

Utah Communications Authority Draft Rules

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R174-1 Utah Communications Authority General Provisions

R174-1-101 – Purpose

The purpose of this rule is to provide for the management and administration of the public safety communications network, defined by Subsection 63H-7a-103(15) to include regional and statewide public safety governmental communications networks and 911 emergency services, including radio communications, connectivity, and 911 call processing equipment; to provide standards and procedures for participation in the public safety communications network consistent with the Authority's statutory duties; and to provide standards and procedures for administering restricted accounts to provide administrative and financial support for statewide 911 emergency services.

R174-1-102 – Definitions

Terms used in this rule shall have the meaning set forth in Section 63H-7a-103. In addition:

- (1) "CAD-to-CAD Interface" means software and/or hardware utilized to share CAD data between separate instances of one vendor's CAD systems on a statewide or regional basis;
- (2) "CAD Aggregator" means software/hardware utilized to share CAD data between separate instances of different vendors' CAD systems on a statewide or regional basis ;
and

(3) “CAD-to-CAD Transfer” means the seamless transfer of a 911 call from one PSAP CAD system to another PSAP CAD system through a CAD-to-CAD Interface or CAD Aggregator.

(4) “Customer Premises Equipment” or “CPE” means both the equipment and call handling position required to connect to the NG911 system and ESINet;

(5) “NG911” means the next-generation 911 core services and call handling solution procured by the Authority pursuant to RFP Solicitation #CO20022 and all associated equipment, network connections, and services;

(6) “P25 Radio Console” means a P25 compliant radio console for use by a dispatcher or telecommunicator in a PSAP or dispatch center;

(7) “Public safety radio network” shall mean the statewide radio network

(8) “State” means the State of Utah; and

(9) “Stage agency” means any department, division, agency, commission, board, council, committee, authority, or any other institution of the State.

R174-1-103 - Authority

This rule is authorized by Subsection 63H-7a-204(12).

R174-2 – Utah Communications Authority Board

R174-2-101 – Board Compensation Prohibited; Permissible Reimbursement

(1) Pursuant to Subsection 63H-7a-203(11), a member of the Board shall not receive compensation for the member’s service on the Board. Notwithstanding the foregoing, in discharging any duties as a Board member or official business of the Authority that require travel, a Board member may receive from the Authority:

(a) a per diem at the rate established under Section 63A-3-106; and

(b) travel expenses at the rate established under Section 63A-3-107.

(2) A Board member seeking such per diem and travel expenses shall submit to the Authority documentation showing the dates and purpose of any travel for any per diem sought and dates, purpose of travel, and actual travel expenses incurred for reimbursement of travel expenses. The Executive Director may approve such requests or present such requests for consideration by the Board at its next public meeting.

R174-3 – 911 Division and Restricted Accounts

R174-3-101 – Participation in NG911 and ESINet Services

A Public Safety Answering Point (“PSAP”) or Dispatch Center established pursuant to Section 69-2-201 may, upon approval of the Executive Director, participate in the Next-Generation 911 (“NG911”) and Emergency Service IP Network (“ESINet”) implemented and maintained by the Authority.

R174-3-102 – Participation by PSAP

(1) All PSAPs connected to and participating in the Authority’s legacy RFAI ESINet as of July 1, 2020, shall be deemed a participating PSAP under this Section.

(2) Any non-participating PSAP that seeks to participate and connect to the Authority’s NG911 and ESINet system shall submit a written request to the Executive Director. Upon the Executive Director’s approval, the PSAP shall become a participating PSAP under this Section.

R174-3-103 – Application for Participation by Dispatch Centers

(1) A Dispatch Center that seeks to participate in and connect to the Authority’s NG911 and ESINet system shall submit an application to the Executive Director.

(2) UCA shall maintain and publish an application form, approved by the Executive Director, that requires the following information from each applicant:

- (a) The name of the entity that operates the Dispatch Center;
- (b) Contact information for the Dispatch Center, including a single point of contact during emergencies;
- (c) The geographic area served by the Dispatch Center;
- (d) A copy of any interlocal or other agreements between the Dispatch Center and a public or private entity or person relating to 911 services;
- (e) The estimated number of 911 calls received by the Dispatch Center on an annual basis;
- (f) The number of 911 consoles currently operated by the Dispatch Center and the number of NG911 CPE positions the Dispatch Center anticipates purchasing;
- (g) The source of funding for the anticipated NG911 CPE positions;
- (h) Any other information required by the Executive Director.

(3) The Executive Director shall approve an application under this Section if the Executive Director determines:

(a) participation by the applicant will serve a public safety purpose; and

(b) participation by the applicant is not inconsistent with the Authority's duties under Title 63H, Chapter 7a.

(4) If the Executive Director rejects an application under this Section, the Executive Director shall make a written determination of the reasons for the rejection and provide that determination to the applicant.

R174-3-104 – NG911 Service Model

The Authority has procured NG911 Core Services, ESINet, and customer premises equipment and call handling positions ("CPE") through a managed service model. The selected Vendor shall provide CPE and ESINet connectivity to a PSAP or dispatch center only at the direction of or with the approval of UCA.

R174-3-105 – Initial Allocation of NG911 CPE Positions

The Authority will allocate CPE positions to each participating PSAP identified in Subsection R174-3-102(1) on a one-to-one basis with existing CPE console equipment deployed and in active use at the PSAP, based upon the documentation on file with the Authority as of June 5, 2020. That allocation shall constitute the "Baseline" CPE count for the PSAP for purposes of this rule.

R174-3-106 – Allocation of Additional CPE Positions to PSAPs

(1) The Authority will allocate additional CPE positions to a participating PSAP based on increases in three-year average call volume for the PSAP as determined by the Authority.

(2) To determine whether to allocate additional CPE and call handling positions to a PSAP, the Authority shall:

(a) Prepare and maintain a "Baseline" call count for each PSAP based on the three-year average annual call volume reported for the PSAP as of December 31, 2019. This Baseline call count shall correspond to the Baseline CPE count allocated to the PSAP under Section R174-3-105; and

(b) On an annual basis, compare the three-year average annual call volume for the PSAP to the Baseline call count and allocate additional CPE positions to the PSAP based on the growth in call volume as follows:

(i) The authority shall allocate to a PSAP one additional CPE position per each Call Volume Increment, as defined below, above the Baseline call count;

(ii) For the three-year period ending in 2025, the Call Volume Increment shall be an increase of 3,000 calls per year in the three-year annual average;

(iii) For each three-year period ending after 2024, the Authority's Executive Director shall calculate a Call Volume Increment that, in the Executive Directors judgment, justifies allocating an additional CPE position to a PSAP.

(iv) In making this determination, the Executive Director may consider, among other things, the ratio of call volume to CPE positions in similarly situated PSAPs; performance metrics such as call answer time, transfers, and holds; one-time and recurring costs of additional CPE positions; legislative appropriations and budget forecasts; and any other information that bears on the feasibility or advisability of allocating an additional CPE position to a PSAP.

(v) In the event a PSAP's call volume for a given three-year period decreases such that the PSAP would be allocated fewer CPE positions than a previous year, the PSAP will be permitted to retain already allocated CPE positions unless the Executive Director determines it is in the Authority's best interest to reduce the allocation of CPE positions to that PSAP.

(3) In the event a PSAP removes a CPE Position allocated under this section from service, the PSAP shall notify the Authority to allow the CPE position to be reallocated.

R174-3-107 – Payment for Allocated CPE Positions

The Authority shall be responsible for payment of non-recurring and recurring costs for all CPE Positions allocated under R174-3-105 and -106.

R174-3-108 – Purchase of CPE Positions or Mobile Console

Upon UCA's written approval, a participating PSAP or Dispatch Center may purchase CPE positions or mobile consoles at its own expense. Any such purchase shall be pursuant to the cooperative purchase provision of the Authority's contract with its NG911 Vendor. The Authority shall not be responsible for payment of non-recurring or recurring costs for any such CPE positions or mobile consoles.

R174-3-201 – Restricted Account Funding Procedures

Sections R174-3-201 through R174-3-204 apply to all requests for payment or reimbursement from restricted accounts maintained by the Authority pursuant to Utah Code section 63H-7a-303, -304.

R174-3-202 – Authority

This rule is authorized by Subsection 63H-7a-302(5).

R174-3-203 – Disbursements from Computer Aided Dispatch Restricted Account

(1) The Authority shall make available to participating PSAPs funds from the Computer Aided Dispatch Restricted Account created in Section 63H-7a-303 as reimbursement for costs incurred for the purchase and implementation of an eligible CAD-to-CAD Interface or CAD Aggregator.

(2) Upon the approval by the Executive Director of a PSAP's application for reimbursement under this section, the Authority shall reimburse the applicant from the Computer Aided Dispatch Restricted Account for 80% of the costs actually incurred by the applicant in purchasing and implementing an eligible CAD-to-CAD Interface or CAD Aggregator.

(3) To be eligible for reimbursement under this section, a CAD-to-CAD Interface or CAD Aggregator must:

- (a) connect the CAD systems of two or more geographically contiguous areas;
- (b) allow for CAD-to-CAD Transfer in conformity with the Statewide Standard Operating Procedures adopted by the Authority's Board;
- (c) be purchased and implemented for the purpose of attaining performance benchmarks for reduction of 911 call transfers set forth in statute, administrative rule, or the Authority's strategic plan, as applicable.

(4) The following shall be ineligible for reimbursement under this section:

- (a) Any expenses that are inconsistent with the Authority's strategic plan;
- (b) New CAD platforms or software solutions;
- (c) A CAD-to-CAD or CAD Aggregator that was implemented or became operational prior to January 1, 2020;
- (d) Ongoing maintenance of any CAD-to-CAD Interface, CAD Aggregator, or CAD Software;
- (e) Hardware, software, services, or equipment other than that necessary for implementation of an eligible CAD-to-CAD Interface or CAD Aggregator;
- (f) Security system and key costs; or
- (g) Costs of non-emergency or administrative phone lines.

(5) The Authority shall maintain and publish an application form, approved by the Executive Director, that requires the following information from any applicant for reimbursement under this section:

- (a) The name of the entity or entities applying for reimbursement;
- (b) The CAD systems and geographic areas that are connected by the eligible CAD-to-CAD Interface or CAD Aggregator;
- (c) The date upon which the eligible CAD-to-CAD Interface or CAD Aggregator became operations, such as a substantial completion, commissioning, or cutover date;

(d) A proposal, scope of work, or itemized invoice sufficient to show all hardware, equipment, services, or other costs incurred in the purchase of the eligible CAD-to-CAD Interface or CAD Aggregator;

(e) Bills of sale, receipts, cancelled checks, wire transfer records, or other documents sufficient to demonstrate the amounts actually paid by the applicant(s) for the eligible CAD-to-CAD Interface or CAD Aggregator;

(f) A description of the anticipated effect of the eligible CAD-to-CAD Interface and CAD Aggregator on the 911 call transfer rate for the applicant(s), including whether the anticipated 911 call transfer rate will meet any applicable benchmarks, and a narrative setting forth the basis of any anticipated effect on 911 call transfer rates; and

(g) Any other information required by the Executive Director.

(6) The Executive Director shall approve an application under this Section unless the Executive Director determines:

(a) the application is incomplete or inaccurate;

(b) the applications seeks reimbursement for ineligible costs;

(c) reimbursement would not be consistent with the Authority's duties under Utah Code Title 63H, Chapter 7a;

(d) there are insufficient funds in the Computer Aided Dispatch Restricted Account to reimburse the amounts sought; or

(e) the application or proposal violates this rule or any other applicable rule or statute.

(7) If the Executive Director determines that insufficient funds in the Computer Aided Dispatch Restricted Account to reimburse the amounts requested in an application under this section, the Executive Director may:

(a) approve the application for payment at a later date, conditional upon sufficient funds being available in the Computer Aided Dispatch Restricted Account at that later date; or

(b) deny the application without prejudice to a future application for reimbursement of the eligible CAD-to-CAD Interface or CAD Aggregator.

(8) If the Executive Director rejects an application under this Section, the Executive Director shall make a written determination of the reasons for the rejection and provide that determination to the applicant.

(9) If the Executive Director determines that funds were disbursed to an applicant for a CAD-to-CAD Interface or CAD Aggregator that does not meet the criteria set forth in subsection (3), or that an applicant was reimbursed for ineligible costs under subsection (4), upon written demand

by the Executive Director, the applicant shall return the funds to the Authority for deposit in the Computer Aided Dispatch Restricted Account.

R174-3-204 – Disbursements from Unified Statewide 911 Emergency Service Account

(1) Beginning in its Fiscal Year 2022, the Authority shall make available annually to participating PSAPs funds from the Unified Statewide 911 Emergency Service Account created in Section 63H-7a-304 in accordance with the requirements of Section 63H-7a-304.5.

(2) The funds available for distribution shall be those funds described in Utah Code 63H-7a-304(1), less:

(a) funds expended or disbursed pursuant to Utah Code 63H-7a-304(2)(a), (3), or (4);

(b) funds otherwise expended or disbursed by the Authority consistent with its strategic plan, including:

(i) implementing, maintaining, or upgrading the public safety communications network or statewide 911 phone system, including implementation of NG911; or

(ii) overhead of the Authority for management of the 911 portion of the public safety communications network; and

(c) funds the Board determines should remain in the Unified Statewide 911 Emergency Service Account for future use.

(3) To be eligible for a distribution under this rule, a PSAP must be a Qualifying PSAP as defined in Subsection 63H-7a-304.5(d) for the fiscal year in which a distribution is sought.

(4) A Qualifying PSAP that seeks a proportionate share of available funds shall submit the certified statement defined in Subsection 63H-7a-304.5(1)(a) to the Executive Director no later than July 31 following the end of the fiscal year for which the distribution is sought.

(5) If the Authority determines that a certified statement submitted by a PSAP is untimely, does not comply with the requirements of Subsection 63H-7a-304.5(1)(a), or does not demonstrate that the PSAP is a Qualifying PSAP, the Executive Director shall make a written determination of the reasons for the deficiency in the certified statement and provide that determination to the PSAP.

(6) For each fiscal year, the Authority shall distribute a proportionate share of available funds to each Qualifying PSAPs that timely submitted a certified statement. The proportionate share for a PSAP shall be calculated in accordance with Subsection 63H-7a-305.5(1)(c) and (3)(b).

(a) In the event that Subsection 63H-7a-305.5(3)(b) does not permit distribution of all available funds to Qualifying PSAPs, any remaining funds shall remain in the Unified Statewide 911 Emergency Service Account for use by the Authority or distribution in a subsequent fiscal year.

(7) If the Executive Director determines that funds were disbursed to a PSAP that was not a Qualifying PSAP, the PSAP shall return the funds to the Authority for use by the Authority or distribution in a subsequent fiscal year.

R174-4 – Radio Network Division

R174-4-101 – Participation in Public Safety Radio Network; Eligibility

The following persons or entities are eligible for participation in the public safety radio network pursuant to an agreement approved by the executive director:

- (a) a state agency;
- (b) a public safety agency;
- (c) a public safety answering point;
- (d) a political subdivision of the state or agency thereof that is:
 - (i) not a public safety agency or public safety answering point;
 - (ii) sponsored by an entity defined in subsections (a), (b), or (c) that is an approved participant in the public safety communications network; and
 - (iii) approved to participate for a specified public safety purpose; or
- (e) any other person or entity pursuant to a written agreement with the Authority entered into before January 1, 2017, or a renewal of such an agreement.

R174-4-102 – Service Tiers

(1) To ensure reliability and high availability of the public safety radio network for first responders, the Authority shall implement network-management policies and procedures that prioritize network traffic and access to the public safety radio network by establishing service tiers.

(2) Approved participants in the public safety radio network shall be assigned to the following service tiers for purposes of the Authority's network-management policies and procedures:

- (a) each participant under Rule 174-4-101(a), (b), or (c) shall be assigned to Tier One;
- (b) each participant under Rule 174-4-101(d) shall be assigned to Tier Two;
- (c) each participant under Rule 174-4-101(e) shall be assigned to a Tier at the Executive Director's discretion.

(3) The executive director may limit access to the public safety radio network for Tier Two participants as may be necessary to ensure network availability for Tier One participants in the executive director's judgment.

R174-4-103 – Application

- (1) Each entity described in R174-4-101 that seeks to participate in the public safety communications network shall submit an application to the Executive Director.
- (2) UCA shall maintain and publish an application form, approved by the Executive Director, that requires the following information from each applicant:
 - (a) The name of the application entity;
 - (b) The basis for eligibility to participate in the public safety communications network under R174-4-101;
 - (c) For an entity seeking participation under R174-4-101(d):
 - (i) the name of the sponsoring entity;
 - (ii) approval signed by an authorized representative of the sponsoring entity;
 - (iii) the public safety purpose for which admission is requested;
 - (d) For an entity seeking participation under R174-4-101(e):
 - (i) a copy of the written agreement allowing participation;
 - (e) The estimated number of users for the period running for five years from July 1 following the date of the application.
 - (f) Any other information required by the Executive Director.
- (3) For an application pursuant to R174-4-101(a), (b), (c), or (e), the Executive Director shall approve the application unless permitting access would not be consistent with the Authority's duties under Utah Code Title 63H, Chapter 7a.
- (4) For an application pursuant to R174-4-101(d), the Executive Director shall approve the application if the Executive Director determines:
 - (a) participation by the applicant will serve a public safety purpose; and
 - (b) participation by the applicant is not inconsistent with the Authority's duties under Utah Code Title 63H, Chapter 7a.
- (5) If the Executive Director rejects an application under this Section, the Executive Director shall make a written determination of the reasons for the rejection and provide that determination to the applicant and its sponsoring entity, if any.

R174-4-104 – Recertification

(1) Each participant in the public safety communications network shall submit an application to participate in the form prescribed by R174-4-103 no later than July 1 in the year that is five years from the date of application.

(2) Each eligible entity that is a participant in the public safety communications network on January 1, 2020 shall submit a recertification application by no later than:

(a) for a state agency, July 1 2023;

(b) for a county of the first or second class, July 1, 2022;

(c) for all other entities, July 1, 2021.

(3) The Authority shall notify any participating entity of its failure to submit a timely recertification application under this section.

(4) The Executive Director shall review each application under this section in the manner set forth in R174-4-103.

(5) If an application is rejected, or if an entity fails to timely submit an application and such failure is not cured by the entity or excused by the Executive Director, the entity shall be removed as a participant in the public safety communications network on December 31 of the year in which the recertification application was required.

R174-4-105 – Initial Allocation of P25 Radio Consoles to Participating PSAPs

The Authority will allocate P25 Radio Consoles to each participating PSAP identified in Subsection R174-3-102(1) on a one-to-one basis with existing radio console equipment deployed and connected to the Authority’s legacy radio system based upon the documentation on file with the Authority as of June 5, 2020. That allocation shall constitute the “Baseline” P25 Radio Console count for the PSAP for purposes of this rule.

R174-4-106 – Allocation of Additional P25 Radio Consoles to PSAPs

(1) The Authority will allocate additional P25 Radio Consoles to a participating PSAP based on increases in three-year average call volume for the PSAP as determined by the Authority.

(2) To determine whether to allocate additional P25 Radio Consoles to a PSAP, the Authority shall:

(a) On an annual basis, compare the three-year average annual call volume for the PSAP to the Baseline call count established in R174-3-106(2)(a) and allocate additional P25 Radio Consoles to the PSAP based on the growth in call volume as follows:

(i) The authority shall allocate to a PSAP one additional P25 Radio Console per each Call Volume Increment, as defined in R174-3-106(2)(a)(ii)-(iii), above the Baseline call count;

(ii) In the event a PSAP's call volume for a given three-year period decreases such that the PSAP would be allocated fewer P25 Radio Consoles than a previous year, the PSAP will be permitted to retain already allocated P25 Radio Consoles unless the Executive Director determines it is in the Authority's best interest to reduce the allocation of P25 Radio Consoles to that PSAP.

(3) In the event a PSAP removes a P25 Radio Console allocated under this Section from service, the PSAP shall notify the Authority to allow the P25 Radio Console to be reallocated.

R174-4-107 – Payment for Allocated CPE Positions

The Authority shall be responsible for purchase and maintenance costs for all P25 Radio Consoles allocated under R174-4-105 and -106. All such P25 Radio Consoles shall remain the sole property of the Authority.

R174-4-108 – Purchase of P25 Radio Consoles

Upon the Executive Director's written approval, a participating PSAP or Dispatch Center may purchase P25 Radio Consoles at its own expense. Any such purchase shall be pursuant to the cooperative purchase provision of the Authority's contract with its P25 Vendor. The Authority shall not be responsible for purchase or maintenance costs for any such P25 Radio Consoles and may charge the PSAP or Dispatch Center a programming or maintenance fee for any service the Authority performs on such P25 Radio Consoles at the request of the PSAP or Dispatch Center.

R174-4-109 – Radio Console Connection Fee

The Authority may charge a person or entity other than a PSAP a fee for connecting a radio console to the public safety communications network as permitted by Section 63H-7a-404 (3)(c). This fee shall be established by the Executive Director at the time the person or entity requests participation in the public safety communications network or at the time the person or entity requests a radio console be added to the public safety communications network.

R174-4-201 – Approved Devices

To ensure network reliability and availability and to maintain an appropriate level of expertise and efficiency of UCA personnel in supporting end-user radio devices, and approved user of the public safety radio network may only operate on that network radio devices approved under this Rule.

R174-4-202 – Approved Radio List

The Authority shall develop and maintain a list, approved by the Executive Director, of radio devices authorized and approved to operate on the public safety radio network. The approved radio list shall initially include all P25 compliant radios that are operational on the Authority's

legacy radio system. Additional radio devices shall be added to the approved radio list from time to time at the Executive Director's discretion or upon the request of an authorized user with a showing that the radio complies with the requirements of R174-4-203.

R174-4-203 – Radio Compatibility Requirements

(1) To be authorized for operation on the public safety radio network or for inclusion on the approved radio list, a radio device must meet the following requirements:

(a) The radio device must be P25 Compliance Assessment Program (CAP) certified with the Harris MSTR V 900 Trunked Radio for both Phase 1 and Phase 2 and the summary test report must be posted on the Department of Homeland Security website;

(b) The CAP testing facility(ies) must have a Scope of Recognition that meets all of the P25 CAP test requirements; and

(c) The radio must be tested by Authority personnel for compatibility with the public safety radio network after radio personalities and fleet maps are developed by Authority personnel.

(2) An authorized user requesting a radio device be authorized for use or added to the approved radio list shall provide to the Executive Director satisfactory evidence that the radio device meets each of the foregoing criteria. If the Executive Director concludes the radio device meets the required criteria, the Executive Director may direct the radio device be added to the approved radio list or provide a written authorization for the requesting user to operate the radio device on the public safety radio network. A device that does not appear on the approved radio list shall not be operated on the public safety radio network without written authorization from the Executive Director.