

MEMORANDUM

TO: Hon. Randy Vulakovich, Chair, Senate Committee on Veterans Affairs and Emergency Preparedness

Hon. Jay Costa, Minority Chair, Senate Committee on Veterans Affairs and Emergency Preparedness

FROM: Everett Gillison, Deputy Mayor for Public Safety & Chief of Staff Office of the Mayor, City of Philadelphia

DATE: May 13, 2015

SUBJECT: Proposed Amendments to HB911, P.N. 1331

This memorandum explains the City's reasoning behind draft amendments we have prepared regarding House Bill 911, which the House passed on May 4, 2015 and is now before the Senate. The proposed amendments are attached. This memorandum tracks the numbering of the draft amendments in the attachment.

1. A significant part of the City's costs in processing the more than three million 911 calls the City receives each year involves routing calls through dispatch centers, including separate Police, Fire and EMS dispatches, that contact the first responders designated to respond to the emergency calls. City dispatch operations are as integral to the communications processes regarding 911 calls as is the initial 911 point of contact. This amendment would clarify that processing 911 communications includes the dispatch component of 911 call response and therefore dispatch operations are part of a county 911 System. This would clarify that 911 Fund allocations may be used to fund dispatch operations and as well as 911 call centers.

2. The City has complex and vital backup systems that support its 911 call center in the event of a disaster or emergency that renders all or part of the call center inoperable. This amendment would clarify that such backup systems are important components of 911 systems and therefore 911 Fund allocations can be used to fund the costs of maintaining such backup operations.

3. The City and County of Philadelphia fields more than three million 911 calls per year. The City therefore is the largest PSAP in the Commonwealth. There should not be any serious consideration of combining this extremely large 911 system with any other systems into an even larger "regional" system. Moreover, in considering regional planning and use of funds to promote and enhance "regional" connectivity, the City should be

considered eligible for the receipt of such funds as its own “region.” This amendment would establish the City as its own “region” under the statute.

4. This amendment relates to previous two items. Funds dedicated for “regional” use should be authorized to pay for backup systems for regional interconnectivity projects, including the City’s backup system.

5. Because of the large percentage of 911 calls in the state that originate in Philadelphia and the importance of state 911 funding to the operation of the Philadelphia emergency response system, the Mayor of Philadelphia should have a seat on the 911 Board.

6. Under HB911, the bulk of 911 funding (75%) will be distributed to counties and 911 systems through a formula. Rather than leave the establishment of that formula to an unelected body, that formula should be established by the legislature using a simple and straightforward method based on the two factors most relevant to an equitable distribution of funding: relative size of the population served by each system seeking funding and relative volume of 911 calls received by each system. Use of these two factors to establish a formula would direct 911 system financial support to where it is most needed, ie., based on where people who experience emergencies live and from where people make 911 calls. The amendment proposes a distribution formula based half on relative population and half on relative call volume.

The City believes that the paragraph at lines 10 through 17 on page 37 should be left in the bill (providing for a cap on allocation of money to counties beyond the “actual annual costs” of the county’s system), but only if the amendments addressed in items 1 and 2 above are made to the bill. Otherwise, systems that deserve funding based on size and call volume might not receive funding for crucial elements of their systems, including dispatch operations and backup systems.

7. This amendment would require that the 911 Fund be audited no less than every three years.

8. Although the statute requires audits of the 911 Fund and of counties that receive funds pursuant to the statute, it does not require audits of the amounts remitted by service providers under the statute. Because service providers self-report about the amounts they bill and receive from customers pursuant to the statute, these remittances should also be audited, to ensure that service providers are providing to the Commonwealth the amounts that they are collecting, or should be collecting, from consumers. This amendment would provide for such audits.

9. Similarly, service providers should, at the time of remittance of collected amounts to the Commonwealth, make a certification to the Commonwealth that they are in compliance with the surcharge requirements of the statute, and this amendment would require them to do so.

10. The purpose of this amendment is to remove the exception for PBX subscribers from PN 1331 and address future multiline technologies (PRIs, T-1s, SIP Trunks, etc.) that have the ability to be connected to the public switched telephone network (PSTN). A blanket exemption for PBX doesn't take into account that a private branch exchange (PBX) can be inter-connected to the public switch telephone network (PSTN). As a result, a PBX that fits this configuration (connected to PSTN) has the ability to access 9-1-1 and therefore should be subject to the surcharge like any other access line.

11. Currently, at the time service providers make their remittances of surcharge amounts, they provide little or no data regarding the basis pursuant to which they collected such amounts, such as the number of access line to which the remittance corresponds, how the service provider identified uncollectible surcharges, how the service provider accounted for multiline service subscribers and how the provider accounted for exempt subscribers. This amendment would require that all service providers give this type of information at the time they make their quarterly remittances to the Commonwealth, so that all stakeholders have adequate information regarding the amounts service providers are collecting and how the providers have determined what is necessary for them to collect.

12. The bill currently provides that the surcharge system would expire four years from the end of the current fiscal year. Adoption of a revised surcharge system is a significant and difficult endeavor. In the City's view, the system established by the Bill should last, at a minimum, for five years.

CC: Members of the Committee
Members of the Philadelphia Senate Delegation