dispatching services;

(b) Establish its own dispatching services for the citizens of Mountain City within a reasonable time, with the JCECD utilizing the transfer method with regard to calls from Mountain City; or

(c) Continue to pay, pro rata, the $60,000 annual contribution to the JCECD while reliable, system-generated call statistics are obtained, after which the parties will participate in mediation with a certified mediator.

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[18] The Board's *Order Granting Request for Assistance* is included in the Appendix.
[19] The Board's *Order Granting Petition for Reconsideration* is included in the Appendix.

This Order was issued pursuant to Tenn. Code Ann. §§ 7-86-312 (authorizing the board to review a decision of an ECD at a city or county's request), 7-86-307(a)(2) (authorizing the board to "act as the deciding agency" whenever disputes over 911 funding or the level and quality of 911 service arise between ECDs and "other governmental units involving the 911 system") and 7-86-306(a)(13) (authorizing the board to "exercise the powers and take all action necessary, proper or convenient for the accomplishment of the purposes" of the emergency communications law or at least part 3 of chapter 86).

Mountain City did not select any of the options proposed by the Board. Instead, on October 15, 2004, Mountain City offered to pay the JCECD the higher of $25,000 or 15% of the District's budget (after deducting the contribution of the ECD) if the JCECD would agree to dispatch the city's Police, Fire, Public Works, Water and Sewer services and Animal Control.[20] This agreement was contingent upon the County's consent to pay 85% of the District's budget (after deducting the JCECD's contribution). The agreement was also contingent upon a restructuring of the membership and terms of the District Board of Directors, which included provisions inconsistent with Tenn. Code Ann. § 7-86-105(c). The JCECD did not respond to this offer.

The city made no contributions to the JCECD after the September 10, 2004 TECB meeting. Consistent with the TECB's *Order Granting Petition for Reconsideration,* the JCECD continued to dispatch the city's emergency calls.

On January 10, 2005, the JCECD Board of Directors convened a public meeting to discuss the District's grim financial situation. During this meeting, the JCECD Board of Directors considered an offer by the Mayor of Mountain City to pay $25,000 for one year in return for dispatching of the city's water, sewage and public works calls by the JCECD. In addition, the Board of Directors voted to enter into negotiations with the city with regard to the amount of funds the city would contribute to the operation of the JCECD for the dispatching of emergency services. A majority of the Board of Directors decided to inquire of the TECB whether accepting such an offer would contravene the TECB's prior directives in this matter. A majority of the Board of Directors also voted to request the TECB to increase the emergency telephone service charge on landlines in Johnson County to the statutory maximum of $1.50 for residential lines and $3.00 for business lines.[21]

During the TECB's January 13, 2005 meeting, the District Chairman and Director reported on the January 10 meeting of the JCECD Board of Directors. Their report generated much discussion. At the conclusion of deliberations, the Board unanimously voted to increase the service charge as requested, subject to reconsideration should legislative changes to the state funding structure occur after completion of the TACIR study in 2006, and in any event, until a sunset date of June 30, 2006. The Board also authorized the ECD to enter into negotiations with Mountain City and offered to fund mediation between the JCECD, Mountain City and Johnson County if the parties agreed to participate. The parties were directed to memorialize in a written interlocal agreement

[20] The percentage of the JCECD's budget was to be adjusted after each U.S. census to reflect the proportion of town residents to the total population of the County.

[21] During the May 27, 2004 meeting, the TECB approved the JCECD's request to set the service charge at $1.30 for residential lines. At the JCECD's request, the service charge on business lines remained unchanged at $2.00.

ny agreement reached in the mediation.[22] In addition, the TECB withdrew its order requiring the ECD to continue emergency dispatching to Mountain City on the condition that, should the ECD decide to cease such dispatching, Mountain City would be given a reasonable period of time to establish its own dispatching, after which the ECD could utilize the transfer method as to Mountain City's 911 calls. The Board directed the ECD to consult with the TECB Technical Consultant with regard to determining such reasonable time to establish emergency dispatching.

In March 2005, the Mayor of Mountain City agreed to participate in mediation with representatives of the ECD and Johnson County. The TECB is in the process of retaining a mediator and facilitating the mediation.

The Quest to Provide All Lines in Hancock County with E-911 Service

Sixty-five telephone lines in rural Hancock County served by Scott County (Virginia) Telephone Cooperative ("SCTC") are not currently receiving E-911 service. The Board continues to negotiate with BellSouth Telecommunications, Inc. to enter into an interconnection agreement with SCTC to establish E-911 service at the most economically and technically feasible location. At present, SCTC manually forwards the 911 calls received from the sixty-five (65) Hancock County lines to an 800 number assigned to the Hancock County ECD PSAP in Sneedville, Tennessee. With this method, the automatic location information ("ALI") provided in all wireline E-911 service is unavailable due to the signaling limitations of the "800" trunk. Only caller identification data ("caller ID") is available, enabling the call taker to manually refer to a regularly updated SCTC subscriber listing. Unfortunately, this solution can not provide a callback number for unlisted telephone numbers, which is a vital feature associated with 911 services.

The Board is considering pursuing a Petition for Declaratory Ruling requesting the Federal Communications Commission to require BellSouth to comply with 47 U.S.C. § 251(a)(1) by interconnecting with SCTC, solely for the purpose of providing E-911 service, at the most economically and technically feasible location. Staff conducted a site visit and determined that the most economically and technically feasible location for interconnection was a point in Hancock County in which less than 500 feet separated the two companies' infrastructure. SCTC estimated that its one-time cost to install new poles, if necessary, to connect the two telecommunications companies' pedestal terminals at this point, including associated labor and materials is approximately $6,109.00. It is estimated that interconnection at the location proposed by BellSouth would cost approximately $1,955.00 to $2,881.00 per month for the sixty five residents, which is more than BellSouth charges for service to the rest of the residents in the entire county. The Board continues to seek a negotiated solution to this matter.

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[22] TECB Policy No. 25 states:

> Effective August 1, 2004, all agreements or arrangements between an emergency communications district and another governmental entity in which facilities, resources and/or income of any kind are shared, contributed or obtained shall be memorialized in written interlocal agreements and adopted by the board of directors of the local emergency communications district before the implementation of such an agreement.

Federal E-911 Legislation

State E-911 leaders were active in assuring the passage of legislation that will provide first ever technical and financial assistance from the federal government on E-911 matters. The legislation, P.L. 108-494, has two very key components – the establishment of a national E-911 office within the federal government and the authorization of millions in grants to assist state and local E-911 operations. Members of Tennessee's Congressional delegation were especially helpful in final negotiations on the bill to ensure that Tennessee's E-911 operations received equal consideration for grants created by the legislation. As originally drafted, only states that had not implemented E-911 were eligible for the bill's grants, which would have excluded Tennessee is a national leader in E-911 deployment.

Appendix

1. **Charts Showing TECB Grant Distribution:**
   - A. **GIS Mapping Reimbursement Grant;**
   - B. **GIS Mapping Maintenance Grant;**
   - C. **Rural Dispatcher Grant.**
2. **Chart Showing Division of ECDs into Tiers.**
3. **Criteria for Classification as Rural Used in Amended Rural Dispatcher Grant.**
4. **List of Districts Eligible for Rural Dispatcher Grant under Amended Criteria.**
5. **Chart Showing 5 Year Distribution of Wireless Funds to ECDs.**
6. **Chart Showing Landline 911 Rate Charged in each ECD.**
7. **Chart Showing Status of Financially Distressed Districts.**
8. **Chart Showing Status of Applications to Increase to Emergency Telephone Service Charge.**
9. **Summary of Fiscal Year 2003 Audit Findings in ECDs.**
10. **Report on Annual Expenditures of TECB.**
11. **Pie Chart Showing Breakdown of Wireless 911 Charge.**
12. **Orders Issued by the ECB between July 1 and December 31, 2004:**
    - A. **Order re: White County ECD, August 31, 2004;**
    - B. **Order re: Johnson County ECD, October 1, 2004;**
    - C. **Order re: Giles County ECD, October 28, 2004.**
13. **Proposed Dispatcher Training Regulations.**
14. **ENHANCE 911 Act of 2004.**
15. **Senator Frist's Colloquy to the ENHANCE 911 Act of 2004.**

TENNESSEE EMERGENCY COMMUNICATIONS BOARD

ADDITIONAL SUPPORT TO ECDs

Districts that have applied for GIS Mapping reimbursement

Up to $50,000

Bedford	Fayette	Johnson	Polk
Bledsoe	Fentress	Kingsport, City	Putnam
Blount	Gibson	Knox	Roane
Bradley	Grainger	Lawrence	Scott
Carroll	Greene	Lewis	Sequatchie
Carter	Grundy	Lincoln	Sevier
Cheatham	Hamblen	Loudon	Stewart
Claiborne	Hamilton	Macon	Sullivan
Clay	Hancock	Madison	Sumner
Crockett	Hardeman	Maury	Trousdale
Cumberland	Hawkins	McMinn	Van Buren
Davidson	Henry	McNairy	Washington
Decatur	Houston	Monroe	Wayne
DeKalb	Humphreys	Montgomery	Weakley
Dickson	Jackson	Overton/Pickett	White
Dyersburg	Jefferson	Perry	

$10,000 Grant

Bedford	Johnson
Blount (3)	Lawrence(2)
Carroll (3)	Lincoln(3)
Claiborne (2)	Macon (2)
Cumberland	Madison
Decatur (2)	Maury
DeKalb	McNairy (3)
Dyer (2)	Monroe
Fentress	Montgomery (3)
Gibson	Overton/Pickett
Hamblen	Perry
Hamilton (3)	Putnam (3)
Hancock	Roane (3)
Hardeman (3)	Scott (2)
Hawkins	Sullivan (2)
Henry (2)	Washington
Humphreys (2)	Weakley (2)
Jackson	White

Districts that have applied $30,000

Bledsoe	Humphreys
Cannon	Jackson
Carroll (2)	Johnson (2)
Chester	La Follette, City
Claiborne	Lake
Clay	Lewis
Decatur (2)	Macon
DeKalb	McNairy
Fentress	Moore
Giles	Overton-Pickett
Grainger	Perry
Hancock	Rhea
Hardeman	Scott
Hardin	Stewart
Haywood	Unicoi
Henderson	Union
Hickman	Van Buren
Houston	White

NOTE:

The parenthetical after the ECDs indicates the number of years they have received the grant.

Tennessee Emergency Communications Board
Division of ECDs into Tiers

District*

Tier Level I

Davidson	Shelby	Knox	Hamilton

Tier Level II

Blount	Montgomery	Sullivan	Williamson
Bradley	Rutherford	Sumner	Wilson
Madison	Sevier	Washington	

Tier Level III

Kingsport	Coffee	Hamblen	Maury	Tipton
Anderson	Cumberland	Hawkins	McMinn	Warren
Bedford	Dickson	Henry	Monroe	Weakley
Campbell	Dyer	Jefferson	Obion	
Carter	Franklin	Lawrence	Putnam	
Cheatham	Gibson	Lincoln	Roane	
Cocke	Greene	Loudon	Robertson	

Tier Level IV

Brentwood	Fayette	Henderson	Marshall	White
Bristol	Giles	Hickman	McNairy	
Oak Ridge	Grainger	Lauderdale	Overton/Pickett	
Carroll	Hardeman	Macon	Rhea	
Claiborne	Hardin	Marion	Scott	

Tier Level V

Lafollette	Crockett	Houston	Moore	Trousdale
Clinton	Decatur	Humphreys	Morgan	Unicoi
Benton	DeKalb	Jackson	Perry	Union
Bledsoe	Fentress	Johnson	Polk	Van Buren
Cannon	Grundy	Lake	Sequatchie	Wayne
Chester	Hancock	Lewis	Smith	
Clay	Haywood	Meigs	Stewart	

* The TECB developed the Tier methodology as a means of ranking ECDs by the population they serve based on data from the 2000 U.S. Census and landline and wireless fee revenues.

Census Geography Menu

Census 2000 Urban and Rural Classification

- TIGER®, TIGER/Line®
- Census Bureau Maps
- Cartographic Boundary Files
- Online Mapping Applications
- Census 2000 Geographic Products
- Changes to Geography for Census 2000
- Census Tract Data
- Statistical Area Delineation
- Geographic Programs
- Reference Resources
- Census 2000 Geography

Census 2000 Urban and Rural Classification

Welcome to the U.S. Census Bureau's Urban and Rural Classification Web page. At this site you will be able to locate information about the Census 2000 urban and rural delineations and to review the criteria the Census Bureau used to delineate urban and rural areas based on the results of Census 2000.

The Census Bureau identifies and tabulates data for the urban and rural populations and their associated areas solely for the presentation and comparison of census statistical data. If a federal, state, local, or tribal agency uses these urban and rural criteria in a nonstatistical program, it is that agency's responsibility to ensure that the results are appropriate for such use. It also is that agency's responsibility to ensure that it has provided the necessary tools for use in that agency's programs.

The Census Bureau will be glad to answer questions about the Census 2000 urban and rural criteria and products. However, the Census Bureau is not qualified to provide information or assistance to users concerning the uses of urban and/or rural data in the programs of other agencies, nor does it have the resources to perform research to determine whether or not a locality or specific address is inside or outside an urbanized area or urban cluster.

The Census Bureau has produced several products to help users locate Census 2000 Urban Areas and Urban Clusters. See below for more information.

Urban and Rural Classification

For Census 2000, the Census Bureau classifies as "urban" all territory, population, and housing units located within an urbanized area (UA) or an urban cluster (UC). It delineates UA and UC boundaries to encompass densely settled territory, which consists of:

- core census block groups or blocks that have a population

  - density of at least 1,000 people per square mile and
  - surrounding census blocks that have an overall density of at least 500 people per square mile

In addition, under certain conditions, less densely settled territory may be part of each UA or UC.

The Census Bureau's classification of "rural" consists of all territory, population, and housing units located outside of UAs and UCs. The rural component contains both place and nonplace territory. Geographic entities, such as census tracts, counties, metropolitan areas, and the territory outside metropolitan areas, often are "split" between urban and rural territory, and the population and housing units they contain often are partly classified as urban and partly classified as rural.

Census 2000 Urban Area Criteria

The Census Bureau is providing information about the Census 2000 Urban Area Criteria and the process used in delineating Census 2000 Urban Areas. We also are providing a synopsis of the differences between the 1990 and Census 2000 criteria.

- Federal Register Notices for the Census 2000 Urban Area Criteria
- Differences between the 1990 and Census 2000 Urban Area Criteria

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Census 2000 Urbanized Area and Urban Cluster Information

This page provides links to the May 1, 2002 Federal Register Notice announcing the results of the Census 2000 urban/rural delineations and Corrections to the May 1, 2002 Notice of Qualifying Urban Areas. It also provides links to lists of Urbanized Areas and Urban Clusters, lists of the Corrected Urbanized Areas and Urban Clusters, a list of Urban Area Central Places, and the list of Major Airports referenced in the delineation process.

Locating Urbanized Area and Urban Cluster Boundaries

Information about products, including TIGER/Line files, boundary files and maps, available to assist data users in locating Urbanized Area and Urban Cluster boundaries.

Contact Information

If you have questions regarding the criteria for Census 2000 urban and rural classifications, please contact the Geography Division at ua@geo.census.gov. If you have questions about geographic products, such as maps and TIGER/Line files, please contact the Geography Division at geography@geo.census.gov or by telephone at 301-763-1128.

NOTE: Census Bureau staff cannot answer specific questions about which areas or addresses are inside or outside urbanized areas or urban clusters. Users will need to determine that information themselves from the Census Bureau products described earlier on this Web page.

[PDF] or denotes a file in Adobe's Portable Document Format. To view the file, you will need the Adobe® Acrobat® Reader available for **free** from Adobe.

Source: U.S. Census Bureau
Created: April 30, 2002
Last Revised: *Thursday, 30-Sep-2004 14:40:42 EDT*

U. S. Census 2000

FIPSTXT	STABR	NAME	Total Population	Urban Population	Population inside urbanized areas	Other urban population	Rural Population	Percent Urban Population	Percent of total population inside urbanized areas	Percent other urban population	Percent Rural Population
47001	TN	Anderson County	71,330	41,724	11	41,713	29,606	58.5	0.0	58.5	41.5
47003	TN	Bedford County	37,586	15,362	0	15,362	22,224	40.9	0.0	40.9	59.1
47005	TN	Benton County	16,537	3,724	0	3,724	12,813	22.5	0.0	22.5	77.5
47007	TN	Bledsoe County	12,367	0	0	0	12,367	0.0	0.0	0.0	100.0
47009	TN	Blount County	105,823	66,916	66,916	0	38,907	63.2	63.2	0.0	36.8
47011	TN	Bradley County	87,965	58,192	58,192	0	29,773	66.2	66.2	0.0	33.8
47013	TN	Campbell County	39,854	17,311	0	17,311	22,543	43.4	0.0	43.4	56.6
47015	TN	Cannon County	12,826	0	0	0	12,826	0.0	0.0	0.0	100.0
47017	TN	Carroll County	29,475	5,017	0	5,017	24,458	17.0	0.0	17.0	83.0
47019	TN	Carter County	56,742	33,903	33,903	0	22,839	59.7	59.7	0.0	40.3
47021	TN	Cheatham County	35,912	2,529	0	2,529	33,383	7.0	0.0	7.0	93.0
47023	TN	Chester County	15,540	5,428	0	5,428	10,112	34.9	0.0	34.9	65.1
47025	TN	Claiborne County	29,862	8,890	0	8,890	20,972	29.8	0.0	29.8	70.2
47027	TN	Clay County	7,976	0	0	0	7,976	0.0	0.0	0.0	100.0
47029	TN	Cocke County	33,565	11,070	0	11,070	22,495	33.0	0.0	33.0	67.0
47031	TN	Coffee County	48,014	25,082	0	25,082	22,932	52.2	0.0	52.2	47.8
47033	TN	Crockett County	14,532	0	0	0	14,532	0.0	0.0	0.0	100.0
47035	TN	Cumberland County	46,802	14,353	0	14,353	32,449	30.7	0.0	30.7	69.3
47037	TN	Davidson County	569,891	544,798	544,798	0	25,093	95.6	95.6	0.0	4.4
47039	TN	Decatur County	11,731	0	0	0	11,731	0.0	0.0	0.0	100.0
47041	TN	DeKalb County	17,423	3,559	0	3,559	13,864	20.4	0.0	20.4	79.6
47043	TN	Dickson County	43,156	13,552	0	13,552	29,604	31.4	0.0	31.4	68.6
47045	TN	Dyer County	37,279	21,079	0	21,079	16,200	56.5	0.0	56.5	43.5
47047	TN	Fayette County	28,806	0	0	0	28,806	0.0	0.0	0.0	100.0
47049	TN	Fentress County	16,625	0	0	0	16,625	0.0	0.0	0.0	100.0
47051	TN	Franklin County	39,270	11,593	0	11,593	27,677	29.5	0.0	29.5	70.5
47053	TN	Gibson County	48,152	24,469	0	24,469	23,683	50.8	0.0	50.8	49.2
47055	TN	Giles County	29,447	7,900	0	7,900	21,547	26.8	0.0	26.8	73.2
47057	TN	Grainger County	20,659	0	0	0	20,659	0.0	0.0	0.0	100.0
47059	TN	Greene County	62,909	19,635	0	19,635	43,274	31.2	0.0	31.2	68.8
47061	TN	Grundy County	14,332	0	0	0	14,332	0.0	0.0	0.0	100.0

47063	TN	Hamblen County	58,128	43,346	43,346	0	14,782	74.6	74.6	0.0	25.4
47065	TN	Hamilton County	307,896	277,759	277,759	0	30,137	90.2	90.2	0.0	9.8
47067	TN	Hancock County	6,786	0	0	0	6,786	0.0	0.0	0.0	100.0
47069	TN	Hardeman County	28,105	10,375	0	10,375	17,730	36.9	0.0	36.9	63.1
47071	TN	Hardin County	25,578	7,883	0	7,883	17,695	30.8	0.0	30.8	69.2
47073	TN	Hawkins County	53,563	20,612	15,468	5,144	32,951	38.5	28.9	9.6	61.5
47075	TN	Haywood County	19,797	10,199	0	10,199	9,598	51.5	0.0	51.5	48.5
47077	TN	Henderson County	25,522	6,003	0	6,003	19,519	23.5	0.0	23.5	76.5
47079	TN	Henry County	31,115	10,251	0	10,251	20,864	32.9	0.0	32.9	67.1
47081	TN	Hickman County	22,295	0	0	0	22,295	0.0	0.0	0.0	100.0
47083	TN	Houston County	8,088	0	0	0	8,088	0.0	0.0	0.0	100.0
47085	TN	Humphreys County	17,929	3,683	0	3,683	14,246	20.5	0.0	20.5	79.5
47087	TN	Jackson County	10,984	0	0	0	10,984	0.0	0.0	0.0	100.0
47089	TN	Jefferson County	44,294	11,058	11,022	36	33,236	25.0	24.9	0.1	75.0
47091	TN	Johnson County	17,499	2,934	0	2,934	14,565	16.8	0.0	16.8	83.2
47093	TN	Knox County	382,032	331,983	331,983	0	50,049	86.9	86.9	0.0	13.1
47095	TN	Lake County	7,954	0	0	0	7,954	0.0	0.0	0.0	100.0
47097	TN	Lauderdale County	27,101	10,932	0	10,932	16,169	40.3	0.0	40.3	59.7
47099	TN	Lawrence County	39,926	10,157	0	10,157	29,769	25.4	0.0	25.4	74.6
47101	TN	Lewis County	11,367	3,502	0	3,502	7,865	30.8	0.0	30.8	69.2
47103	TN	Lincoln County	31,340	6,678	0	6,678	24,662	21.3	0.0	21.3	78.7
47105	TN	Loudon County	39,086	19,524	12,664	6,860	19,562	50.0	32.4	17.6	50.0
47107	TN	McMinn County	49,015	20,312	0	20,312	28,703	41.4	0.0	41.4	58.6
47109	TN	McNairy County	24,653	4,032	0	4,032	20,621	16.4	0.0	16.4	83.6
47111	TN	Macon County	20,386	3,613	0	3,613	16,773	17.7	0.0	17.7	82.3
47113	TN	Madison County	91,837	65,763	65,086	677	26,074	71.6	70.9	0.7	28.4
47115	TN	Marion County	27,776	5,707	0	5,707	22,069	20.5	0.0	20.5	79.5
47117	TN	Marshall County	26,767	9,743	0	9,743	17,024	36.4	0.0	36.4	63.6
47119	TN	Maury County	69,498	39,363	0	39,363	30,135	56.6	0.0	56.6	43.4
47121	TN	Meigs County	11,086	0	0	0	11,086	0.0	0.0	0.0	100.0
47123	TN	Monroe County	38,961	9,014	0	9,014	29,947	23.1	0.0	23.1	76.9
47125	TN	Montgomery County	134,768	100,494	100,494	0	34,274	74.6	74.6	0.0	25.4
47127	TN	Moore County	5,740	0	0	0	5,740	0.0	0.0	0.0	100.0
47129	TN	Morgan County	19,757	3,459	0	3,459	16,298	17.5	0.0	17.5	82.5
47131	TN	Oblon County	32,450	13,310	0	13,310	19,140	41.0	0.0	41.0	59.0
47133	TN	Overton County	20,118	3,174	0	3,174	16,944	15.8	0.0	15.8	84.2
47135	TN	Perry County	7,631	0	0	0	7,631	0.0	0.0	0.0	100.0

47137	TN	Pickett County	4,945	0	0	0	4,945	0.0	0.0	0.0	100.0
47139	TN	Polk County	16,050	0	0	0	16,050	0.0	0.0	0.0	100.0
47141	TN	Putnam County	62,315	37,589	0	37,589	24,726	60.3	0.0	60.3	39.7
47143	TN	Rhea County	28,400	9,050	0	9,050	19,350	31.9	0.0	31.9	68.1
47145	TN	Roane County	51,910	26,418	0	26,418	25,492	50.9	0.0	50.9	49.1
47147	TN	Robertson County	54,433	22,746	19,390	3,356	31,687	41.8	35.6	6.2	58.2
47149	TN	Rutherford County	182,023	136,163	136,163	0	45,860	74.8	74.8	0.0	25.2
47151	TN	Scott County	21,127	3,074	0	3,074	18,053	14.6	0.0	14.6	85.4
47153	TN	Sequatchie County	11,370	10	10	0	11,360	0.1	0.1	0.0	99.9
47155	TN	Sevier County	71,170	24,984	8,256	16,728	46,186	35.1	11.6	23.5	64.9
47157	TN	Shelby County	897,472	868,248	868,248	0	29,224	96.7	96.7	0.0	3.3
47159	TN	Smith County	17,712	3,639	0	3,639	14,073	20.5	0.0	20.5	79.5
47161	TN	Stewart County	12,370	0	0	0	12,370	0.0	0.0	0.0	100.0
47163	TN	Sullivan County	153,048	112,398	112,398	0	40,650	73.4	73.4	0.0	26.6
47165	TN	Sumner County	130,449	90,262	77,912	12,350	40,187	69.2	59.7	9.5	30.8
47167	TN	Tipton County	51,271	17,368	0	17,368	33,903	33.9	0.0	33.9	66.1
47169	TN	Trousdale County	7,259	0	0	0	7,259	0.0	0.0	0.0	100.0
47171	TN	Unicoi County	17,667	9,723	951	8,772	7,944	55.0	5.4	49.7	45.0
47173	TN	Union County	17,808	0	0	0	17,808	0.0	0.0	0.0	100.0
47175	TN	Van Buren County	5,508	0	0	0	5,508	0.0	0.0	0.0	100.0
47177	TN	Warren County	38,276	14,469	0	14,469	23,807	37.8	0.0	37.8	62.2
47179	TN	Washington County	107,198	72,225	72,225	0	34,973	67.4	67.4	0.0	32.6
47181	TN	Wayne County	16,842	0	0	0	16,842	0.0	0.0	0.0	100.0
47183	TN	Weakley County	34,895	9,975	0	9,975	24,920	28.6	0.0	28.6	71.4
47185	TN	White County	23,102	4,089	0	4,089	19,013	17.7	0.0	17.7	82.3
47187	TN	Williamson County	126,638	89,197	80,426	8,771	37,441	70.4	63.5	6.9	29.6
47189	TN	Wilson County	88,809	47,442	27,101	20,341	41,367	53.4	30.5	22.9	46.6

Counties Eligible for Rural Dispatcher Grant
Under Proposed Revised Criteria

	County	Total Pop.	% Urban Pop.	% Rural Pop.
1.	**Fayette**	28,806	0	100
2.	**Hickman**	22,295	0	100
3.	**Grainger**	20,659	0	100
4.	**Union**	17,808	0	100
5.	**Wayne**	16,842	0	100
6.	**Fentress**	16,625	0	100
7.	**Polk**	16,050	0	100
8.	**Crockett**	14,532	0	100
9.	**Grundy**	14,332	0	100
10.	**Cannon**	12,826	0	100
11.	**Stewart**	12,370	0	100
12.	**Bledsoe**	12,367	0	100
13.	**Decatur**	11,731	0	100
14.	**Meigs**	11,086	0	100
15.	**Jackson**	10,984	0	100
16.	**Houston**	8,088	0	100
17.	**Clay**	7,976	0	100
18.	**Lake**	7,954	0	100
19.	**Perry**	7,631	0	100
20.	**Trousdale**	7,259	0	100
21.	**Hancock**	6,786	0	100
22.	**Van Buren**	5,508	0	100
23.	**Moore**	5,740	0	100
24.	**Sequatchie**	11,370	0.1	99.9
25.	**Cheatham**	35,912	7	93
26.	**Scott**	21,127	14.6	85.4
27.	**Overton - Pickett**	25,063	15.8	84.2
28.	**McNairy**	24,653	16.4	83.6
29.	**Johnson**	17,499	16.8	83.2
30.	**Carroll**	29,475	17	83
31.	**Morgan**	19,757	17.5	82.5
32.	**White**	23,102	17.7	82.3
33.	**Macon**	20,386	17.7	82.3
34.	**DeKalb**	17,423	20.4	79.6
35.	**Marion**	27,776	20.5	79.5
36.	**Humphreys**	17,929	20.5	79.5
37.	**Smith**	17,712	20.5	79.5
38.	**Lincoln**	31,340	21.3	78.7
39.	**Benton**	16,537	22.5	77.5
40.	**Monroe**	38,961	23.1	76.9
41.	**Henderson**	25,522	23.5	76.5
42.	**Jefferson**	44,294	25	75
43.	**Lawrence**	39,926	25.4	74.6

Counties Eligible for Rural Dispatcher Grant
Under Proposed Revised Criteria

	County	Total Pop.	% Urban Pop.	% Rural Pop.
44.	**Giles**	29,447	26.8	73.2
45.	**Weakley**	31,895	28.6	71.4
46.	**Franklin**	39,270	29.5	70.5
47.	**Claiborne**	29,862	29.8	70.2
48.	**Cumberland**	46,802	30.7	69.3
49.	**Hardin**	25,578	30.8	69.2
50.	**Lewis**	11,367	30.8	69.2
52.	**Dickson**	43,156	31.4	68.6
53.	**Rhea**	28,400	31.9	68.1
54.	**Henry**	31,115	32.9	67.1
55.	**Cocke**	33,565	33	67
57.	**Chester**	15,540	34.9	65.1
59.	**Marshall**	26,767	36.4	63.6
60.	**Hardeman**	28,105	36.9	63.1
61.	**Warren**	38,276	37.8	62.2
63.	**Lauderdale**	27,101	40.3	59.7
64.	**Bedford**	37,586	40.9	59.1
65.	**Obion**	32,450	41	59
66.	**McMinn**	49,015	41.4	58.6
68.	**Campbell**	39,854	43.4	56.6
69.	**Loudon**	39,086	50	50
70.	**Gibson**	48,152	50.8	49.2
72.	**Haywood**	19,797	51.5	48.5
73.	**Coffee**	48,014	52.2	47.8
75.	**Unicoi**	17,667	55	45
76.	**Dyer**	37,279	56.5	43.5
77.	**Lafollette**	7,926		

* Compiled by ECB Staff based on 2000 U.S. Census data provided by the U.S. Dept. of Agriculture Economic Research Service.

Tennessee Emergency Communications Board
5-Year Wireless Distribution
(as required by T.C.A. 7-86-303 (d) (1))

District	Fiscal Yr. 2000	Fiscal Yr. 2001	Fiscal Yr. 2002	Fiscal Yr. 2003	Fiscal Yr. 2004[1]	Total
Anderson	$14,567.28	$31,722.82	$40,719.21	$42,652.62	$61,481.53	$191,143.46
Clinton	$4,388.42	$9,556.56	$11,283.65	$11,620.98	$16,751.02	$53,600.63
Oak Ridge	$12,644.86	$27,536.39	$32,785.49	$33,825.42	$48,757.59	$155,549.75
Bedford	$14,080.66	$30,663.11	$43,516.62	$46,422.11	$66,915.08	$201,597.58
Benton	$6,762.76	$14,727.08	$19,402.68	$20,424.69	$29,441.13	$90,758.34
Bledsoe	$4,476.86	$9,749.14	$14,247.86	$15,274.36	$22,017.21	$65,765.43
Blount	$39,804.69	$86,681.66	$122,593.18	$130,700.99	$188,398.67	$568,179.19
Bradley	$34,129.55	$74,323.05	$102,375.79	$108,644.75	$156,605.75	$476,078.89
Campbell	$12,824.06	$27,926.59	$37,355.63	$39,433.98	$56,842.01	$174,382.27
Lafollette	$3,417.96	$7,443.20	$9,379.26	$9,789.33	$14,110.80	$44,140.55
Cannon	$4,846.35	$10,553.77	$14,868.47	$15,841.26	$22,834.37	$68,944.22
Carroll	$12,739.32	$27,742.09	$34,892.34	$36,404.30	$52,474.87	$164,252.92
Carter	$23,847.44	$51,931.95	$66,865.17	$70,081.50	$101,018.85	$313,744.91
Cheatham	$12,566.15	$27,364.98	$41,177.70	$44,354.56	$63,934.79	$189,398.18
Chester	$5,935.35	$12,925.27	$18,043.37	$19,193.29	$27,666.14	$83,763.42
Claiborne	$12,101.74	$26,353.66	$34,986.98	$36,882.27	$53,163.88	$163,488.53
Clay	$3,351.28	$7,297.99	$9,398.58	$9,851.08	$14,199.82	$44,098.75
Cocke	$13,492.63	$29,382.57	$39,275.90	$41,455.80	$59,756.38	$183,363.28
Coffee	$18,677.44	$40,673.40	$55,901.75	$59,301.62	$85,480.22	$260,034.43
Crockett	$6,235.38	$13,578.64	$17,182.38	$17,948.32	$25,871.60	$80,816.32
Cumberland	$16,083.19	$35,023.94	$53,531.91	$57,804.69	$83,322.49	$245,766.22
Davidson	$236,500.10	$515,020.25	$670,202.75	$703,866.95	$1,014,587.67	$3,140,177.72
Decatur	$4,848.67	$10,558.82	$13,787.02	$14,488.83	$20,884.90	$64,568.24
DeKalb	$6,677.56	$14,541.56	$20,240.10	$21,518.98	$31,018.51	$93,996.71
Dickson	$16,233.66	$35,351.64	$49,995.47	$53,301.55	$76,831.44	$231,713.76
Dyer	$16,137.82	$35,142.93	$44,142.22	$46,042.94	$66,368.50	$207,834.41
Fayette	$11,979.98	$26,088.49	$33,888.02	$35,578.03	$51,283.87	$158,818.39
Fentress	$6,791.92	$14,790.61	$19,502.85	$20,533.38	$29,597.80	$91,216.56
Franklin	$16,078.09	$35,012.86	$46,083.54	$48,502.00	$69,913.13	$215,589.62
Gibson	$21,580.07	$46,994.37	$57,349.11	$59,472.07	$85,725.93	$271,121.55
Giles	$11,918.40	$25,954.38	$34,493.90	$36,369.70	$52,425.04	$161,161.42
Grainger	$7,915.19	$17,236.72	$49,150.03	$25,308.13	$43,375.59	$142,985.66
Greene	$25,869.87	$56,336.17	$73,875.23	$77,698.30	$111,998.08	$345,777.65
Grundy	$6,186.76	$13,472.78	$16,962.70	$17,701.32	$25,515.52	$79,839.08
Hamblen	$23,372.85	$50,898.46	$68,021.00	$71,793.34	$103,486.37	$317,572.02
Hamilton	$132,206.62	$287,903.01	$364,093.41	$380,279.42	$548,153.04	$1,712,635.50
Hancock	$3,120.24	$6,794.85	$8,117.81	$8,381.32	$12,081.25	$38,495.47
Hardeman	$10,921.53	$23,783.53	$32,716.99	$34,712.21	$50,035.87	$152,170.13
Hardin	$10,479.35	$22,820.62	$29,788.52	$31,591.15	$45,536.99	$140,216.63
Hawkins	$20,634.13	$44,934.43	$62,271.17	$66,155.15	$95,359.20	$289,354.08
Haywood	$8,999.56	$19,598.12	$23,635.73	$24,451.09	$35,244.99	$111,929.49
Henderson	$10,257.11	$22,336.64	$29,863.37	$31,521.99	$45,437.29	$139,416.40
Henry	$12,982.40	$28,271.43	$36,623.42	$38,429.84	$55,394.62	$171,701.71
Hickman	$7,757.30	$16,892.89	$25,544.18	$27,536.35	$39,692.23	$117,422.95
Houston	$3,249.42	$7,076.18	$9,463.29	$9,989.41	$14,399.22	$44,177.52
Humphreys	$7,342.45	$15,989.46	$21,040.61	$22,143.93	$31,919.34	$98,435.79
Jackson	$4,304.62	$9,374.07	$12,802.84	$13,566.23	$19,555.02	$59,602.78
Jefferson	$15,286.81	$33,289.70	$50,692.84	$54,707.09	$78,857.45	$232,833.89
Johnson	$6,373.83	$13,880.12	$20,178.05	$21,612.84	$31,153.79	$93,198.63
Knox	$155,455.85	$338,532.24	$447,883.96	$471,844.08	$680,138.75	$2,093,854.88

[1] **Fiscal year 2004 includes figures for the month of June because the staff reformatted to a fiscal distribution period. The extra month increased the distribution substantially.**

Tennessee Emergency Communications Board
5-Year Wireless Distribution
(as required by T.C.A. 7-86-303 (d) (1))

District	Fiscal Yr. 2000	Fiscal Yr. 2001	Fiscal Yr. 2002	Fiscal Yr. 2003	Fiscal Yr. 2004[1]	Total
Lake	$3,315.63	$7,220.37	$19,896.75	$9,823.92	$14,160.64	$54,417.31
Lauderdale	$10,876.62	$23,685.73	$31,704.15	$33,472.18	$48,248.41	$147,987.09
Lawrence	$16,345.71	$35,595.64	$46,852.91	$49,312.21	$71,081.01	$219,187.48
Lewis	$4,895.42	$10,660.64	$13,448.30	$14,039.27	$20,236.87	$63,280.50
Lincoln	$13,230.11	$28,810.86	$36,957.73	$38,707.73	$65,801.19	$183,507.62
Loudon	$14,471.44	$31,514.09	$45,175.99	$48,274.76	$69,585.55	$209,021.83
Macon	$7,439.67	$16,201.21	$23,513.51	$25,178.56	$36,293.59	$108,626.54
Madison	$36,106.61	$78,628.44	$107,096.52	$113,427.00	$163,499.14	$498,757.71
Marion	$11,510.48	$25,066.09	$32,657.74	$34,305.88	$49,450.14	$152,990.33
Marshall	$9,972.82	$21,717.55	$30,965.76	$33,059.67	$47,653.79	$143,369.59
Maury	$25,378.62	$55,266.37	$80,167.19	$85,836.31	$123,728.60	$370,377.09
McMinn	$19,667.37	$42,829.12	$57,338.42	$60,537.95	$87,262.32	$267,635.18
McNairy	$10,381.65	$22,607.87	$29,060.53	$30,448.70	$43,890.21	$136,388.96
Meigs	$3,719.38	$8,099.59	$12,639.35	$13,692.22	$19,736.62	$57,887.16
Monroe	$14,234.38	$30,997.85	$44,945.36	$48,120.36	$69,363.00	$207,660.95
Montgomery	$53,021.83	$115,464.29	$157,177.38	$166,450.68	$239,929.99	$732,044.17
Moore	$2,185.88	$4,760.14	$6,661.75	$7,089.42	$10,219.04	$30,916.23
Morgan	$8,010.11	$17,443.40	$23,149.31	$24,401.68	$35,173.76	$108,178.26
Obion	$14,692.30	$31,995.04	$38,715.44	$40,078.67	$57,771.34	$183,252.79
Overton - Pickett	$10,271.46	$22,367.90	$29,416.09	$30,955.06	$44,620.13	$137,630.64
Perry	$3,122.09	$6,798.89	$8,954.02	$9,424.97	$13,585.62	$41,885.59
Polk	$6,316.88	$13,756.09	$18,719.85	$19,823.19	$28,574.12	$87,190.13
Putnam	$23,786.32	$51,798.87	$72,346.98	$76,964.67	$110,940.56	$335,837.40
Rhea	$11,428.06	$24,886.61	$33,237.38	$35,076.57	$50,561.06	$155,189.68
Roane	$21,866.67	$47,618.50	$61,193.70	$64,113.56	$92,416.34	$287,208.77
Robertson	$19,211.30	$41,835.94	$62,488.64	$67,229.68	$96,908.08	$287,673.64
Rutherford	$67,865.07	$147,788.04	$210,597.11	$224,814.90	$324,058.97	$975,124.09
Scott	$8,499.98	$18,510.17	$24,724.93	$26,093.75	$37,612.79	$115,441.62
Sequatchie	$4,103.67	$8,936.47	$13,093.68	$14,042.98	$20,242.24	$60,419.04
Sevier	$23,633.53	$51,466.13	$81,031.95	$87,901.38	$126,705.29	$370,738.28
Shelby	$382,600.78	$833,180.01	$1,060,031.74	$1,108,459.11	$1,597,786.27	$4,982,057.91
Smith	$6,548.38	$14,260.24	$20,467.46	$21,875.94	$31,533.01	$94,685.03
Stewart	$4,388.90	$9,557.58	$14,211.09	$15,278.07	$22,022.56	$65,458.20
Sullivan	$36,256.16	$78,954.13	$98,746.22	$102,910.20	$148,339.72	$465,206.43
Bristol	$11,090.53	$24,151.57	$29,546.77	$30,656.17	$44,189.29	$139,634.33
Kingsport	$19,139.99	$41,680.67	$53,037.12	$55,461.74	$79,945.20	$249,264.72
Sumner	$47,820.36	$104,137.16	$150,558.45	$161,116.31	$232,240.78	$695,873.06
Tipton	$17,394.44	$37,879.43	$58,542.14	$63,324.31	$91,278.72	$268,419.04
Trousdale	$2,741.03	$5,969.07	$8,414.15	$8,965.52	$12,923.32	$39,013.09
Unicoi	$7,662.39	$16,686.18	$20,926.11	$21,820.34	$31,452.88	$98,547.90
Union	$6,340.49	$13,807.52	$20,468.48	$21,994.50	$31,703.91	$94,314.90
Van Buren	$2,243.76	$4,886.17	$6,458.53	$6,802.88	$9,806.00	$30,197.34
Warren	$15,275.69	$33,265.49	$44,738.48	$47,274.33	$68,143.48	$208,697.47
Washington	$42,742.96	$93,080.25	$125,279.54	$132,399.22	$190,846.60	$584,348.57
Wayne	$6,452.08	$14,050.52	$19,563.88	$20,801.41	$29,984.14	$90,852.03
Weakley	$14,803.43	$32,237.05	$41,182.75	$43,098.51	$62,124.22	$193,445.96
White	$9,301.92	$20,256.54	$27,039.57	$28,533.07	$41,128.93	$126,260.03
Williamson	$34,938.43	$76,084.53	$117,795.39	$127,452.70	$183,716.44	$539,987.49
Brentwood	$10,304.35	$22,439.49	$60,575.22	$28,956.68	$41,739.58	$164,015.32
Wilson	$36,353.39	$79,165.87	$104,214.54	$109,687.14	$158,108.33	$487,529.27
Total	$2,292,396.05	$4,992,092.56	$6,727,920.10	$7,026,571.57	$10,145,339.39	$31,184,319.67

[1] **Fiscal year 2004 includes figures for the month of June because the staff reformatted to a fiscal distribution period. The extra month increased the distribution substantially.**

Tennessee Emergency Communications Board
Landline 911 Rates
March 17, 2005

ECD	Res. Rate	Bus. Rate	ECD	Res. Rate	Bus. Rate
Anderson	$0.65	$2.00	Lake	$0.65	$2.00
Clinton City	$0.65	$2.00	Lauderdale	$1.25	$2.25
Oak Ridge City	$1.50	$3.00	Lawrence	$1.50	$3.00
Bedford	$0.65	$2.00	Lewis	$0.65	$2.00
Benton	$0.60	$1.50	Lincoln	$0.65	$2.00
Bledsoe	$1.50	$3.00	Loudon	$0.65	$2.00
Blount	$1.10	$2.45	Macon	$0.65	$2.00
Bradley	$1.50	$3.00	Madison	$0.45	$1.64
Campbell	$1.15	$2.50	Marion	$0.65	$2.00
LaFollette City	$0.65	$2.00	Marshall	$1.50	$3.00
Cannon	$0.65	$2.00	Maury	$1.00	$2.35
Carroll	$0.65	$2.00	McMinn	$0.55	$1.50
Carter	$0.65	$2.00	McNairy	$1.15	$2.50
Cheatham	$1.15	$2.50	Meigs	$0.65	$2.00
Chester	$0.65	$2.00	Monroe	$0.65	$2.00
Claiborne	$1.50	$3.00	Montgomery	$1.50	$3.00
Clay	$0.65	$2.00	Moore	$0.65	$2.00
Cocke	$1.15	$2.50	Morgan	$1.50	$3.00
Coffee	$0.55	$1.75	Obion	$0.65	$2.00
Crockett	$0.65	$2.00	Overton-Pickett	$1.50	$3.00
Cumberland	$1.40	$2.75	Perry	$0.65	$2.00
Davidson/Nashville	$0.65	$2.00	Polk	$0.65	$2.00
Decatur	$0.65	$2.00	Putnam	$0.65	$1.66
DeKalb	$0.65	$2.00	Rhea	$1.50	$3.00
Dickson	$0.55	$1.65	Roane	$1.50	$3.00
Dyer	$0.55	$1.67	Robertson	$0.65	$2.00
Fayette	$0.65	$1.75	Rutherford	$0.50	$1.52
Fentress	$0.65	$2.00	Scott	$0.65	$2.00
Franklin	$0.65	$2.00	Sequatchie	$0.65	$2.00
Gibson	$1.50	$3.00	Sevier	$0.55	$1.67
Giles	$0.65	$2.00	Shelby	$0.65	$1.30
Grainger	$1.50	$3.00	Smith	$0.65	$2.00
Greene	$0.65	$1.50	Stewart	$0.65	$2.00
Grundy	$0.65	$2.00	Sullivan	$1.50	$3.00
Hamblen[1]	$1.00	$2.50	Bristol City	$0.65	$2.00
Hamilton	$1.50	$3.00	Kingsport City	$0.65	$1.65
Hancock	$0.65	$2.00	Sumner	$0.55	$1.00
Hardeman	$0.65	$2.00	Tipton	$1.50	$3.00
Hardin	$0.60	$1.50	Trousdale	$0.65	$2.00
Hawkins	$0.90	$2.25	Unicoi	$1.50	$3.00
Haywood	$0.65	$2.00	Union	$1.50	$3.00
Henderson	$0.65	$2.00	Van Buren	$0.65	$2.00
Henry	$0.65	$2.00	Warren	$1.00	$3.00
Hickman	$0.65	$2.00	Washington	$1.10	$2.45
Houston	$1.50	$3.00	Wayne	$1.00	$2.50
Humphreys	$1.50	$3.00	Weakley	$0.65	$2.00
Jackson	$1.50	$3.00	White	$1.50	$3.00
Jefferson	$1.00	$3.00	Williamson	$0.64	$2.00
Johnson	$1.50	$3.00	Brentwood City	$0.65	$2.00
Knox	$0.65	$2.00	Wilson	$0.55	$1.67

Tennessee Emergency Communications Board

Status of Financially Distressed Districts

ECD	Date Appeared before the TECB	Effective Date	Action Taken
Campbell	February 21, 2001	April 20, 2001	Rates raised to $1.15/$2.50; with conditions.
Cocke	April 19, 2001	June 8, 2001	Rates raised to $1.15/$2.50; with conditions.
Hawkins	February 21, 2001	April 20, 2001	Rates raised to $.90/$2.25; with conditions.
McNairy	April 19, 2001	June 8, 2001	Rates raised to $1.15/$2.50; with conditions.
Morgan	May 24, 2002	May 24, 2002	Rates raised to $1.50/$3.00; **until June 30, 2005**, with conditions;
Pickett	December 11, 2000	October 2001	Rates raised to $1.50/$3.00; as of October 2001, **merged w/ Overton Co.**

Tennessee Emergency Communications Board

Status of Rate Increase Applications

(As of March 31, 2005)

ECD	Date Application Received by ECB	Date Board Approved	Status of Application	Action Taken
Jackson	November 2000	June 8, 2001	Complete	Rates raised to $1.50/$3.00 in April 2001; with conditions.
Cumberland	November 2000	July 19, 2001 May 27, 2004	Complete	Rates raised to $1.40/$2.75 for 3 years, with conditions; effective through June 30, 2004; **July 1, 2004, shall revert to $0.65/$2.00**. Extended May 27, 2004; **effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
White	November 2000	August 30 2001 March 4,2003 July 16, 2004	Complete	Rates raised to $1.50/$3.00 in August 2001; effective thru June 30, 2003. **July 1, 2003, shall revert to $0.65/$2.00. May petition for another rate increase or choose local referendum. Extension until June 30, 2004. Additional two years subject to reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Overton	March 1, 2001	October 29, 2001	Complete	Rates raised to $1.50/$3.00 with Pickett merger October 2001
Wayne	March 20, 2001	October 29, 2001 Extended March 17, 2005	Complete	Rates raised to $1.00/$2.50 in October 2001; until June 30, 2005, with conditions; May petition after July 1, 2004, effective July 1, 2005, shall reverts to $0.65/$2.00. **Effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**

ECD	Date Application Received by ECB	Date Board Approved	Status of Application	Action Taken
Rhea	March 20, 2001	January 31, 2002 Extended March 17, 2005	Complete	Rates raised to $1.50/$3.00 in May 2002; effective thru June 30, 2005. Effective July 1, 2005, shall revert to $0.75/$2.10. **Effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Bradley	March 28, 2001	October 29, 2001	Complete	Rates phase-in over 3 years 1st yr. $.99/$2.40; 2nd yr. $1.33/$2.80; 3rd yr. $1.50/$3.00; **effective July 1, 2006 reverts to $0.65/$2.00.**
Humphreys	April 11, 2001	October 30, 2001 Extended March 17, 2005	Complete	Rates raised to $1.50/$3.00 in October 2001; **effective through June 30, 2005, with conditions. Effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Montgomery	May 17, 2001	October 30, 2001	Complete	Rates raised to $1.50/$3.00 in October 2001; **effective through June 30, 2006, with conditions.**
Hamilton	May 2, 2001	N/A	N/A	Withdrew rate increase request.
Union	July 23, 2001	Sept. 12, 2002 Extended March 17, 2005	Complete	Rates raised to $1.50/$3.00 in September 2002; **effective through June 30, 2005, with conditions. Effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Washington	July 23, 2001	Sept. 12, 2002 Extended March 17, 2005	Complete	Rates raised to $1.10/$2.45 in September 2002; **effective through June 30, 2005. Effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Jefferson	August 13, 2002	January 15, 2003	Complete	Rates raised to $1.50/$3.00 in January 2003; **effective through June 30, 2006, with conditions.**

ECD	Date Application Received by ECB	Date Board Approved	Status of Application	Action Taken
Oak Ridge	October 24, 2002	January 15, 2003	Complete	Rates raised to $1.50/$3.00 in January 2003; **effective through June 30, 2006, with conditions.**
Gibson	December 19, 2002	January 15, 2003	Complete	Rates raised to $1.50/$3.00 in January 2003; **effective through June 30, 2006, with conditions.**
Warren	March 21, 2003	May 22, 2003	Complete	Rates raised to $1.50/$3.00 in May 2003; **effective through June 30, 2006, with conditions.**
Maury	Sept. 26 2002	August 14, 2003	Complete	Rates raised to $1.00/$2.35 in August 2003; **effective through June 30, 2006, with conditions.**
Lawrence	April 9, 2003	August 14, 2003	Complete	Rates raised to $1.50/$3.00 in August 2003; **effective through June 30, 2006, with conditions.**
Cheatham	April 9, 2003	August 14, 2003	Complete	Rates raised to $1.15/$2.50 in August 2003; **effective through June 30, 2006, with conditions.**
Johnson	May 17, 2004	May 27, 2004	Complete	Rates raised to $1.00 residential only in May 27, 2004; **effective through June 30, 2007, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Roane	March 23, 2004	May 27, 2004	Complete	Rates raised to $1.50/ $3.00 in May 27, 2004; **effective through June 30, 2007, subject to reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Bledsoe	June 17,2004	July 16, 2004	Complete	Rates raised to $1.50/ $3.00 in July 16, 2004; **effective through June 30, 2006, subject to reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Tipton	June 29, 2004	July 16, 2004	Complete	Rates raised to $1.50/ $3.00 in July 16, 2004; **effective through June 30, 2006, subject to reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**

ECD	Date Application Received by ECB	Date Board Approved	Status of Application	Action Taken
Houston	June 13, 2004	September 10, 2004	Complete	Rates raised to $1.50/ $3.00 in September 10, 2004; **effective through June 30, 2006, subject to reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Hamblen	July 28, 2004	September 10, 2004	Complete	Rates phase-in over a 2 year period 1st yr. $1.00/ $2.50; 2nd yr. $1.25/$2.75, effective July 1, 2004; **Year 1 is effective through June 30, 2006, subject to conditions related to technical site visit and reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Blount	August 3, 2004	November 5, 2004	Complete	Rates raised to $1.50/ $3.00 in November 5, 2004; **effective through June 30, 2006, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Hamilton	June 24, 2004	March 17, 2005	Complete	Rates raised to $1.50/ $3.00 in March 17, 2005; **Effective through June 30, 2006, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Unicoi	October 5, 2004	January 13, 2005	Complete	Rates raised to $1.50/ $3.00 in January 13, 2005; **Effective through June 30, 2006, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Marshall	November 23, 2004	January 13, 2005	Complete	Rates raised to $1.50/ $3.00 in January 13, 2005; **Effective through June 30, 2006, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**

ECD	Date Application Received by ECB	Date Board Approved	Status of Application	Action Taken
Sullivan	February 17, 2005	March 17, 2005	Complete	Rates raised to $1.50/ $3.00 in March 17, 2005; **Effective through June 30, 2006, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**
Grainger	December 3, 2004	January 13, 2005	Complete	Rates raised to $1.50/ $3.00 in January 13, 2005; **Effective through June 30, 2006, subject reconsiderations, if legislative changes to ECB funding structure occur after completion of TACIR study in 2006.**

Tennessee Emergency Communications Board
Fiscal Year 2003 Audit Findings in ECDs

COUNTY	No Findings	Total Findings	Net Loss	Reconcile to General Ledger	Adopted Fiscal Year Budget (Approved)	Expenses exceed Budget	Physical Receipt of Goods	Bidding Documentation	Travel Claims not provided	Insurance Coverage	Invoice not present	Segregation of Duties	Double Entry Bookkeeping (G/L)	Collateralization	3-day Deposit	Capitalization Policy	Purchase Orders not Utilizated	Checks signed in advance	Maintaining fixed asset records	Minutes not maintained properly	Minutes not signed	Paid Sales Tax to Vendor	Written Purchasing Policy	Surety Bond Coverage	One signature on the checks	Use of signature stamp	Reconciliation of Payroll	Policy and Procedures not established and Maintained	Disbursement Approval Procedure	Bond Covenant	Adopt Uniform Chart of Accounts	Fictitous vendor	Rotary Club Dues (Revenue Standards)	Written Travel Policy	Deficiencies Recording Transactions	Inadequate Supporting Documentation	Approval of Payroll	Maintaining Payroll Records	Street Signs	Financial Report not Presented at Board Meetings	Vacation and sick leave not maintained	Purchase flowers (Revenue Standards)	Retirement Contributions not deducted
Anderson		3		X		X						X																															
Bedford		1				X																																					
Benton		6				X							X		X				X																X	X							
Bledsoe		1				X																																					
Blount		1	X																																								
Bradley		1				X																																					
Bristol City		1										X																															
Campbell		5	X			X																				X								X			X						
Cannon		1				X																																					
Carroll		4				X						X			X						X																						
Carter		1				X																																					
Cheatham		2				X								X																													
Chester		1				X																																					
Clay		1	X																																								
Claiborne		1																													X												
Clinton, City of	X	0																																									
Cocke		1				X																																					
Coffee		1				X																																					
Crockett		6				X						X			X									X				X												X			
Cumberland		1				X																																					
Davidson/Metro Nash		2	X			X																																					
Decatur		1										X																															
DeKalb		2				X														X																							
Dickson		1				X																																					
Dyer		1				X																																					
Fayette		2				X								X																													
Fentress	X	0																																									
Franklin		3				X									X																					X							
Gibson		2				X								X																													
Giles		2	X			X																																					
Grainger		1				X																																					
Greene		1				X																																					
Grundy	X	0																																									
Hamblen		1				X																																					

Tennessee Emergency Communications Board
Fiscal Year 2003 Audit Findings in ECDs

COUNTY	No Findings	Total Findings	Net Loss	Reconcile to General Ledger	Adopted Fiscal Year Budget (Approved)	Expenses exceed Budget	Physical Receipt of Goods	Bidding Documentation	Travel Claims not provided	Insurance Coverage	Invoice not present	Segregation of Duties	Double Entry Bookkeeping (G/L)	Collateralization	3-day Deposit	Capitalization Policy	Purchase Orders not Utilizated	Checks signed in advance	Maintaining fixed asset records	Minutes not maintained properly	Minutes not signed	Paid Sales Tax to Vendor	Written Purchasing Policy	Surety Bond Coverage	One signature on the checks	Use of signature stamp	Reconciliation of Payroll	Policy and Procedures not established and Maintained	Disbursement Approval Procedure	Bond Covenant	Adopt Uniform Chart of Accounts	Fictitous vendor	Rotary Club Dues (Revenue Standards)	Written Travel Policy	Deficiencies Recording Transactions	Inadequate Supporting Documentation	Approval of Payroll	Maintaining Payroll Records	Street Signs	Financial Report not Presented at Board Meetings	Vacation and sick leave not maintained	Purchase flowers (Revenue Standards)	Retirement Contributions not deducted
Hamilton	X	0																																									
Hancock		8	X			X										X			X				X					X						X	X								
Hardeman	X	0																																									
Hardin		2				X								X																													
Hawkins		1				X																																					
Haywood		1				X																																					
Henderson		2				X																			X																		
Henry		1				X																																					
Hickman		2				X						X																															
Houston		3	X			X						X																															
Humphreys		3	X			X																		X																			
Jackson		2	X			X																																					
Jefferson		1				X																																					
Johnson		2				X																																X					
Kingsport, City of		1				X																																					
Knox	X	0																																									
LaFollette, City of	X	0																																									
Lake[1]																																											
Lauderdale		2				X																			X																		
Lawrence		5	X			X		X																											X	X							
Lewis		1				X																																					
Lincoln		3				X				X		X																															
Loudon		5		X		X						X			X													X															
Macon	X	0																																									
Madison	X	0																																									
Marion	X	0																																									
Marshall		2				X						X																															
Maury		2	X			X																																					
McMinn		1																													X												
McNairy		2				X						X																															
Meigs		1				X																																					
Monroe		1				X																																					
Montgomery		4				X										X															X				X								

Tennessee Emergency Communications Board
Fiscal Year 2003 Audit Findings in ECDs

COUNTY	No Findings	Total Findings	Net Loss	Reconcile to General Ledger	Adopted Fiscal Year Budget (Approved)	Expenses exceed Budget	Physical Receipt of Goods	Bidding Documentation	Travel Claims not provided	Insurance Coverage	Invoice not present	Segregation of Duties	Double Entry Bookkeeping (G/L)	Collateralization	3-day Deposit	Capitalization Policy	Purchase Orders not Utilizated	Checks signed in advance	Maintaining fixed asset records	Minutes not maintained properly	Minutes not signed	Paid Sales Tax to Vendor	Written Purchasing Policy	Surety Bond Coverage	One signature on the checks	Use of signature stamp	Reconciliation of Payroll	Policy and Procedures not established and Maintained	Disbursement Approval Procedure	Bond Covenant	Adopt Uniform Chart of Accounts	Fictitous vendor	Rotary Club Dues (Revenue Standards)	Written Travel Policy	Deficiencies Recording Transactions	Inadequate Supporting Documentation	Approval of Payroll	Maintaining Payroll Records	Street Signs	Financial Report not Presented at Board Meetings	Vacation and sick leave not maintained	Purchase flowers (Revenue Standards)	Retirement Contributions not deducted
Moore		1				X																																					
Morgan		2				X																						X															
Oak Ridge, City of	X	0																																									
Obion		1										X																															
Overton-Pickett		3	X			X						X																															
Perry		5				X							X										X		X											X							
Polk		4	X			X						X	X																														
Putnam	X	0																																									
Rhea		2				X								X																													
Roane		2				X						X																															
Robertson		1				X																																					
Rutherford		1				X																																					
Scott		3				X						X		X																													
Sequatchie		1				X																																					
Sevier		1				X																																					
Shelby		1				X																																					
Smith		2				X										X																											
Stewart		1				X																																					
Sullivan		1										X																															
Sumner		4				X													X												X								X				
Tipton		4	X			X						X							X																								
Trousdale		4				X				X		X																								X							
Unicoi		2	X			X																																					
Union		4				X						X			X		X																										
Van Buren		1				X																																					
Warren		3	X			X																																					X
Washington		1				X																																					
Wayne		1				X																																					
Weakley		1				X																																					
White		1				X																																					
Williamson		1				X																																					
Wilson		1																													X												
	12	**176**	**16**	**2**	**0**	**77**	**0**	**1**	**0**	**2**	**0**	**20**	**3**	**6**	**6**	**3**	**1**	**0**	**4**	**1**	**1**	**0**	**2**	**2**	**3**	**1**	**0**	**4**	**0**	**0**	**5**	**0**	**0**	**2**	**4**	**5**	**1**	**1**	**1**	**1**	**0**	**0**	**1**

[1] No audit is required until June 30, 2004.

TENNESSEE EMERGENCY COMMUNICATIONS BOARD

Report on Annual Expenditures

Fiscal Year June 30

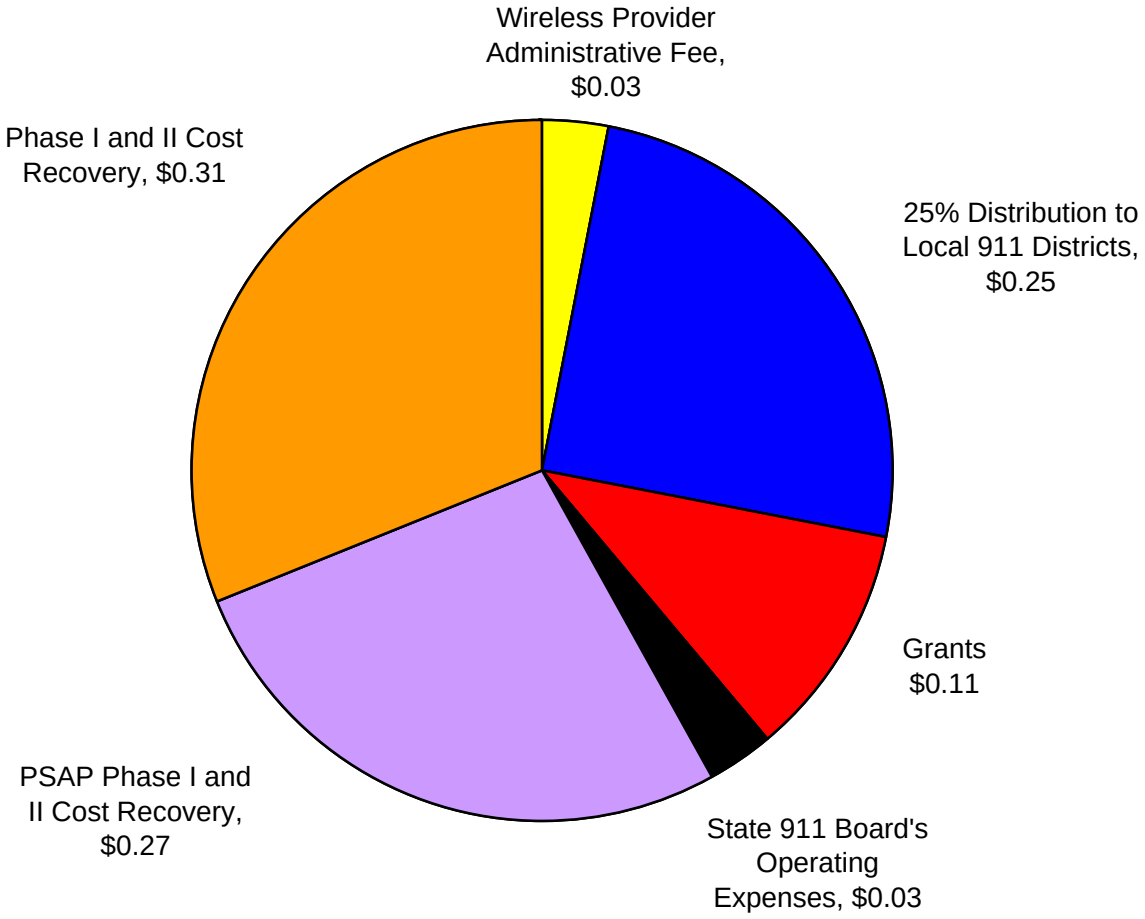
	Actual 2004	Budgeted 2005
Salaries & Wages (010)	$270,069	$423,500
Longevity (012)	4,200	5,300
Overtime (014)	0	-
Employee Benefits (020)	93,263	135,300
Payroll Expenditures	$367,532	$564,100
Travel (03)	19,835	15,700
Printing & Duplicating (04)	3,535	3,100
Utilities & Fuel (05)	-	-
Communications (06)	4,452	1,200
Maintenance & Repairs (07)	2,738	1,200
Prof. Svc. & Dues (08)[1]	112,277	135,400
Supplies & Materials (09)	14,657	21,100
Rentals & Insurance (10)	43,426	43,600
Motor Vehicle Ops. (11)	-	-
Awards & Indemnities (12)	267	-
Grants & Subsidies (13)[2]	19,198,528	54,447,400
Unclassified (14)	400	-
Stores for Resale (15)	-	-
Equipment (16)	-	-
Land (17)	-	-
Buildings (18)	-	-
State Prof. Svcs. (25)[3]	603,663	586,200
Other Expenditures	$20,003,779	$55,254,900
TOTAL EXPENDITURES	**$20,371,311**	**$55,819,000**

[1] Professional Service and Dues includes consulting sevices and subscriptions.

[2] Grants and Subsidies includes 25% distribution to the PSAPs, PSAP Cost Recovery, Wireless Carrier Cost Recovery for Phase I & II.

[3] State Prof. Svcs. Includes expenses with other state agencies such as Data processing services provided by Finance and Administration, State of Tennessee Accounting and Reporting System (STARS), Payroll billing, telephone billing, etc. and GIS Services (OIR).

Tennessee Emergency Communications Board
Breakdown of Wireless 911 Charge
Fiscal Year 2003 - 2004



STATE OF TENNESSEE
TENNESSEE EMERGENCY COMMUNICATIONS BOARD
DEPARTMENT OF COMMERCE & INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-253-2164

RANDY PORTER
CHAIRMAN

ANTHONY HAYNES
EXECUTIVE DIRECTOR

August 31, 2004

Margaret D. England
Chairman
White County Emergency Communications District
P.O. Box 696
Sparta, Tennessee 38582

Re: Order Clarifying Decision to Extend Increase to Service Charge

Dear Chairman England:

Enclosed please find the Order Clarifying Decision to Conditionally Grant Extension to Emergency Telephone Service Charge. The Tennessee Emergency Communications Board ("Board") issued this clarifying Order because there were some questions as to whether the White County Emergency Communications District ("ECD") was required to report back to the Board **before** commencing improvements to the public safety answering point in White County. The transcript of the meeting, on which the Order is based, indicates that the answer to that question is no, a decision consistent with the Board's policy of not "micro-managing" local districts. If you have any questions, or we may provide you with assistance, please do not hesitate to contact me.

With kindest regards, I am

Yours sincerely,

Lynn Questell
General Counsel

Cc/ Harry Cole, Director
Mike Mahn, Esq.
Members, White County ECD Board of Directors

BEFORE THE TENNESSEE EMERGENCY COMMUNICATIONS BOARD

Nashville, Tennessee

August 31, 2004

IN RE: REQUEST OF WHITE COUNTY EMERGENCY COMMUNICATIONS DISTRICT TO EXTEND INCREASE TO EMERGENCY TELEPHONE SERVICE CHARGE

ORDER CLARIFYING DECISION TO CONDITIONALLY GRANT EXTENTION TO EMERGENCY TELEPHONE SERVICE CHARGE

This matter came before the Tennessee Emergency Communications Board ("Board" or "TECD") during a meeting convened on July 16, 2004.

Background

On August 30, 2001, White County Emergency Communications District ("ECD") Board of Directors appeared before the TECB to request an increase to the emergency telephone service charge imposed on land lines in White County. The ECD requested that its service charge be increased to the statutory maximum of $1.50 per line per month for residences and $3.00 per line per month for businesses in White County.[1] In justifying the need for the increase, the ECD listed the following thirteen items that the fund would be used to purchase: Dispatcher Training, ALI Map Pro, Attached Training Facility, Furniture for Console Area, Outside Fence and Gate, Outside Cameras, CAD System, Replace Floor Covering, Replace Office Furniture, Replace EMS Repeater, Install Rescue Repeater, GPS System and Digital Camera System. The Attached Training Facility was to be added onto the sole public safety answering point ("PSAP") serving the ECD.

After considerable discussion, the Board approved the request, pursuant to Tenn. Code Ann. § 7-86-306(a)(11), with four conditions. First, the increase would be effective for a term extending from August 30, 2001 through June 30, 2003. The Board specified that the ECD was eligible to apply for an extension of the increase. Second, funds from the increase were to be used to provide for the above mentioned thirteen expenditures listed on the ECD's application. Third, the increase was conditioned on the right of the TECB to review the ECD's budget prior to its adoption through June 30, 2003. Finally, the increase was specifically conditioned on the continued annual funding/appropriations from White County and the City of Sparta at the levels and amounts provided for in their interlocal agreements with the ECD, which, at the time, was not less than sixty-four percent (64%).

On March 4, 2003, the Board considered a request by the ECD to extend its increase. Again the increase was justified to fund the same thirteen items listed on the ECD's original application. The ECD asserted that not all the expenditures that had initially been approved had been completed.

See Tenn. Code Ann. §§ 7-86-108(a)(2)(A); 7-86-306(a)(11)

The Board granted the ECD's request with the same conditions originally imposed. The Board decided that the extension should terminate on July 1, 2004. The Board again specified that the ECD was eligible to apply for an extension of the increase.

In May of 2004, the ECD filed an application for an extension of the increase to its emergency telephone service charge that purportedly was not supported by a Resolution adopted by the ECD Board of Directors. In addition, the required five (5) year plan was not included in the application.

During the May 27, 2004 Board meeting, it was reported that the ECD failed to complete its application filings in sufficient time to allow for proper review by the Board. Accordingly, the Board deferred deliberating on this issue until the next meeting to allow further review of the application and voted unanimously to allow the increased rate to remain in effect until that time. The Board directed the Chairman and members of the White County ECD Board of Directors to attend the TECB meeting during which the service charge would be deliberated.

In June of 2004, the ECD renewed its application for an extension to the increase on the emergency telephone service charge imposed on landlines in White County.

The July 16, 2004 Board Meeting

During the July 16, 2004 meeting, the Board considered White County ECD's request to extend the increase to its emergency telephone service charge levied on landlines in the county at the rate of $1.50 per month for residential lines and $3.00 for business lines. Director Harry Cole, Chairman Margaret England, County Mayor Herd Sullivan, Sparta Mayor and Board Member Tommy Pettigo, Board Member Ben Gardenhire and County Commission Member Jerry Denton attended the July 16 meeting.

The discussion addressed the ECD's projected five year plan, its lack of harmony, the need for the continued rate increase, ECD expenditures and audit findings and a decrease in the ECD's request for contributions from the County and the City of Sparta. It was reported that five of the thirteen items on the ECD's 2001 planned expenditure list had not been obtained, including the addition of the training facility to the PSAP. Of considerable concern to at least one member of the ECD Board of Directors was a reported uncertainty in the title to the land on which the ECD's only PSAP is located. It was reported that the land on which the PSAP was located, approximately seven-tenths of an acre on the side of a mountain between Sparta and Crossville, had been donated by a generous citizen and the deed memorializing that transaction contained a reversionary clause, effective should the land be used for anything other than a 911 center.

There was considerable discussion regarding the title of the land and the fact that, should the ECD cease using the property for 911 purposes, all improvements, including those funded by the increase to the service charge, would revert back to the private citizen who initially donated the land. It was noted that the property and building were probably worth between $175,000 and $200,000. It was also noted that the ECD Board had never voted to move its operations.

During the discussion, the ECD asserted that it had accumulated over $100,000 in the last six years in part to pay for the addition to the PSAP and a new CAD system and noted that it had decided to spend the funds during the next year. The ECD stated that this fund was the center of controversy, because "we've had people that's been trying to spend that for us from the outside. Next year we're proposing that we go ahead and spend that money as part of our budget and get it out of the system so we get away from everybody trying to manage our system from the outside." The ECD then admitted that it had voluntarily asked for less funding from the County and the City of Sparta for this year.

It was reiterated that the increase to the service charge had been conditioned upon on the continued annual funding/appropriations from White County and the City of Sparta at the levels and amounts provided for in their respective interlocal agreements. It was also noted that the record showed that the ECD had accumulated $156,000, but that it had not purchased all the items it listed on its original application in 2001.

During deliberations, concern was expressed about expending a major portion of the funds accumulated through the increase on the service charge on extensions and upgrades to the PSAP in light of the reversionary clause in the deed and the controversy and conflicts among the ECD board members about whether to make those improvements.

Thereafter, a motion to approve the extension of the increase for three years was offered. This was subsequently amended to two years to remain consistent with all such increases and extensions granted since the General Assembly proposed to amend Tenn. Code Ann. § 7-86-306(a)(10) to initiate a study by the Tennessee Advisory Committee on Intergovernmental Relations ("TACIR") on 911 funding during the 2004 legislative session. A friendly amendment to add a contingency that the ECD resolve the issue of whether to stay or move from the PSAP was also accepted. It was noted that the reversionary clause would be less problematic if the county or city owned the property and the improvements thereon would revert back to the people, rather than to a private citizen.

During deliberations, the Board heard from counsel for the ECD. He stated that before funds were expended on expansion of the PSAP, the ECD building committee will resolve where the expansion will be. He also suggested that the ECD could approach the owner of the property regarding obtaining clear title.

Another issue of concern raised during deliberations was the fact that the PSAP is purportedly built upon caverns. It was mentioned that insects coming from underground into the PSAP had required chemical treatment. It was suggested that the Board condition the extension of the increase on verification that the present site of the County's only 911 dispatch center was suitable for that use and for the planned expansion.

Another amendment was then offered. It was proposed that, before any funds are expended on the PSAP building, whether it be renovations, upgrades or additions, the ECD be required to resolve the issue of the land or location and that the ECD report back to the TECB within six months as to that decision.

Before that amendment was seconded, another amendment was proposed: that the extension of the rate increase be contingent on the contributions of the City of Sparta and White County revert back to the amounts contributed in 2003.

After the motion was seconded, it was noted that the original rate increase required only that City and County funding remain at the 2001 level. It was noted that in the years since 2001, Sparta and White County had appropriated and provided more funds to the ECD than those required under the 2001 contingency originally approved by the Board.

Subsequently, another issue of concern was raised. It was noted that the current service charge rate was already set at the maximum allowable under state law. Thus, there was concern that if Sparta and White County continue reducing their fiscal contributions to the ECD, sooner or later, the ECD will be in a position to need and request another increase, which the law would not allow.

After this discussion, an amendment to the motion was offered: The extension of the increase to the service charge shall be contingent on the contributions to the ECD from White County and the City of Sparta reverting back to the same amount that was appropriated in 2001, the year the increase was initially granted. This motion received a second, but did not receive a majority of the votes.

A member of the ECD Board of Directors then requested that the City and County be permitted to maintain their budgets at the budgeted rated for this year, but revert back to their 2001 contributions during the 2005-2006 fiscal year. This suggestion was then asserted in the form of a motion. The motion received a second and was unanimously approved by the TECB.

The decision was summarized as follows:

> The amended motion is that we approve the White County rate increase extension request for two years, to June 30, 2006; give the City and County and 911 Board six months to work out their land problems; and that in the 2005-2006 budget, the County and City's contributions to 911 revert back to the 2001 funding.

The Board unanimously approved this decision.

IT IS HEREBY ORDERED THAT:

The request of the White County Emergency Communications District Board of Directors to extend the increase to the emergency telephone service charge levied on lines in White County in 2001 is granted, subject to the conditions set forth below. The emergency telephone service charge shall continue to be levied at the rate $1.50 per line per month for residences and $3.00 per line per month for businesses. The extension of the increase is conditioned on the following:

1 The contributions to the White County Emergency Communications District from White County and the City of Sparta in the 2005-2006 fiscal year shall revert back to no less than the amounts that they contributed respectively in 2001;

2. The White County Emergency Communications District Board of Directors, and the governing bodies of the City of Sparta and White County resolve the issue of whether clear title to the land on which the public safety answering point is located is obtainable and whether the public safety answering point should and will remain at its present location;

3. Within six months of July 16, 2004, the White County Emergency Communications District shall report to the Tennessee Emergency Communications Board with regard to the resolution of the issues stated in number 2 above;

4. Like all service charge increases and extensions thereto approved since the legislation creating the TACIR study was passed, the extension is subject to reconsideration should legislative changes to the state funding structure occur after completion of the TACIR study in 2006, and in any event, the extension shall terminate on June 30, 2006. At its discretion, the White County Emergency Communication District may apply for an extension to the increase in the emergency telephone service charge.

This 31 day of August, 2004.

Randy Porter — w/permission, LQ
Randy Porter, Chairman

Wanda Moody — w/permission LQ
Wanda Moody, Vice Chairman

Charles Bilbrey — w/permission LQ
Charles Bilbrey, Board Member

Ike Lowery — w/permission LQ
Ike Lowery, Board Member

Freddie Rich — w/permission LQ
Freddie Rich, Board Member

David Purkey — w/permission LQ
David Purkey, Board Member

Johnny Vickers — w/permission LQ
Johnny Vickers, Board Member

* * * * *

Tom Beehan, Board Member[2]

Katrina Cobb — w/permission, LQ
Katrina Cobb, Board Member

[2] Mr. Beehan did not participate in this matter.

BEFORE THE TENNESSEE EMERGENCY COMMUNICATIONS BOARD

Nashville, Tennessee

October 1, 2004

IN RE: RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF MOUNTAIN CITY, TENNESSEE, REQUESTING REVIEW OF A DECISION OF THE BOARD OF DIRECTORS OF THE JOHNSON COUNTY EMERGENCY COMMUNICATIONS BOARD PURSUANT TO TENN. CODE ANN. § 7-86-312

ORDER GRANTING PETITION FOR RECONSIDERATION

This matter came before the Tennessee Emergency Communications Board ("Board" or "TECB") on a *Petition for Reconsideration* filed by the Town of Mountain City, Tennessee. The *Petition* was deliberated during a public meeting convened on September 10, 2004.

Background

On September 9, 2003, the Board of Mayor and Aldermen of the Town of Mountain City adopted a resolution pursuant to Tenn. Code Ann. § 7-86-312 requesting the Board to review a decision of the Board of Directors of the Johnson County Emergency Communications District ("ECD") to terminate the 911 dispatching services it was providing to Mountain City.

Descriptions of the underlying controversy between Mountain City and the ECD and the Board's January 15, 2004 deliberations on this matter are memorialized in the *Interim Order* issued on March 31, 2004. The Board's May 27, 2004 deliberations on this controversy are memorialized in the *Final Order*, issued on June 9, 2004. (Both Orders are available on the TECB website: http://www.state.tn.us/commerce/911).

At the close of its May 27 deliberations, after it became obvious that the parties had been unsuccessful in complying with the Board's previous directives to sit down together and try to work out a compromise, the Board directed the ECD to continue dispatching for Mountain City and directed Mountain City to continue paying at least $60,000 annually for the dispatching service. The Board also granted the District's request for an increase in its service charge on residential lines to $1.00 per line.

On July 30, 2004, the Town of Mountain City, acting through its attorney George Wright, filed a *Petition for Reconsideration.* The *Petition* requested that the Board reconsider its May 27 decision, arguing that the Town believed that the Board fully answered its request by requiring the ECD to continue providing dispatching to the Town. The *Petition* argued that the Board lacked the authority to require the Town to make any contribution to the ECD. The *Petition* asserted that the Town would agree to contribute to the ECD in proportion to the ratio of emergency calls its citizens made, if the emergency telephone service charge on business lines in Johnson County was

increased. The *Petition* further argued that the Town had the right to dispatch its own calls, and asserted that such "may be the Town's only alternative given the current state of negotiations/communications with the Johnson County ECD."

On August 6, 2004, the Board notified counsel for the Town that the *Petition* would be placed on the agenda for the September 10 Board Meeting.

The September 10, 2004 Board Meeting

At the September 10, 2004 Board Meeting, the Johnson County ECD Director, Eugene Campbell, and ECD Board Member, Tom Taylor appeared on behalf of the ECD. Attorney Mike Mahn appeared on behalf of Mountain City for the limited purpose of arguing that the Board lacked jurisdiction to order the town to contribute to the ECD. No other representatives from Mountain City appeared.

The Board first considered whether to reconsider its May 27 decision. General Counsel requested the Board to reconsider the matter, noting that when the Board had previously deliberated this dispute, there had been much discussion about the Town providing its own dispatching and the value of the dispatching service provided by the ECD, but none of the parties offered evidence to substantiate their opinions. General Counsel requested that the Board consider evidence offered by the Board's new technical consultant on the cost and value of the dispatching. She noted that the consultant had gone to Mountain City and talked to the Mayor and City Recorder, among others, and had reviewed the district's operations.

The Board unanimously voted to reconsider its decision. Mike Mahn then offered an opening statement, arguing that Tennessee law did not empower the Board to require cities and counties to contribute to ECDs. He maintained that the amount they contributed to ECDs, if any, was a matter the local governmental entities had to work out for themselves.

General Counsel commented that Tenn. Code Ann. § 7-86-312 authorized the Board, upon request, to review decisions of ECDs that affect financial standing and the level and quality of 911 service. She noted that Mountain City itself had requested the Board's involvement in this dispute under Tenn. Code Ann. § 7-86-312 and that the dispute unquestionably involved financial standing and the level or type of 911 service provided. She further asserted that the decision the Board was reviewing was not just whether the ECD would continue dispatching for the Town, as the Town tried to characterize the issue. The decision under review was whether the ECD was required to continue dispatching for the Town after the Town substantially decreased its contribution to the ECD. General Counsel noted that Tenn. Code Ann. § 7-86-307(a)(2) also authorizes the Board to "act as the deciding agency" whenever issues about a district's financial standing or the level and quality of 911 service arise between a district and other governmental units. General Counsel observed, however, that until the matter was litigated, the reach of the Board's jurisdiction would likely remain an open question.

General Counsel then offered the opinion of Curt Andrich, a representative of the Board's new Technical Consultant, L.R. Kimball. His report was offered into evidence and is attached hereto as Exhibit "A." Mr. Andrich was first asked to describe his education, experience and training in emergency communications. He then reported that this dispute arose after the ECD moved its operations to the newly constructed

Johnson County jail, a secure, modern, well equipped facility that the ECD leases from the County for $1 per year. His report stated that representatives of the Town had admitted that if the ECD had not moved, the Town would have continued funding the ECD at the previously budgeted levels. Mr. Andrich recounted the Town's complaint that its residents pay both city and county taxes and thus more than their share for ECD services.

Mr. Andrich reported that at no point during his investigation was the quality or level of 911 service provided by the ECD ever criticized. His report notes that the ECD employs seven (7) full time telecommunicators and seven (7) part time personnel who provide full emergency medical dispatching to the community; and normally two (2) telecommunicators are on duty at all times. During his site visit, Mr. Andrich observed that the ECD's computerized call counting system was not operable, so reliable statistics on the number of calls answered for Mountain City were not available. He reported that previous statistics on the number of calls had been hand tabulated and did not account for all calls.

When asked about the value of the dispatching that the ECD provided to Mountain City, Mr. Andrich estimated that the total annual value was approximately $115,000, taking into account the salaries and benefits that Mountain City would have to pay its own dispatchers, the cost of utilities and equipment maintenance. The costs of purchasing equipment were not included in this calculation because such costs constitute one-time expenditures that could be depreciated over the life cycle of the equipment.

When asked about the cost involved should the Town establish its own dispatch center to accept the Town's 911 calls transferred from the ECD, Mr. Andrich asserted that initial costs for the Town to set up its own dispatching would be approximately $166,000 for telephone equipment, a mapping display system, 911 trunking, a logging recorder, electrical grounding and upgrades and a 10% contingency fund. He added that annual recurring costs would be approximately $124,000 to cover equipment maintenance, trunking service fees, utilities and other operating costs, salaries and benefits for four full-time telecommunicators. Mr. Andrich suggested that Mountain City appeared willing to pay for dispatching based on a calculation that included call volume, but that reliable statistics over at least a six (6) month period would be necessary to establish a reliable call volume.

During deliberations, the ECD indicated that it had received no contributions from Mountain City during the 2004-2005 fiscal year, though Mountain City had appropriated a $25,000 contribution. The ECD indicated that without a contribution from Mountain City, the ECD would reach a financial shortfall some time in the third quarter.

After considerable discussion, the Board unanimously voted to give Mountain City the following three options: (1) pay the ECD $60,000 per year for dispatching, which, it was noted, is a substantial bargain according to the expert's report; (2) dispatch its own 911 calls, which would be transferred from the ECD; or (3) agree to mediate this dispute after obtaining a sufficient amount of computer-generated call statistics and continuing to pay the $60,000 pro rata.[1] Mountain City was directed to inform the Board of its choice within 45 calendar days.

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[1] During deliberations, obtaining such statistics over a period of a year was mentioned.

IT IS HEREBY ORDERED THAT:

1. The *Petition for Reconsideration* filed by Mountain City is granted;

2. Johnson County ECD is directed to continue to dispatch emergency calls for Mountain City;

3. Mountain City is directed to select one (1) of the following options:

   (a) Continue its contribution of $60,000 per annum to the ECD for dispatching services;

   (b) Establish its own dispatching services for the citizens of Mountain City within a reasonable time, with the ECD utilizing the transfer method with regard to calls from Mountain City; or

   (c) Continue to pay, pro rata, the $60,000 annual contribution to the ECD while reliable, system-generated call statistics are obtained, after which the parties will participate in mediation with a certified mediator.

4. Mountain City is directed to notify the Board of the option it has selected no later than forty-five (45) calendar days from September 10, 2004.[2]

This 1st day of October, 2004.

Randy Porter w/ Permission KQ
Randy Porter, Chairman

Wanda Moody w/ permission KQ
Wanda Moody, Vice Chairman

Tom Beehan w/ permission KQ
Tom Beehan, Board Member

Charles Bilbrey w/ permission KQ
Charles Bilbrey, Board Member

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[2] During its July 16, 2004 meeting the Board adopted Policy No. 24 which states as follows:

Effective July 16, 2004, in order to be effective all notices and notifications to the Tennessee Emergency Communications Board ("TECB") shall be provided in writing to the Executive Director at the TECB offices located at 500 James Robertson Parkway, Nashville, Tennessee 37243.

Ike Lowry w/ permission [illegible]
Ike Lowry, Board Member

Freddie Rich w/ permission [illegible]
Freddie Rich, Board Member

David Purkey w/ permission [illegible]
David Purkey, Board Member

[3] Ms. Cobb did not participate in the deliberations.
[4] Mr. Vickers did not participate in the deliberations.

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Exhibit A

1 INTRODUCTION

Johnson County, Tennessee (the County) is located in the northeastern corner of the State of Tennessee. The County covers an area of 299 square miles, and according to United States Census Bureau estimates for 2003, the population of the County is 17,948. According to these figures, the population of the County has grown at an average of .85 % each year over the past three years. There is only one incorporated town in the County, and that is the Town of Mountain City (the Town). The county seat is located in the Town, and the Town has a population of 2,500 per the 2000 Census Bureau figures. The County is primarily rural, with several small industrial firms, which are primarily in the forestry and textile industries.

Over the past year, a dispute has surfaced between the County and the Town over the operations of the Johnson County Emergency Communications District (JCECD), which handles all public safety communications (i.e., 9-1-1 call answering, and dispatching) for all public safety agencies in the County.

This report presents information and recommendations to the State of Tennessee Emergency Communications Board (ECB) in order for the ECB to be able to make informed decisions pertaining to this dispute. Information in this report was obtained through interviews with key individuals at the JCECD and the Town, and through the review of documents provided to the ECB and its staff by the JCECD and the Town.

2 BACKGROUND

The JCECD was established and went operational sometime in 1998. At the time, JCECD combined emergency call answering and dispatching for all public safety agencies in the County and Town, except for the Johnson County Sheriff's Department (JCSD). Calls for the JCSD were answered at the JCECD facility and then information was relayed to the JCSD, which ran its own dispatch center at its office. An agreement between the County, the Town, and the JCECD was made that the Town would reimburse the JCECD for the salaries of four (4) full time telecommunicators. These telecommunicators replaced the four telecommunicators that the Town had employed for its operations previously. This agreement was never formalized in writing by any of the parties involved, but the understanding was that whatever the JCECD operating costs were above what was collected in 9-1-1 surcharges, grants, and other revenues, the balance would be provided by the Town and the County on an equally shared (50%) basis. The Town and the JCECD worked very closely to provide a building capable of supporting operations. Equipment for the building was purchased using grant money that the County had secured for the JCECD. In Table 1, information provided by JCECD shows what operational payments have been made by the Town and County since the establishment of the JCECD.

Sometime during the 2002-2003 timeframe, the JCECD and the County entered into discussions about the JCECD moving its operations to a new Sheriff's Department facility being built that would house the Jail and JCSD offices. At the time, the JCECD was exploring ways to fund upgrades to equipment at its current site, but did not have the funding. The County offered the JCECD space at the new facility, as well as the County providing the funds for the updated equipment that the JCECD was trying to purchase. The building space and the new equipment would be leased to the JCECD for a cost of $ 1.00 per year. An agreement was reached between the County and the JCECD, and in December of 2003, the JCECD moved its operations to the new facility.

It appears that as a result of this decision to move, tensions between the County, the Town, and the JCECD rose quickly to a very high level, resulting in the dispute that is now being reviewed.

Table 1.
Payments Made To the Johnson County Emergency Communications District

YEAR	TOWN	COUNTY
1997-1998	$0	$ 243,234[1]
1998-1999	$ 76,921	$ 84,170
1999-2000	$ 74,938	$ 46,115
2000-2001	$ 74,800	$ 37,440
2001-2002	$ 68,497	$ 42,000
2002-2003	$ 63,100	$ 61,500
2003-2004	$ 28,460	$ 242,202[2]

[1] Initial grant money to purchase equipment for the new JCECD dispatch center
[2] $200,000 of this total was for new equipment at the JCSD facility for the JCECD

In Table 2, call volume statistics are presented. These numbers only reflect the number of actual responses that were generated by calls to the JCECD. The numbers do not include calls such as administrative lines, non-emergency calls, or calls handled for other non-public safety agencies (i.e., water department, electric co-op). It should also be noted that these statistics were generated by a hand count of incident run cards as there are no automated call management or CAD systems in use by the JCECD.

Table 2
Calls For Service Calendar Year 2003

MONTH	COUNTY	TOWN	TOTAL
January	83	103	186
February	93	96	189
March	96	147	243
April	94	128	222
May	100	229	329
June	101	206	307
July	111	207	318
August	87	188	275
September	101	172	273
October	100	186	286
November	112	169	281
December	200	137	337
TOTALS	**1,278**	**1,968**	**3,246**

In Table 3, data is presented to account for the volume of calls for the months of January through April of 2004. Again, the numbers do not include calls such as administrative lines, non-emergency calls, or calls handled for other non-public safety agencies (i.e., water department, electric co-op). It should also be noted that these statistics were generated by a hand count of incident run cards as there are no automated call management or CAD systems in use by the JCECD.

Table 3
Calls For Service – January 2004 Through April 2004

MONTH	COUNTY	TOWN	TOTAL
Jan-Apr	1101	565	**1,666**

Data in Table 2 suggests that the Town accounted for 61% of all calls for service handled by the JCECD. However, in Table 3 the count suggests that the Town generated 34% of all calls for service. It is unknown if this is a trend developing or if this is the result of potentially inconsistent record keeping.

The Johnson County community is served by two (2) telephone companies. The Local Exchange Company (LEC) is Sprint, and the Competitive Local Exchange Company (CLEC) is Skyline. Table 4 reflects the number of business and residential lines each company provides. It should be noted that the JCECD does not have a breakdown of how many of these lines are within the Town limits.

Table 4
Telephone Line Counts

COMPANY	RESIDENTIAL	BUSINESS	TOTAL
Sprint	6,628	1,496	8,124
Skyline	467	43	510
TOTALS	**7,095**	**1,539**	**8,634**

3 SITE VISITS AND INTERVIEWS

An interview with Mr. Eugene Campbell, the director of the JCECD, was conducted on September 2, 2004. A visual assessment of the JCECD 9-1-1 center was also conducted at this time. Interviews and a site visit with the Town were also conducted later that day. Individuals from the Town who were interviewed were: Harvey Burniston, City Mayor; Terry Reece, City Recorder; and Jeff Shaw, former director of the JCECD.

3.1 JOHNSON COUNTY 9-1-1 CENTER

The Johnson County 9-1-1 Center is located in a building at 999 Honeysuckle Rd in the Town. This is a building that houses the 9-1-1 Center, the offices of the Johnson County Sheriff's Department, and the Johnson County Detention Center. The building was opened in 2003, with the JCECD moving its operations there in December of 2003. Prior to this time (1998 to December 2003), the JCECD had its operations located in building owned by the JCECD that was in the Town near the Johnson County Rescue Squad facility. No visit or inspection of that building was conducted. The JCECD pays an annual lease fee to the Sheriff's Department of $1.00.

The JCECD facility is a modern, well equipped facility. The center uses a CML Corporation "Rescue Star" E 9-1-1 telephone system (CPE) that was installed new when the operations moved to the facility in 2003. Radio dispatch uses a Zetron computer based console system that was also installed new when operations were moved to this facility. These two systems were provided by the Johnson County Sheriff's Department to the JCECD at no cost when JCECD moved into the building. The JCECD is receiving Phase 2 wireless 9-1-1 calls and the Rescue Star equipment is capable of handling and processing the information. The 9-1-1 Center also has a map display system that interfaces with the CPE to provide location finding technology through the provided Phase 2 wireless information. The map display system is manufactured by GeoConnect of Knoxville, TN. This system was paid for with a grant for mapping display systems from the ECB. There is no computer aided dispatch (CAD) system in use, but the JCECD is applying for grants to purchase one in the near future.

The 9-1-1 Center consists of two (2) positions that are configured the same that are capable of handling call taking and radio dispatch operations. These positions are located in an office at the facility that also houses the warrant and administrative offices of the Sheriff's Department. Photographs of the facility are provided in Appendix A of this report.

The 9-1-1 Center receives incoming 9-1-1 calls through four (4) telephone trunk lines. Two of the trunks carry wireline 9-1-1 calls, while the other two handle only wireless 9-1-1 calls. The Center is also served by six (6) incoming administrative lines, one of which is the old emergency number for the Johnson County Rescue Squad.

Staff at the JCECD consists of seven (7) full time telecommunicators and seven (7) part time personnel. Full time personnel receive a benefits package from the JCECD, while part time personnel do not. Descriptions of the salary and benefits package are provided in Appendix B of this report. The telecommunicators primarily work a twelve (12) hour shift schedule, with two telecommunicators scheduled to work at all times.

The JCECD provides full emergency medical dispatch (EMD) services to the Johnson County community. EMD is a process of providing pre-arrival instructions on a medical situation while the rescue squad is responding. All personnel at the JCECD are fully qualified and trained in providing EMD. Due to requirements of EMD operations, there are normally two (2) telecommunicators on duty at all times in the center. In addition to the ECD personnel in the office, there is a warrant clerk from the Sheriff's Department on duty in the office at all times. If calls for service become excessive, this person will help answer the administrative phones if the JCECD personnel are tied up on the emergency lines or the radios. The Sheriff's Department does not charge the JCECD for this assistance.

There are also two (2) terminals that are connected to the Tennessee and national criminal information networks. One terminal is paid for the County, the other by the Town. The Town's terminal is physically located in the dispatch office, while the Sheriff's Department terminal is in another part of the building.

Currently, the Town and the County pay full fees to the State for these two terminals. All personnel are trained in the operation of these terminals.

The JCECD provides call taking and dispatch services for the following public safety agencies:

Johnson County Sheriff's Department
Mountain City Police Department
Eight Volunteer Fire Departments in the County
Mountain City Fire Department
Johnson County Rescue Squad

The JCECD also provides call answering services and emergency call out paging for the following organizations:

Mountain City Water Department
Mountain Electric Co-Operative[3]
A private alarm monitoring service[4]

As stated earlier, the JCECD moved to the Sheriff's Department facility in December of 2003. Its previous building was owned by the JCECD and had equipment (CPE and radios) that was paid for with a grant that was received when the JCECD was established in 1998. Mr. Campbell stated that the equipment at the previous center was operational, but in need of upgrades to be brought up to the standards and capabilities required for Phase 2 wireless operations. Mr. Campbell states that the old building has been leased back to the County Elections Board for a fee of $1.00 per annum.

At the time of the visit, Mr. Campbell was unable to provide up-to-date statistics regarding number of calls received at the Center due to computer problems. He advised that there is an automated call management system that is part of their 9-1-1 telephone system; the call management system has not been used due to operational problems since the new center opened. He states that they are currently trying to work with their vendor (Sprint) to get the system to

[3] A fee is paid to the JCECD for this service
[4] A fee is paid to the JCECD for this service

work correctly. Call totals that are included in this report were provided by the JCECD by hand tabulating "run cards" that are generated when a call coming into the 9-1-1 Center causes a response by a public safety agency. These numbers do not account for administrative calls and other calls handled by the 9-1-1 Center.

3.2 TOWN OF MOUNTAIN CITY

The Town is the seat of County government in Johnson County. The Town offices are located in the Municipal Building, located at 222 S. Church Street. Included in this building is the headquarters of the Town Police Department. The Town had handled its own call answering and dispatch of public safety resources before the JCECD was established. At the time, the Town employed four (4) full time telecommunicators to handle the duties.

At Police Headquarters, the Town has two (2) offices that are set aside for possible use as a dispatch center. Currently there is no 9-1-1 CPE at the location, no mapping display system, or CAD system. There is a radio control-station that can be used to communicate with units in the field. While the rooms set aside do have the space for telecommunicators to operate, the electrical wiring, grounding, and building security will all need significant upgrades in order to be brought up to the industry standards needed to support the specialized equipment and operations that would need to be installed. There will also be a need for "back-room" space to house the electronics of the equipment.

The Town was unable to provide statistics on number of police and fire calls for service that its personnel had responded to. It appears that any records that are kept are paper copies of reports, with no centralized records management system. The JCECD provides reports to the Town on occasion showing numbers of calls generated.

4 FINDINGS

The following findings are based upon interviews with officials at the JCECD and the Town, as well as site visits with both organizations.

The JCECD appears to be located in a modern, fairly well equipped facility that is appropriate to the type of operations associated with public safety communications

The lack of automated records management system use by all organizations creates questions about statistical accuracy from all organizations

There is a lack of formal, written, inter-government agreements regarding the funding and operations of the JCECD, which leaves everything open to individual interpretations

The Town feels that the make-up of the JCECD governing board does not adequately allow the Town thorough representation or say in JCECD decisions

The Town has made statements that if the physical re-location of the JCECD had not happened, that they would have continued to provide funding at the levels previously provided

The JCECD feels that the Town has reaped the benefits of upgrades to equipment and services, while not contributing to those upgrades

The Town feels that the County has mis-represented savings that were expected by moving the JCECD to the JCSD facility

The Town does not want to take over dispatch operations from the JCECD

The Town is willing to pay its fair share of JCECD costs through the use of a formula, however, the Town could not suggest what this formula should be based on

The Town is concerned that its residents not only pay Town taxes, but also County taxes, and feel that they are paying for JCECD services several times over

At no point was the quality or level of service being provided by the JCECD to the Town or County ever complained about or brought up.

Based on these findings and attitudes observed, it is the opinion of L. Robert Kimball & Associates that this dispute has nothing to do with the quality or levels of service being provided by the JCECD, but is entirely based on what political organization is perceived as being in control of the JCECD 9-1-1 Center and operations.

5 OPTIONS

The JCECD, the Town, and the County have several different options that could be used to provide emergency dispatch services to its residents, and potentially resolve this dispute. These options are:

Leave all dispatch operations as they currently are, and work with all parties involved to develop inter-governmental agreements that provide for equitable funding for JCECD operations
The Town could establish its own dispatch center and request that the JCECD provide a "relay" service from the JCECD 9-1-1 Center
The Town could establish its own dispatch center and request that the JCECD provide a "direct transfer" service from the JCECD 9-1-1 Center
The Town could request permission from the ECB to establish another ECD to serve the residents of the Town, then build and equip its own dispatch center.

In this section, these options will be explained, and the estimated costs and risks of each will be provided.

5.1 CONTINUE CURRENT DISPATCH OPERATIONS; WORK FOR FUNDING SOLUTION

In this option, operations would stay exactly the same as is currently being done. The JCECD would continue to handle all calls for service from the County and Town and provide direct dispatch service for the Town agencies. An equitable formula for determining what the level of funding for the Town and the County would have to be determined. In most situations, the formula that is used is based on the percentage of calls a locality generates against the total calls for service. In the case of the Town, the statistics that are currently available do not appear to be reliable enough, due to the nature of their collection.

An interim formula could be developed pending the collection of more accurate data. In this case based on the statistics that are available, an even split (50%-50%) could be used pending the new data. Data should cover at least a six (6) month period to account for seasonal fluctuations in activity. When the data has been collected, a formula could be determined easily.

Once the formula has been determined, an inter-governmental agreement between all parties involved will need to be developed and signed by all involved. Typically, the call levels from the preceding year will determine the funding levels for the coming year. This formula should be revised annually to account for growth and call volume changes.

In order for this method to be successful, automated information systems must be used to ensure accurate data. The JCECD already has a call counting software package, but does not use it. This should be made operational immediately. The implementation of a CAD system will also allow for a better accounting of calls generated and be able to assign them to particular agencies. Only through accurate information collection and management can this option be successful. With that said, this option is probably the easiest to implement and will result in little or no additional costs to the JCECD.

5.2 RELAY METHOD

In the relay method of dispatching, the JCECD would still answer all incoming calls for service for all public safety agencies in the County. The personnel would take the caller information, write it out, then have to call the Town Police Department by telephone and "relay" the information to them for actual dispatch.

In this scenario, the Town would not have to purchase any additional equipment for its dispatch center, but would need to staff the center 24 hours per day, 7 days per week. Absolute minimum staffing levels would require one (1) person to be on duty at all times at the Town dispatch center. To provide that level of staffing on a full-time basis, a minimum of four (4) full time telecommunicators would need to be hired to operate the center. Based on current salaries being paid for telecommunicators in the County, the cost of four (4) full time employees, including salary and benefits, would be approximately $75-80 thousand annually. All 9-1-1 telephone surcharges would still go to the JCECD as it would be the primary public safety answering point (PSAP) for the County. The Town would continue to have to pay for its NCIC connection, at approximately $7,000 per year.

However, using this method would not provide any relief to the JCECD, as it would still need to staff the 9-1-1 Center with two (2) people at all times to provide EMD services. Additionally, the "relay" process adds time to the actual response of public safety, as well as losing touch with the caller during the process, which can be dangerous to both the caller and responding personnel. Using this method will actually result in higher costs to the residents of the County and Town due to duplication. This method of dispatching is not widely used, and normally is a backup operation when a dispatch center must rely on another to answer calls due to a catastrophic systems failure.

5.3 DIRECT TRANSFER METHOD

In this option, the Town would need to establish a dispatch center that would "mirror" the JCECD 9-1-1 Center. All 9-1-1 calls would be answered by the JCECD. Once it was determined that a call for service was from the Town, the JCECD would "direct transfer" the call to the Town dispatch center. This process includes sending all 9-1-1 call data along with the actual call. In order for the Town dispatch center to process this information, specialized 9-1-1 telephone CPE would need to be installed. A mapping display system would also need to be installed in order to process Phase 2 wireless 9-1-1 calls that the JCECD is receiving. Based on these requirements, Table 5 shows the approximate costs of acquiring the specialized equipment, and Table 6 shows the annual operating costs that may be expected. The costs shown are based on bids and proposals that L. Robert Kimball & Associates has seen over the past 12 months.

Table 5
Direct Transfer Method – Initial Costs

ITEM	COST
9-1-1 Telephone Equipment – 2 positions	$75,000
Mapping Display System – 2 positions	$50,000
9-1-1 Trunks from JCECD to Town dispatch center – 2 trunks install fee	$1,000
Logging Recorder	$15,000
Electrical/Grounding upgrades to Police HQ	$20,000
10% Contingency Fund	$15,100
TOTAL	**$166,100**

Table 6
Direct Transfer Method Costs – Annual Recurring Costs

ITEM	COST
9-1-1 Telephone Equipment maintenance contract	$20,000
Mapping Display System – Maintenance	$10,000
9-1-1 Trunks Service Fee – 2 trunks	$2,000
Salaries – Benefits for 4 full time telecommunicators	$80,000
Utilities, Other Operating Costs (includes NCIC)	$12,000
TOTAL	**$124,000**

For the Town to establish its own dispatch center that would accept direct transfers from the JCECD, the initial costs and the annual operating costs would be substantial. If this method was used, the Town would not be eligible to collect 9-1-1 surcharge fees as all calls would still be going to the JCECD as the primary PSAP for the County. State ECB grants would probably not be available for the Town to cover these costs the JCECD would be the primary PSAP. The JCECD would still need to have two telecommunicators on duty at all times to properly conduct EMD operations, so there would be no cost saving to the JCECD. The implementation of this method will cause additional costs to the residents of the Town as the Town will have to pay all fees associated with the dispatch center.

5.4 ESTABLISH A NEW EMERGENCY COMMUNICATIONS DISTRICT

In this option, the Town would request permission from the ECB to establish a new ECD for the Town only. While this option is a possibility, the ECB has a standing policy that promotes consolidation of public safety operations for an entire county, which would make this option unlikely.

In this option, if the Town received authorization from the ECB to form its own district, the Town would need to fully equip its dispatch center to be able to process all 9-1-1 calls that originated in the Town. Work would need to be done with the local telephone companies to determine what telephones are in the Town, and then install telephone trunks that would route those calls directly to the Town 9-1-1 center. A minimum of four (4) trunks would need to be installed to handle wireline and wireless calls and provide an acceptable level of redundancy. The Town would be responsible for answering and dispatching all police, fire and medical calls that originate in the Town. If the Town were to go with the minimum staffing needed for basic operations, four (4) full time telecommunicators would need to be hired, with one (1) on duty at all times. If the Town was required to provide the same level of EMD service to its residents that the JCECD was providing, eight (8) full time telecommunicators with two (2) on duty at all times would be required. In this option, the new ECD would probably be eligible for reimbursement of some equipment costs from the ECB. Table 7 shows the estimated initial costs of establishing a new ECD and acquiring the needed equipment.

Table 7
Establish New ECD – Initial Costs

ITEM	COST
9-1-1 Telephone Equipment – 2 positions	$75,000
Mapping Display System – 2 positions	$50,000
9-1-1 Trunks from JCECD to Town dispatch center – 4 trunks install fee	$2,500
Logging Recorder	$15,000
Electrical/Grounding upgrades to Police HQ	$20,000
10% Contingency Fund	$16,250
TOTAL	**$178,750**

Table 8 shows the estimate annual operating costs if the Town was to establish a new ECD.

Table 8
Establish New ECD – Annual Recurring Costs

ITEM	COST
9-1-1 Telephone Equipment maintenance contract	$20,000
Mapping Display System – Maintenance	$10,000
9-1-1 Trunks Service Fee – 4 trunks	$4,000
Salaries – Benefits for 4 full time telecommunicators (double this for full EMD)	$80,000 ($160,000)
Utilities, Other Operating Costs (includes NCIC)	$12,000
TOTAL	**$126,000 ($206,000)**

As stated earlier, this option is not very likely to occur with the ECB policy that goes directly against the idea. However, if it were to occur, the initial costs of building the new ECD 9-1-1 Center and its annual costs would be a significant cost to the Town.

6 VALUE OF DISPATCH SERVICES TO MOUNTAIN CITY

The value of the services that the JCECD is providing to the Town can be determined by evaluating what steps the Town would have to immediately implement to take over the responsibility of dispatching its own public safety agencies and what those costs would be.

The immediate value of the services that the JCECD is currently providing would consist of personnel costs (i.e., salary, benefits), and re-curring operating costs (i.e., utilities, telephone trunks, maintenance). In this case, those costs would be as follows in Table 9.

Table 9
Immediate Annual Value Of Dispatch Services

ITEM	COST
Salaries, Benefits (i.e., insurance, retirement, social security tax, sick leave, vacation leave)	$ 75,120
Utilities (i.e., phone lines, electric)	$ 10,000
Equipment Maintenance Contracts	$ 30,000
TOTAL VALUE	**$ 115,120**

There would be other long term costs to the Town (i.e., equipment purchases) that are not figured into this value, due to being a one time cost that can be depreciated over the life cycle of the equipment.

7 RECOMMENDATIONS

Based on the findings of this report, and a review of the different options that are available to the JCECD and the Town, it is recommended that the JCECD continue to answer and dispatch all calls for public safety service for the Johnson County/Mountain City community. This is the most efficient and cost effective solution that is available. As part of this option, inter-governmental agreements must be established in writing that address the issues of funding and representation on the ECD Board. The inter-governmental agreement must also address the issue of funding ECD operations, and what formula will be used to assure payments made to the ECD are equitable. In the interim until accurate call statistics can be obtained, an even split of costs (50% Town, 50% County) will probably be the best method to use. Once accurate statistics are determined, the formula should be based on the percentage of calls for service that are answered. These totals should include all 9-1-1 calls, as well as administrative and non-emergency calls. The agreement should include provisions to adjust this percentage on a yearly basis, based on the prior years call totals.

Most importantly, politics must be removed from the 9-1-1 process completely to ensure that the citizens and public safety providers of the Johnson County community receive the absolute best available service, regardless of where in the County they are.

APPENDIX A

Photos of Facilities

Johnson County 9-1-1 Center

View of Dispatch Room

Console Layout (l to r) – Radio, CPE, Map Display

CML Rescue Star 9-1-1 Backroom Electronics

Former JCECD Building

Mountain City Municipal Building

View of Space Where Dispatch Center Could Be Deployed - 1

View of Space Where Dispatch Center Could Be Deployed - 2

View of Space Where Dispatch Center Could Be Deployed – 3

APPENDIX B

Summary of Salary and Benefits

Johnson County Emergency Communications District

Base Pay:

Full Time Employees	$7.00 per hour
Part Time Employees	$6.00 per hour

Benefits:

Full Time Employees	Full Individual Medical Insurance Paid by County Retirement System – Employee contributes 5%, County contributes 3.2% 3 personal days per year 8 hours sick leave earned per month 1 week vacation leave per year 2 weeks holiday leave per year
Part Time Employees	No Benefits

STATE OF TENNESSEE
TENNESSEE EMERGENCY COMMUNICATIONS BOARD
DEPARTMENT OF COMMERCE & INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-253-2164

RANDY PORTER
CHAIRMAN

ANTHONY HAYNES
EXECUTIVE DIRECTOR

October 28, 2004

Eddie Bass
Chairman
Giles County Emergency Communications District
200 Thomas Gatlin Road
Pulaski, Tennessee 38478

Re: Order to Provide Advisory Technical and Operational Assistance

Dear Sheriff Bass:

Enclosed is a copy of the Order Granting Request for Assistance issued by the Tennessee Emergency Communications Board ("ECB"). The Order will also be available on the ECB's website. The ECB's technical consultant, Curt Andrich, will be arranging to visit Giles County Emergency Communications District in the near future. If you have any questions, please do not hesitate to contact me.

With kindest regards, I am

Yours sincerely,

Lynn Questell
General Counsel

Cc/ ECB Members
Director Mike Goode

BEFORE THE TENNESSEE EMERGENCY COMMUNICATIONS BOARD

Nashville, Tennessee

October 28, 2004

IN RE: REQUEST OF THE GILES COUNTY EMERGENCY COMMUNICATIONS DISTRICT FOR ADVISORY TECHNICAL AND OPERATIONAL ASSISTANCE

ORDER GRANTING REQUEST FOR ASSISTANCE

This matter came before the Tennessee Emergency Communications Board ("Board" or "ECB") during a meeting convened on September 10, 2004 to consider a request by the Giles County Emergency Communications Board ("District" or "ECD") for advisory technical and operational assistance.

Background

On March 12, 2004, the Board adopted Policy No. 21, styled "Notice of Financial Problems," which states:

> Effective April 1, 2004, all emergency communications districts shall provide the Tennessee Emergency Communications Board with notice in the event that they are: (1) operating under an annual net loss and/or (2) in default on any debt. Such notice shall be provided in writing within ten (10) days of such event.

In mid-June 2004, the Giles County *Citizen Press* reported that the District faced an estimated budget deficit in 2005. The article projected that the ECD would finish the fiscal year ending June 30, 2004 with a deficit of $27,411.88 more than was appropriated. A subsequent article reported that the District Board of Directors refused to approve a negative 2005 budget.

On June 22, 2004, the ECB Executive Director sent a letter to the Chairman of the District requesting that he provide the Board with an assessment of whether the district could satisfy its financial obligations to the extent that the continued operation of the district would not be at risk. This letter, which was written in response to the above mentioned articles, informed the Chairman of the Board's willingness to provide assistance. The letter also requested that the assessment be provided no later than June 30, 2004, to assist in determining whether to place the issue on the agenda of the Board's next meeting, which was scheduled for July 16, 2004.

During the July 16, 2004 Board meeting, the Executive Director informed the Board of the newspaper articles reporting that the ECD was experiencing serious financial difficulties. He also reported that his June 22, 2004 letter to the District Chairman

inquiring about the ECD's financial condition and offering assistance had received no response. After considering this information, the Board unanimously voted to direct the Chairman and/or Director of the Giles County ECD to attend the next Board meeting. The next meeting was scheduled for September 10, 2004.

In mid July, the ECD Board of Directors hired a new director. On July 23, 2004, as directed by the Board, General Counsel sent a letter requesting the District Chairman and new Director to attend the September 10 Board meeting. The new Director resigned on July 29, 2004, amidst local news reports of prior mismanagement and financial difficulties necessitating an audit. In an August 5, letter, the District Chairman announced that he would submit his resignation during a meeting of the District Board of Directors on August 13. The Chairman stated his intention to remain a member of the Board of Directors.

After communications with members of the District Board of Directors, representatives of the Board attended a meeting of the ECD Board of Directors on August 13, 2004. During the meeting, the ECB Executive Director suggested that the Board of Directors request the ECB for assistance. He asserted that, if requested, the ECB might send its new technical consultant to review the technical and operational situation at the District and make recommendations. The Executive Director proposed a partnership in which the ECB and the District would work together to implement any recommendations by the consultant. The District Board of Directors unanimously voted to present such a request to the ECB. At the same meeting, the Board of Directors selected a new Chairman.

An August 8 article in the local newspaper reported that the ECD Board of Directors had hired a new Director, who would be starting on August 16. The article also reported that the District Board of Directors had voted to ask the local district attorney to investigate alleged improprieties in the District.

The September 10, 2004 Board Meeting

During the September 10, 2004 Meeting, Board considered the request of Giles County ECD for technical and operating assistance. The Executive Director recommended that the Board authorize staff to direct the Board's technical consultant to go to Giles County, investigate and make recommendations in the areas of operational and technical management of the ECD and further, for staff to develop an agreement to implement the recommendations on an appropriate timeline. The Executive Director proposed that the agreement reflect a partnership between the Board and the ECD.

The newly selected Giles County ECD Chairman and the new Director were in attendance. The Chairman stated his desire to work together to make the Giles County ECD one of the strongest organizations in the state. He also expressed his appreciation to the Board.

After deliberating on this matter, the Board unanimously authorized staff to (1) direct the technical consultant to review the ECD's operations and make recommendations and (2) develop an agreement with regard to those recommendations.

Freddie Rich (with permission, AD)

Freddie Rich, Board Member

David Purkey (with permission, AD)

David Purkey, Board Member

Johnny Vickers, Board Member[4]

[4] Mr. Vickers was not present during the deliberations.

Findings

The Board was created "for the purpose of assisting Boards of Directors in the area of management, operations, and accountability, and establishing emergency communications for all citizens of the state."[1] Further, the Board's enabling legislation specifically authorizes it to "provide advisory technical assistance to any emergency communications district upon request."[2] The District has requested technical and operational assistance, and the record shows that such assistance may be necessary and helpful in order to assure that adequate emergency communications are provided in Giles County. For these reasons, advisory technical and operational assistance shall be provided. The Consent Order reflecting the parties' agreement with regard to the process for implementing the recommendations of the technical consultant is attached hereto as Exhibit A.

IT IS HEREBY ORDERED THAT:

The request of the Giles County Emergency Communications District for technical and operational assistance is granted.

This 28th day of October, 2004.

Randy Porter (with permission, kl)
Randy Porter, Chairman

Wanda Moody (with permission, kl)
Wanda Moody, Vice Chairman

Tom Beehan (with permission, kl)
Tom Beehan, Board Member

Charles Bilbrey (with permission, kl)
Charles Bilbrey, Board Member

* * * *

Katrina Cobb, Board Member[3]

Ike Lowry (with permission, kl)
Ike Lowry, Board Member

[1] Tenn. Code Ann. § 7-86-302(a).
[2] Tenn. Code Ann. § 7-86-306(a)(7).
[3] Ms. Cobb was not present during the deliberations.

BEFORE THE TENNESSEE EMERGENCY COMMUNICATIONS BOARD

Nashville, Tennessee

IN RE: REQUEST OF THE GILES COUNTY EMERGENCY COMMUNICATIONS DISTRICT FOR ADVISORY TECHNICAL AND OPERATIONAL ASSISTANCE

CONSENT ORDER

WHEREAS, the Tennessee Emergency Communications Board ("ECB") was created "for the purpose of assisting emergency communications boards of directors in the area of management, operations and accountability, and establishing emergency communications for all citizens of the state;"[1] and

WHEREAS, the ECB is authorized to "provide advisory technical assistance to any emergency communications district upon request;"[2] and

WHEREAS, Giles County Emergency Communications District ("District") has requested the assistance of the ECB with regard to technical and operational matters; and

WHEREAS, the ECB unanimously voted to provide the District with such assistance during the ECB Meeting on September 10, 2004;

THEREFORE, for the purpose of entering into this Consent Order and of obtaining such advisory technical and operational assistance, the District and the ECB agree to the following:

The ECB hereby agrees to direct its technical consultant to:

Review the technological and operational conditions in the District; and

2. Provide the District and the Board with a Report and Recommendation containing specific recommendations for technical and operational improvement.

In consideration of the above, the Giles County Emergency Communications District hereby agrees to:

Review the technical consultant's Report and Recommendation;

---

[1] Tenn. Code Ann. § 7-86-302(a).
[2] Tenn. Code Ann. § 7-86-306(a)(7).

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Exhibit A

2. Consult with the ECB Executive Director no later than fourteen (14) days after the District receives such Report and Recommendation. During this consultation, representatives of the District and the ECB Director shall:

   (a) Establish timelines for implementing the recommendations contained therein in consultation with the ECB Executive Director; and

   (b) Discuss the District's objection(s), if any, to specific items contained in the Report and Recommendation;

3. Begin implementing the agreed to recommendations within the agreed to timelines. If it becomes apparent that the implementation of specific items in the Report and Recommendation is not feasible within a timeline, the District agrees to notify the ECB Executive Director of such in writing before the timeline expires and to establish new timelines in consultation with the Executive Director;

4. If discussions regarding the District's objections to the specific item(s) in the Report and Recommendation do not result in mutual agreement:

   a. The District agrees to provide to the ECB Executive Director written notice of and the reasoning for its objections to the specific item(s) in the Report and Recommendation no later than fourteen (14) days after the above mentioned consultation;

   b. The ECB Director shall place on the agenda of the next ECB meeting the matter of the District's objections to the item(s) in the Report and Recommendation;

   c. The District shall present argument supporting its objections to the item(s) in the Report and recommendation at the next ECB meeting;

   d. After hearing such argument, the members of the ECB shall vote on whether to require the District to implement the item(s) to which the District objects; and

   e. The District agrees to comply with the decision of the ECB.

It is expressly understood that this Consent Order is subject to the Board's acceptance and has no force or effect until an Order based upon and incorporating the Consent Order is rendered by the Board.

The Giles County Emergency Communication District expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to otherwise

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challenge or contest the validity of this Consent Order or the Board's Order incorporating the same.

This 8 day of Oct, 2004.

FOR GILES COUNTY EMERGENCY COMMINICATIONS DISTRICT:

Eddie Bass

Eddie Bass, Chairman

APPROVED:

Lynn Questell
BPR No. 020358
General Counsel, Tennessee Emergency Communications Board
500 James Robertson Parkway
Nashville, Tennessee 37243-0569
(615) 253-2164

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TN Emergency
Communications Board

Notice of Rulemaking Hearing
Tennessee Emergency Communications Board

There will be a hearing before the Tennessee Emergency Communications Board to consider the promulgation of a rule pursuant to Tenn. Code Ann. § 7-86-205. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-204, and will take place in Room 160, Davy Crockett Tower, located at 500 James Robertson Parkway, Nashville, Tennessee on Wednesday, May 25**,** 2005 at 9:00 a.m. (central time).

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) may contact the Tennessee Emergency Communications Board to discuss any auxiliary aids of services needed to facilitate such participation. Such initial contact may be may be made no less than ten (10) days prior to the scheduled meeting date (or the date the party intends to review the filings), to allow time for the Tennessee Emergency Communications Board to determine how it may reasonably provide such aid or service. Initial contact may be made with the Administrative Assistant to the Executive Director of the Tennessee Emergency Communications Board at 500 James Robertson Parkway, Nashville, TN 37243, (615) 253-2164 to arrange for accommodations.

For a copy of this notice, please contact Vanessa Williams, the Assistant to the Executive Director, Tennessee Emergency Communications Board, 500 James Robertson Parkway, Nashville, TN 37243, (615) 253-2164.

Substance of Proposed Rules
Chapter 0780-6-2

Dispatcher Training and Course of Study Requirements

New rules

Table of Contents

0780-6-2-.01 Purpose
0780-6-2-.02 Definitions
0780-6-2-.03 Minimum Training Requirements
0780-6-2-.04 Minimum Course of Study Requirements
0780-6-2-.05 Minimum On-the-Job Training Requirements
0780-6-2-.06 Waiver

0780-6-2-.01 Purpose.

The purpose of this chapter is to establish minimum requirements for the training of and course of study for each emergency call taker or public safety dispatcher who receives an initial or transferred 911 call from the public in Tennessee. Existing public and private training programs are encouraged to establish new curricula and modify existing programs to incorporate these minimum requirements. Such programs are urged to develop meaningful methods for measuring the knowledge, skill and ability gained through their training programs and to offer continuing education programs. Nothing in these regulations should be construed to limit or restrict any additional training that an agency may elect to provide.

Authority: Tenn. Code Ann. §§ 7-86-205 and 7-86-306(a)(1).

0780-6-2-.02 Definitions.

In this chapter, unless the context otherwise requires, the definitions in Tenn. Code Ann. § 7-86-103 shall apply.

Authority: Tenn. Code Ann. §§ 7-86-103, 7-86-205 and 7-86-306(a)(1).

0780-6-2-.03 Minimum Training Requirements.

(1) Each 911 or public safety dispatcher who receives an initial 911 call from the public in Tennessee shall be subject to the following minimum training requirements:

(a) No less than forty (40) hours of on the job training; and

(b) No less than forty (40) hours of public safety communications coursework which is:

1. Administered or sponsored by a post-secondary educational institution, academy or agency that:

(i) Is capable of supporting a public safety communication student with practical experience on a communication console either through liaison with a Public Safety Communication Center or a fully functional communication console simulator; and

(ii) Maintains an accurate, comprehensive record system for all phases of the program which shall be available for inspection and shall include the following:

(I) Attendance records;

(II) Course outlines; and

(III) Lesson plans.

(c) Continuing education of no less than eight (8) additional hours of public safety communications coursework every two (2) years.

(d) All emergency call takers or public safety dispatchers subject to Tenn. Code Ann. § 7-86-205 employed after July 1, 2006 shall have six (6) months from the date of their employment to comply with the provisions of this rule.

Authority: Tenn. Code Ann. §§ 7-86-205 and 7-86-306(a)(1).

0780-6-2-.04 Minimum Course of Study Requirements.

(1) The minimum course of study requirements for each 911 or public safety dispatcher who receives an initial 911 call from the public in Tennessee shall include course work of:

(a) No less than four (4) hours in the roles and responsibilities of 911 or public safety dispatchers, including but not limited to the following:

1. The mission of emergency communications providers, ethics and values;

2. Professionalism; telecommunicators as part of a public safety team;

3. Basic policies and procedures for telecommunicators and their organizations;

4. Overview of communities and agencies served;

5. Rules and regulations governing emergency communications;

6. Service area geography;

7. Emergency communications disaster plans;

8. Risk management;

9. CPR;

10. News/media relations;

11. Responder safety.

(b) No less than two (2) hours in legal concepts and principles, including but not limited to liability, applicable to the operation of:

1. Law enforcement agencies;

2. Fire/rescue agencies;

3. Emergency medical services agencies ("EMS");

4. Public safety communications agencies.

(c) No less than five (5) hours in interpersonal communication skills, including but not limited to the following areas:

1. Communication techniques and information processing, such as: listening; hearing; diction; empathy; perception and intuitiveness;

2. Customer service, including but not limited to discrimination and harassment issues;

3. Diversity issues relating to effective emergency communications, including but not limited to race, nationality, age, speech/hearing impairment, non-English speaking callers and demographics.

(d) No less than four (4) hours in emergency communications technology, including but not limited to the following areas:

1. Operation of telephones, including but not limited to wireline, portable, wireless (including cellular and personal communication service ("PCS")) and text telephones for the speech/hearing impaired;

2. Basic and Enhanced 911;

3. Automatic Location Identification ("ALI") and Automatic Number Identification ("ANI");

4. Call tracing and records retrieval procedures;

5. Computerized mapping;

6. Logging recorders;

7. Computer aided dispatch ("CAD") systems;

8. Wireless, Phase I and II;

9. VoIP.

(e) No less than eleven (11) hours in communication techniques and call processing, including but not limited to the following areas:

1. Public relations;

2. Call receipt;

3. Interviewing;

4. Controlling the call;

5. Managing high risk/difficult calls, including but not limited to domestic violence;

6. Managing differing call categories, i.e., law enforcement, fire/rescue, EMS, HAZMAT or acts of terrorism;

7. Managing differing call types and events, i.e., in progress, just occurred, late, events requiring specific instructions, notifications;

8. The importance of obtaining proper information, i.e., location, nature, injuries, weapons, chemicals, etc.;

9. Telematics;

10. Homeland Security issues, including but not limited to:

(i) Protocols and procedures (i.e., call profiling, as in when to call in the FBI);

(ii) NIMS ("National Incident Management System"), if applicable; and

(iii) NORAD ("North American Aerospace Defense") call procedures and protocols (dealing with emergency calls from planes and jets).

(f) No less than twelve (12) hours in radio communications and dispatch techniques including, but not limited to the following areas:

1. Procedures and protocols;

2. Radio discipline;

3. Rules of the Federal Communications Commission ("FCC") related to radios;

4. Radio coverage;

5. Consoles;

6. Responder safety.

(g) No less than two (2) hours in stress management, including but not limited to the following areas:

1. Causes;

2. Strategies for dealing with stress;

3. Peer support;

4. Critical incident stress debriefing.

(2) Course work shall include practical exercises duplicating communication center practices in which the student performs the subject matter being taught.

(3) Course work shall include testing.

Authority: Tenn. Code Ann. §§ 7-86-205 and 7-86-306(a)(1).

0780-6-2-.05 Minimum On-the-Job Training Requirements

(1) The minimum on the job training/course of study requirements for each 911 or public safety dispatcher who receives an initial 911 call from the public in Tennessee shall include a period of supervised instruction of no less than forty (40) hours related to the following:

(a) Agency/department policies, procedures (including a written handbook containing such policies and procedures);

(b) Agency/department geographical area;

(c) Agency/department telephone system and equipment operations;

(d) Structure of local government and agencies being served;

(e) Local ordinances, requirements;

(f) Governmental and private resources;

(g) National Crime Information Center data and records, if applicable.

Authority: Tenn. Code Ann. §§ 7-86-205 and 7-86-306(a)(1).

0780-6-2-.06 Waiver.

In the event of a natural or manmade disaster of such proportions that local emergency communications cannot remain operational without the assistance of individuals who have not completed the requirements included herein, said requirements are waived.

Authority: Tenn. Code Ann. §§ 7-86-205 and 7-86-306(a)(1).

Legal and Technical Contact:

Lynn Questell, General Counsel
Emergency Communications Board
500 James Robertson Pkwy
Nashville, TN 37343
(615)741-2882

I certify that this is an accurate and complete representation of the intent and scope of the rulemaking proposed by the Tennessee Emergency Communications Board.

_____
Lynn Questell
General Counsel
Tennessee Emergency Communications Board

Subscribed and sworn to before me this _____ day of _____, 2005.

_____
Notary Public

My Commission expires on the _____ day of _____, _____.

The notice of rulemaking hearing set out herein was properly filed in the Department of State on this the _____ day of _____, 2005.

_____
Riley C. Darnell
Secretary of State

By:_____

H. R. 5419

One Hundred Eighth Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the twentieth day of January, two thousand and four

An Act

To amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users; to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E–911 calls, and to support in the construction and operation of a ubiquitous and reliable citizen activated system; and to provide that funds received as universal service contributions under section 254 of the Communications Act of 1934 and the universal service support programs established pursuant thereto are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, for a period of time.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—E–911

SEC. 101. SHORT TITLE.

This title may be cited as the "Ensuring Needed Help Arrives Near Callers Employing 911 Act of 2004" or the "ENHANCE 911 Act of 2004".

SEC. 102. FINDINGS.

The Congress finds that—

(1) for the sake of our Nation's homeland security and public safety, a universal emergency telephone number (911) that is enhanced with the most modern and state-of-the-art telecommunications capabilities possible should be available to all citizens in all regions of the Nation;

(2) enhanced emergency communications require Federal, State, and local government resources and coordination;

(3) any funds that are collected from fees imposed on consumer bills for the purposes of funding 911 services or enhanced 911 should go only for the purposes for which the funds are collected; and

(4) enhanced 911 is a high national priority and it requires Federal leadership, working in cooperation with State and local governments and with the numerous organizations dedicated to delivering emergency communications services.

SEC. 103. PURPOSES.

The purposes of this title are—

(1) to coordinate 911 services and E–911 services, at the Federal, State, and local levels: and

(2) to ensure that funds collected on telecommunications bills for enhancing emergency 911 services are used only for the purposes for which the funds are being collected.

SEC. 104. COORDINATION OF E-911 IMPLEMENTATION.

Part C of title I of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

"SEC. 158. COORDINATION OF E-911 IMPLEMENTATION.

"(a) E–911 IMPLEMENTATION COORDINATION OFFICE.—

"(1) ESTABLISHMENT.—The Assistant Secretary and the Administrator of the National Highway Traffic Safety Administration shall—

"(A) establish a joint program to facilitate coordination and communication between Federal, State, and local emergency communications systems, emergency personnel, public safety organizations, telecommunications carriers, and telecommunications equipment manufacturers and vendors involved in the implementation of E–911 services; and

"(B) create an E-911 Implementation Coordination Office to implement the provisions of this section.

"(2) MANAGEMENT PLAN.—The Assistant Secretary and the Administrator shall jointly develop a management plan for the program established under this section. Such plan shall include the organizational structure and funding profiles for the 5-year duration of the program. The Assistant Secretary and the Administrator shall, within 90 days after the date of enactment of this Act, submit the management plan to the Committees on Energy and Commerce and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate.

"(3) PURPOSE OF OFFICE.—The Office shall—

"(A) take actions, in concert with coordinators designated in accordance with subsection (b)(3)(A)(ii), to improve such coordination and communication;

"(B) develop, collect, and disseminate information concerning practices, procedures, and technology used in the implementation of E–911 services;

"(C) advise and assist eligible entities in the preparation of implementation plans required under subsection (b)(3)(A)(iii);

"(D) receive, review, and recommend the approval or disapproval of applications for grants under subsection (b); and

"(E) oversee the use of funds provided by such grants in fulfilling such implementation plans.

"(4) REPORTS.—The Assistant Secretary and the Administrator shall provide a joint annual report to Congress by the first day of October of each year on the activities of the Office to improve coordination and communication with respect to the implementation of E–911 services.

"(b) PHASE II E–911 IMPLEMENTATION GRANTS.—

"(1) MATCHING GRANTS.—The Assistant Secretary and the Administrator, after consultation with the Secretary of Homeland Security and the Chairman of the Federal Communications

Commission, and acting through the Office, shall provide grants to eligible entities for the implementation and operation of Phase II E–911 services.

"(2) MATCHING REQUIREMENT.—The Federal share of the cost of a project eligible for a grant under this section shall not exceed 50 percent. The non-Federal share of the cost shall be provided from non-Federal sources.

"(3) COORDINATION REQUIRED.—In providing grants under paragraph (1), the Assistant Secretary and the Administrator shall require an eligible entity to certify in its application that—

"(A) in the case of an eligible entity that is a State government, the entity—

"(i) has coordinated its application with the public safety answering points (as such term is defined in section 222(h)(4) of the Communications Act of 1934) located within the jurisdiction of such entity;

"(ii) has designated a single officer or governmental body of the entity to serve as the coordinator of implementation of E–911 services, except that such designation need not vest such coordinator with direct legal authority to implement E–911 services or manage emergency communications operations;

"(iii) has established a plan for the coordination and implementation of E–911 services; and

"(iv) has integrated telecommunications services involved in the implementation and delivery of phase II E–911 services; or

"(B) in the case of an eligible entity that is not a State, the entity has complied with clauses (i), (iii), and (iv) of subparagraph (A), and the State in which it is located has complied with clause (ii) of such subparagraph.

"(4) CRITERIA.—The Assistant Secretary and the Administrator shall jointly issue regulations within 180 days after the date of enactment of the ENHANCE 911 Act of 2004, after a public comment period of not less than 60 days, prescribing the criteria for selection for grants under this section, and shall update such regulations as necessary. The criteria shall include performance requirements and a timeline for completion of any project to be financed by a grant under this section.

"(c) DIVERSION OF E–911 CHARGES.—

"(1) DESIGNATED E–911 CHARGES.—For the purposes of this subsection, the term 'designated E–911 charges' means any taxes, fees, or other charges imposed by a State or other taxing jurisdiction that are designated or presented as dedicated to deliver or improve E–911 services.

"(2) CERTIFICATION.—Each applicant for a matching grant under this section shall certify to the Assistant Secretary and the Administrator at the time of application, and each applicant that receives such a grant shall certify to the Assistant Secretary and the Administrator annually thereafter during any period of time during which the funds from the grant are available to the applicant, that no portion of any designated E–911 charges imposed by a State or other taxing jurisdiction within which the applicant is located are being obligated or expended for any purpose other than the purposes for which

such charges are designated or presented during the period beginning 180 days immediately preceding the date of the application and continuing through the period of time during which the funds from the grant are available to the applicant.

"(3) CONDITION OF GRANT.—Each applicant for a grant under this section shall agree, as a condition of receipt of the grant, that if the State or other taxing jurisdiction within which the applicant is located, during any period of time during which the funds from the grant are available to the applicant, obligates or expends designated E–911 charges for any purpose other than the purposes for which such charges are designated or presented, all of the funds from such grant shall be returned to the Office.

"(4) PENALTY FOR PROVIDING FALSE INFORMATION.—Any applicant that provides a certification under paragraph (1) knowing that the information provided in the certification was false shall—

"(A) not be eligible to receive the grant under subsection (b);

"(B) return any grant awarded under subsection (b) during the time that the certification was not valid; and

"(C) not be eligible to receive any subsequent grants under subsection (b).

"(d) AUTHORIZATION; TERMINATION.—

"(1) AUTHORIZATION.—There are authorized to be appropriated to the Department of Transportation, for the purposes of grants under the joint program operated under this section with the Department of Commerce, not more than $250,000,000 for each of the fiscal years 2005 through 2009, not more than 5 percent of which for any fiscal year may be obligated or expended for administrative costs.

"(2) TERMINATION.—The provisions of this section shall cease to be effective on October 1, 2009.

"(e) DEFINITIONS.—As used in this section:

"(1) OFFICE.—The term 'Office' means the E–911 Implementation Coordination Office.

"(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the National Highway Traffic Safety Administration.

"(3) ELIGIBLE ENTITY.—

"(A) IN GENERAL.—The term 'eligible entity' means a State or local government or a tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))).

"(B) INSTRUMENTALITIES.—Such term includes public authorities, boards, commissions, and similar bodies created by one or more eligible entities described in subparagraph (A) to provide E–911 services.

"(C) EXCEPTION.—Such term does not include any entity that has failed to submit the most recently required certification under subsection (c) within 30 days after the date on which such certification is due.

"(4) E–911 SERVICES.—The term 'E–911 services' means both phase I and phase II enhanced 911 services, as described in section 20.18 of the Commission's regulations (47 C.F.R. 20.18), as in effect on the date of enactment of the ENHANCE

911 Act of 2004, or as subsequently revised by the Federal Communications Commission.

"(5) PHASE II E-911 SERVICES.—The term 'phase II E-911 services' means only phase II enhanced 911 services, as described in such section 20.18 (47 C.F.R. 20.18), as in effect on such date, or as subsequently revised by the Federal Communications Commission.

"(6) STATE.—The term 'State' means any State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, and any territory or possession of the United States.".

SEC. 105. GAO STUDY OF STATE AND LOCAL USE OF 911 SERVICE CHARGES.

(a) IN GENERAL.—Within 60 days after the date of enactment of this Act, the Comptroller General shall initiate a study of—

(1) the imposition of taxes, fees, or other charges imposed by States or political subdivisions of States that are designated or presented as dedicated to improve emergency communications services, including 911 services or enhanced 911 services, or related to emergency communications services operations or improvements; and

(2) the use of revenues derived from such taxes, fees, or charges.

(b) REPORT.—Within 18 months after initiating the study required by subsection (a), the Comptroller General shall transmit a report on the results of the study to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce setting forth the findings, conclusions, and recommendations, if any, of the study, including—

(1) the identity of each State or political subdivision that imposes such taxes, fees, or other charges; and

(2) the amount of revenues obligated or expended by that State or political subdivision for any purpose other than the purposes for which such taxes, fees, or charges were designated or presented.

SEC. 106. REPORT ON THE DEPLOYMENT OF E-911 PHASE II SERVICES BY TIER III SERVICE PROVIDERS.

Within 90 days after the date of enactment of this Act, the Federal Communications Commission shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing—

(1) the number of tier III commercial mobile service providers that are offering phase II E-911 services;

(2) the number of requests for waivers from compliance with the Commission's phase II E-911 service requirements received by the Commission from such tier III providers;

(3) the number of waivers granted or denied by the Commission to such tier III providers;

(4) how long each waiver request remained pending before it was granted or denied;

(5) how many waiver requests are pending at the time of the filing of the report;

(6) when the pending requests will be granted or denied;

(7) actions the Commission has taken to reduce the amount of time a waiver request remains pending; and

(8) the technologies that are the most effective in the deployment of phase II E–911 services by such tier III providers.

SEC. 107. FCC REQUIREMENTS FOR CERTAIN TIER III CARRIERS.

(a) IN GENERAL.—The Federal Communications Commission shall act on any petition filed by a qualified Tier III carrier requesting a waiver of compliance with the requirements of section 20.18(g)(1)(v) of the Commission's rules (47 C.F.R. 20.18(g)(1)(v)) within 100 days after the Commission receives the petition. The Commission shall grant the waiver of compliance with the requirements of section 20.18(g)(1)(v) of the Commission's rules (47 C.F.R. 20.18(g)(1)(v)) requested by the petition if it determines that strict enforcement of the requirements of that section would result in consumers having decreased access to emergency services.

(b) QUALIFIED TIER III CARRIER DEFINED.—In this section, the term "qualified Tier III carrier" means a provider of commercial mobile service (as defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)) that had 500,000 or fewer subscribers as of December 31, 2001.

TITLE II—SPECTRUM RELOCATION

SEC. 201. SHORT TITLE.

This title may be cited as the "Commercial Spectrum Enhancement Act".

SEC. 202. RELOCATION OF ELIGIBLE FEDERAL ENTITIES FOR THE REALLOCATION OF SPECTRUM FOR COMMERCIAL PURPOSES.

Section 113(g) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)) is amended by striking paragraphs (1) through (3) and inserting the following:

"(1) ELIGIBLE FEDERAL ENTITIES.—Any Federal entity that operates a Federal Government station assigned to a band of frequencies specified in paragraph (2) and that incurs relocation costs because of the reallocation of frequencies from Federal use to non-Federal use shall receive payment for such costs from the Spectrum Relocation Fund, in accordance with section 118 of this Act. For purposes of this paragraph, Federal power agencies exempted under subsection (c)(4) that choose to relocate from the frequencies identified for reallocation pursuant to subsection (a), are eligible to receive payment under this paragraph.

"(2) ELIGIBLE FREQUENCIES.—The bands of eligible frequencies for purposes of this section are as follows:

"(A) the 216–220 megahertz band, the 1432–1435 megahertz band, the 1710–1755 megahertz band, and the 2385–2390 megahertz band of frequencies; and

"(B) any other band of frequencies reallocated from Federal use to non-Federal use after January 1, 2003, that is assigned by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), except for bands of frequencies previously identified by

for Wilderness, a committee formed to celebrate this national achievement: Now, therefore, be it

SA 4088. Mr. FRIST (for Mr. ROBERTS) proposed an amendment to the bill H.R. 2121, to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and for other purposes; as follows:

On page 4, on lines 5 and 6, strike "for fiscal year 2004".

PRIVILEGES OF THE FLOOR

Ms. COLLINS. I ask unanimous consent floor privileges be extended to Deborah Barger, a CMA detailee in my office, for the duration of today's consideration of S. 2845.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. I ask unanimous consent that the staff members of the Senate Intelligence Committee be given floor privileges during consideration of the intelligence reform conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that floor privileges be extended to Bob Kenney, a Brookings Legislative Fellow on loan to my office from the Environmental Protection Agency, for the rest of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMERCIAL SPECTRUM ENHANCEMENT ACT

Mr. FRIST. I ask unanimous consent that the Senate now proceed to consideration of H.R. 5419, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5419) to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users; to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E-911 calls, and to support in the construction and operation of a ubiquitous and reliable citizen activated system; and to provide that funds received as universal service contributions under section 254 of the Communications Act of 1934 and the universal service support programs established pursuant thereto are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, for a period of time.

There being no objection, the Senate proceeded to consider the bill.

LIFESAVING E-911 SERVICE

Mr. FRIST. Mr. President, I wish to engage the Senator from Montana in a brief colloquy for a point of clarification on the bill.

First, I wish to congratulate the Senator and others who worked tirelessly on this bill. This bill provides critical assistance to State and local governments to help them reach the goals and standards set by Congress and the FCC for bringing lifesaving E-911 service to all Americans. I especially commend the bill's authors for providing much needed financial assistance in the form of grants for training, equipment and other needs in providing and advancing E-911 service.

I am very proud of my home State's E-911 leaders. They, along with the wireless industry, have helped make Tennessee one of the Nation's leaders in wireless E-911 implementation. I am informed that to date all but one of our 95 counties are Phase II E-911 ready, with the goal of reaching 100 percent by the end of this year. Since 1998, our State has committed itself to bringing E-911 service to all its citizens, rural and urban, from Memphis to Mountain City.

However, much work remains to be done. Our State is re-writing its requirements for 911 dispatchers and their training. We currently have no formal training program or academy. In spite of all of Tennessee's accomplishments, financial challenges continue to grow.

I am concerned that the Federal agency administering the bill's grant program will not give equal funding and eligibility consideration to States and localities that have achieved E-911 service, thus penalizing States such as Tennessee and others for their accomplishments. Would such an outcome be the intent of the bill's authors?

Mr. BURNS. I thank the Senator from Tennessee for his question and commend his State for its leadership on E-911 issues. It is not our intent to give any less priority in grant eligibility and funding to States like Tennessee that have made substantial progress in wireless E-911 deployment. We recognize that once a State or local government achieves E-911 service, other challenges and needs exist such as those pointed out by the Senator. So that was not our intent in the crafting of the "grants" provision.

Mr. FRIST. I thank the Senator for that clarification and commend his leadership on this very important legislation.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5419) was read the third time and passed.

PROVIDING FOR SINE DIE ADJOURNMENT OF THE SENATE AND HOUSE OF REPRESENTATIVES

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 531, the adjournment resolution; provided that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 531) was agreed to, as follows:

H. CON. RES. 531

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Tuesday, December 7, 2004, through Friday, December 10, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on any day from Tuesday, December 7, 2004, through Saturday, December 11, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Passed the House of Representatives December 7, 2004.

ORDERS FOR TUESDAY, JANUARY 4, 2005

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn sine die under the provisions of H. Con. Res. 531.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FRIST. I further ask consent that when the Senate returns on Tuesday, January 4, at 12 noon, following the presentation of the certificates of election and the swearing in of elected Members, and the required live quorum, the morning hour then be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and that there then be a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

Mr. REID. Mr. President, the hour is late, but let me say that I have some real mixed emotions tonight. I have had this desk for 6 years and it has been a great experience for me to serve as the assistant leader, the whip, of the Senate Democrats. I have learned so