

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
TELECOMMUNICATIONS DIVISION

In the Matter of the Proposed Rule
Repealing the Intercept Service
Requirement for Telephone Exchanges
Adjacent to a 911 Service Area but
not Equipped for 911 Service

STATEMENT OF NEED
AND REASONABLENESS

Introduction

Pursuant to Minnesota Statute paragraphs 403.01-403.12 (1977), amended 1978 and 1980, the Department of Administration is required to establish and adopt rules, setting minimum standards for 911 systems which incorporate the minimum standards of the Metropolitan Council and for the administration of the Act.

The intent of the rules is to provide a uniform minimum level of service to the citizens of the state and to specify the process for statewide implementation in an orderly and cost effective manner.

The need for the proposed revision to the rules results from practical operational concerns as more systems are placed in service and are ordered. The reasons for the elimination of the specific rule list below, will be identified in this statement.

2MCA, PARAGRAPH 1.6109J

This paragraph states: "Telephone exchanges adjacent to a 911 service area, but not

equipped for 911 shall provide intercept service for persons dialing 911." Recent investigations have disclosed that this requirement presents equipment problems and it is not financially feasible for all telephone companies to implement this rule.

The reason for requiring the intercept message originally was to accommodate the situation where one part of a county had 911 and the other part did not. In these cases, callers in exchanges not having 911 would be told by a recording it was unavailable and to instead dial a 7-digit emergency number for the particular emergency service wanted. The basic problem is some telephone companies are able to provide this intercept service while others cannot do it without incurring unreasonable cost.

Telephone companies will incur the higher costs because of the older telephone equipment in operation in many exchanges. Older equipment is more difficult to modify for 911 service and consequently the costs run higher. In some cases installing intercept equipment could exceed the cost of the 911 system alone and reach \$100,000 in a single exchange. As the present statutes and rules do not provide for financial assistance to the telephone companies for installing intercept service, the local rate payers would bear the cost.

When 911 systems are installed rarely do all exchanges in a given county or region come on line at once. Consequently, the telephone companies which did not participate initially would have to provide intercept messages for an unknown period of time. The time period would be unreasonably short until their exchange was modified and fully operational. In this case too, the statute and rules do not provide financial assistance to the telephone companies and the local rate payers would have to pay the cost.

Another situation where the rules do not fit properly is when counties not having 911 are adjacent to ones that do and choose to delay implementation until the mandated date of December 15, 1986. In this case, there is little incentive to the telephone companies to proceed with any modification required for intercept service since modifications of switching equipment to provide regular local telephone service could take place during the period. Naturally, it is far more economical for them to wait.

The magnitude of this problem is readily apparent when a recent analysis showed that up to 200 of the 634 telephone exchanges in Minnesota could be directly affected by this rule. The telephone industry, through the Minnesota Telephone Association, has expressed the same concerns about the effects on costs that would have to be passed on to the ratepayers.

While the requirement for 911 intercept would be beneficial, in most cases a good publicity program at the time of installation and afterward should reduce any negative effects. As counties implement 911 service, various types of media announcements and articles could inform the affected citizens with statements such as: "Residents having 248, 324 and 296 telephone prefixes will be able to dial 911 for fire, police or medical services. Central office prefixes other than the above cannot dial 911 now but will be able to in the future and should continue to"

The 911 Technical Operating Committee, the group that provides technical input to the Metropolitan 911 Telephone Board, has reviewed the proposed changes, and had no adverse reaction and did not think this change would jeopardize the public safety aspects of a 911 system.

Because effective publicity campaigns and intercept service provided voluntarily by

the telephone companies in all cases where financially feasible would suffice to meet public safety requirements, the elimination of this rule is reasonable.

Further, because the requirement for providing intercept service is not practical in light of current technical problems and the potentially high costs to telephone companies and the rate payers and there is a reasonable alternative, the elimination of this rule is reasonable.

AWB:ak/WP