

ORIGINAL

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: December 10, 2003
TO: Blanca Bayo, Director, Commission Clerk and Administrative Services
FROM: Bob Casey, Supervisor, Division of Competitive Markets and Enforcement
RE: Docket No. 031097-TP, BellSouth Proposed Tariff Filing to Establish the 311 NXX Code for Non-Emergency Municipal Use

Please include a copy of the attached November 19, 2003 letter from the Orange County government 311 Coalition, in the above official docket file. Thank you.

cc: Division of Competitive Markets and Enforcement (Salak, Trapp, Bulecza-Banks, Gilchrist)
Office of General Counsel (B. Keating, Dodson)
Division of External Affairs (Golden)

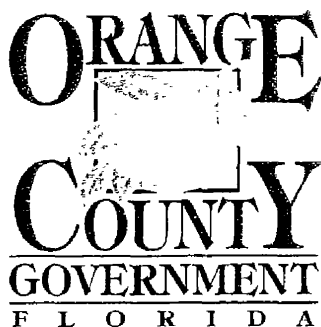
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RECEIVED

November 19, 2003

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Lila A. Jaber, Chairman
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Florida Public Service Commission
CHAIRMAN JABER

Dear Chairman Jaber:

Recently, several counties joined together to share information regarding the implementation of a non-emergency government access number: 3-1-1. The counties, signatories on this document, include Dade, Broward, Pinellas, Orange, and Alachua. This coalition requests that the Public Service Commission develop rules and procedures for the use of 3-1-1 in Florida.

In 1997, the Federal Communications Commission (FCC) assigned the telephone number of 3-1-1 on a nationwide basis for non-emergency police services and for access to other non-emergency government services (CC Docket number 92-105, FCC 97-51). The FCC found that this assignment would serve the public interest by making it easier for individuals to obtain service from State and local government, while also reducing the congestion on local 9-1-1 systems by off-loading non-emergency calls to alternative systems. As many jurisdictions report that upwards of 60% of all calls placed to their 9-1-1 systems are for non-emergency related matters, 3-1-1 improves the effectiveness of 9-1-1 systems by diverting non-emergency calls away from 9-1-1. Since 1997, more than 28 jurisdictions (including Houston, Texas; Chicago, Illinois; Dallas, Texas; Los Angeles, California; New York, New York; Washington, DC; and Baltimore, MD) have begun or have fully implemented 3-1-1 systems. Most of these jurisdictions have elected this course of action in recognition that 3-1-1 serves as an effective way for the public to access information and request non-emergency services from local government. 3-1-1 is viewed by many local leaders as a key part of their efforts to improve service delivery by local government. The City of Baltimore has documented an annual savings of over twelve million dollars directly related to the implementation of 3-1-1 as a part of their re-engineering of business process and overall effort to improve delivery of services to their citizens.

As for homeland security, 3-1-1 has been identified as a critical part of the Nation's Homeland Security efforts. In its December 2001 report, "A National Action Plan for Safety and Security in America's Cities," the United States Conference of Mayors recommended that, "Since 9-1-1 systems in many cities would be quickly overwhelmed in the event of a weapons of mass destruction incident, existing 9-1-1 systems need to be upgraded, and 3-1-1 systems, or equivalent systems that can handle incoming calls from the public and provide up-to-date information or instructions, should be put in place."

The primary objectives of using 3-1-1 are to reduce non-emergency response time and provide the citizenry easy access when reporting situations requiring public safety and non-emergency services. However, today the need is even more critical in light of the tragic events of September 11, 2001, culminating in numerous calls related to bio-chemical and terrorist threats. As an example of the impact on counties, Orange County Florida assigned fire fighters to a new ten-digit telephone number advertised on television, to answer thousands of anthrax calls. This load was in addition to the severely increased number of fire calls requiring fire fighter response. The 9-1-1 center had also become overloaded with frightened citizens wanting information. This service would have been better served by a permanent, non-emergency telephone number for citizens to call.

3-1-1 has also been recognized by the Conference of Mayors and the Department of Justice as a critical part of efforts by state and local governments to address issues of Homeland Security. At the same conference a task force warned that local communications systems risk being overwhelmed by terrorist activity. It recommended more federal money for expansion and upgrade of 3-1-1 and 9-1-1 systems. Numerous State and local governments have implemented non-emergency numbers like 3-1-1 which are specifically designed to benefit efforts to address issues like bio-terrorism. The US Mayors Report specifically identifies 3-1-1 as a supporting tool to accomplish this.

The Florida counties of Orange, Dade, Broward, Pinellas, and Alachua, (referred to as the 3-1-1 Coalition), are planning to implement 3-1-1 in their communities. Their intent is to develop a non-emergency telephone number, designated as "3-1-1," for government access, non-law enforcement calls. This shall provide for a system to meet specific local government requirements. Such systems shall include law enforcement, firefighting, and emergency medical services, and may include other emergency services such as poison control, suicide prevention, and non-emergency management services. The 3-1-1 Coalition intends to request a funding provision, which shall enable local governments to receive funding to support the cost necessary to implement their "3-1-1" system.

Local government will be responsible for the implementation and coordination of the "3-1-1" system. The counties shall adopt any necessary rules, ordinances,

and schedules related to public agencies for implementing and coordinating multiple plans.

In this legislative period, the 3-1-1 Coalition requests enabling legislation to assist in the funding of their 3-1-1 systems. If the legislation is approved, a County's Board of County Commissioners may impose a "3-1-1" fee to be paid by the local exchange subscribers within its boundaries served by the "3-1-1" service. Proceeds from the "3-1-1" fee shall be used only for "3-1-1" related expenditures. The manner of imposing and collecting said payment shall be as follows:

1. At the request of the county subscribing to "3-1-1" service, the telephone company shall, insofar as is practicable, bill the "3-1-1" fee to the local exchange subscribers served by the "3-1-1" service, on an individual access line basis, at a rate not to exceed 50 cents per month per line (up to a maximum of 25 access lines per account bill rendered). However, the fee may not be assessed on any pay telephone in this state. A county collecting the fee for the first time may collect the fee for no longer than 36 months without initiating the acquisition of its "3-1-1" equipment.

2. Fees collected by the telephone company pursuant to subparagraph 1. shall be returned to the county, less the costs of administration retained pursuant to paragraph (c). The county shall provide a minimum of 90 days' written notice to the telephone company prior to the collection of any "3-1-1" fees.

3. Any county that currently has an operational "3-1-1" system or that is actively pursuing the implementation of a "3-1-1" system shall establish a fund to be used exclusively for receipt and expenditure of "3-1-1" fee revenues collected pursuant to this section. All fees placed in said fund, and any interest accrued thereupon, shall be used solely for "3-1-1" costs. The money collected and interest earned in this fund shall be appropriated for "3-1-1" purposes by the county commissioners and incorporated into the annual county budget. Such fund shall be included within the financial audit performed in accordance with s. 218.39. A county may carry forward on an annual basis unspent moneys in the fund for expenditures allowed by this section, or it may reduce its fee. In no event shall the "3-1-1" fee carryover surplus moneys be used for any purpose other than for the "3-1-1" equipment, service features, and installation charges. Nothing in this section shall prohibit a county from using other sources of revenue for improvements, replacements, or expansions of its "3-1-1" system. A county may increase its fee for purposes authorized in this section. However, in no case shall the fee exceed 50 cents per month per line. Any fee adjustment made by a county shall be reported to the State. A county shall give the telephone company a 90-day written notice of such fee adjustment. A county may fund a municipality's participation in an inter-governmental 311 system to encourage cooperation and accessibility.

4. The telephone company shall have no obligation to take any legal action to enforce collection of the "3-1-1" fee. The telephone company shall provide quarterly to the county a list of the names, addresses, and telephone numbers of any and all subscribers who have identified to the telephone company their refusal to pay the "3-1-1" fee.

5. The county subscribing to "3-1-1" service shall remain liable to the telephone company for any "3-1-1" service, equipment, operation, or maintenance charge owed by the county to the telephone company. However, 3-1-1 shall be a non-tariffed service with no charge to the agency for 3-1-1 calls, and no charge to the subscriber for making the 3-1-1 calls.

As used in this paragraph, "telephone company" means an exchange telephone service provider of "3-1-1" service or equipment to any county within its certificated area.

Any county imposing a "3-1-1" fee in accordance with the provisions of this subsection shall allow the telephone company to retain as an administrative fee an amount equal to 1 percent of the total "3-1-1" fee collected by the telephone company.

This language is acceptable to the coalition members. We would ask that the number 3-1-1 not be a tariffed number, and should be handled like 2-1-1. Should have you any questions, please feel free to contact us for further information.

Respectfully Submitted,

3-1-1 Coalition Members:

Marilyn Ward, Orange County Public Safety Communications Manager

Paul Lauria, Broward County Sheriff's Office, Communications Major

Dick Williams, Pinellas County Emergency Services Director

Kenneth Smith, Alachua County Emergency Services Director

Harold Concepcion, Assistant Director Team Metro Dade County