

R174. Utah Communications Authority

R174-1. Utah Communications Authority Board

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) "NG911 Contract" means the contract between the Authority and Vesta Solutions, Inc. dated June 19, 2020, procured by the Authority pursuant to RFP Solicitation #CO20022;

~~(2) "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;~~

~~(3) "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~~

~~(4) "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.~~

~~(5) "Call-taking Position" means services and equipment furnished under the NG911 Contract necessary for a single 9-1-1 operator at a PSAP or Dispatch Center to receive and respond to a 9-1-1 call. This includes necessary for a single 9-1-1 operator at a PSAP or Dispatch Center to receive and respond to a 9-1-1 call. This includes~~ customer premises equipment, ESINet connection, and access to NG911 services but excluding optional equipment and services.

(63) "ESINet" means the emergency services IP network maintained by the Authority;

(74) "Legacy Call-taking Position" means the services and equipment necessary for a single 911 operator in a PSAP or dispatch center to receive and respond to a 911 call and currently in use by the PSAP or dispatch center and connected to the Authority's Legacy RFAI ESINet or Selective Router ~~or Selective Router~~ prior to the implementation of the NG911 system;

(85) "Legacy Radio Console" means the services and equipment necessary for a single dispatcher or telecommunicator in a PSAP or dispatch center to connect to and send and receive communications on the public safety radio network and in use by the PSAP or dispatch center and registered with the public safety radio network prior to the implementation of the P25 upgrade to the public safety radio network;

(96) "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;

(107) "P25" means the Project 25 suite of standards for digital mobile radio communications adopted and published by the Association of Public-Safety Communications Officials (APCO) and any revisions or modification of those standards adopted by APCO;

(814) "P25 Contract" means the contract between the Authority and L3Harris Technologies, dated June 7, 2019, procured by the Authority pursuant to RFP Solicitation #CO19008;

(942) "Public safety radio network" shall mean the statewide radio network operated and maintained by the Authority pursuant to Section 63H-7a-402;

(103) "Radio Console" means the Symphony Dispatch Consoles and associated software and licenses furnished under the P25 Contract;

(114). "RFAI ESINet" refers to the transitional ESINet that is being provided and maintained by the Authority as of July 1, 2020.

(12) Selective Router means the legacy 9-1-1 routing network maintained pursuant to a contract between UCA and Century Link, identified as Contract #136401.

~~(14.5) Selective Router means the legacy 9-1-1 routing network maintained by Lumen.~~

(135) "State" means the State of Utah; and

(146) "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).

**R174-1-201. 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 and approval by the Board at its next public meeting.

**R174-1-301. Participation in NG911 System**

A PSAP or Dispatch Center established pursuant to Section 69-2-201 may, upon approval of the Executive Director, participate in the NG911 system implemented and maintained by the Authority.

**R174-1-302. Participation by PSAP**

(1) All PSAPs connected to and participating in the Authority's legacy RFAI ESINet ~~or Selective Router~~ ~~or Selective Router~~ 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 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.

**R174-1-303. Application for Participation by Dispatch Centers**

(1) A Dispatch Center that seeks to participate in and connect to the Authority's NG911 system shall submit the application described herein 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 agreements between the Dispatch Center and any other party relating to the provision of 911 services;

(e) The estimated number of 911 calls transferred to the Dispatch Center on an annual basis;

(f) The number of Legacy Call-taking Positions currently operated by the Dispatch Center and the number of Call-taking Positions the Dispatch Center anticipates purchasing;

(g) The source of funding for the anticipated Call-taking 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.

#### **R174-1-304. NG911 Service Model and Cooperative Purchase**

The Authority has procured NG911 Core Services, ESINet, and customer premises equipment and call handling positions through a managed service model under the NG911 Contract. Services and equipment shall be furnished to a PSAP or dispatch center under the NG911 Contract only at the direction of or with the approval of the Authority.

#### **R174-1-305. Initial Allocation of Call-taking Positions**

The Authority will allocate Call-taking Positions to each participating PSAP identified in Subsection R174-1-302(1) on a one-to-one basis with Legacy Call-taking Positions 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" Call-taking Position count for the PSAP for purposes of this rule.

R174-1-306. Change in Allocation of Call-taking Positions to Participating PSAPs

(1) The Authority will allocate to a PSAP or remove from a PSAP Call-taking positions based on a formula adopted by the Governing Board through the following process:

(a) On or before ~~January~~June 15, 2020~~1~~, the Authority's PSAP Advisory Committee will make a recommendation to the Authority's 911 Division Director of a proposed formula;

(b) On or before ~~February~~July 15, 2020~~1~~, the Authority's 911 Division Director will make a recommendation to the Authority's Executive Director of a proposed formula after considering the proposal from the Authority's PSAP Advisory Committee;

(c) On or before ~~March~~August 15, 2020~~1~~, the Authority's Executive Director will make a recommendation to the Authority's ~~Executive Director~~Governing Board of a proposed formula after considering the proposal from the Authority's PSAP Advisory Committee and the Authority's 911 Division Director.

(d) On or before ~~April~~September 15, 2020~~1~~, the Authority's Governing Board will adopt the above referenced formula which will remain in place for at least three (3) years. If the Governing Board determines that an exigent circumstance requires a modification to the formula, the Board will direct the PSAP Advisory Committee, the 9-1-1 Division, and the Executive Director to review the formula and recommend changes for the current three-year period.

(2) This process will be repeated every three years with the above referenced submissions due on the three-year anniversary of the above referenced dates.

(3) If the Authority's Governing Board determines it is in the Authority's best interest of public safety, the Governing Board may increase or decrease the number of Call-taking positions provided to a given PSAP.

(4) In the event a PSAP removes a Call-taking position allocated under this Section from service, the PSAP shall notify the Authority to allow the Call-taking position to be recovered by the Authority.

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~~R174-1-306. Allocation of Additional Call-taking Positions to PSAPs~~

~~(1) The Authority will allocate additional Call-taking 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 Call-taking 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 Call-taking Position count allocated to the PSAP under Section R174-1-305; 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 Call-taking Positions to the PSAP based on the growth in call volume as follows:~~

~~(1) The Authority shall allocate to a PSAP additional Call-taking Positions based on a formula recommended from the PSAP Advisory Committee to the Executive Director and approved by the Board. The formula will be reviewed annually and included in the Strategic Plan.~~

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

~~(ii) For the 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 2025, the Authority's Executive Director shall calculate a Call Volume Increment that, in the Executive Director's judgment, justifies allocating an additional Call-taking Position to a PSAP.~~

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

~~(vi) If the Executive Director determines it is in the Authority's best interest, the Executive Director may defer or cancel the allocation of additional Call-taking Positions that would otherwise be allocated under this Section. The Executive Director shall make a written determination of the reasons for any such deferral or cancellation and provide that determination to the affected PSAP.~~

~~(2) In the event a PSAP removes a Call-taking Position allocated under this Section from service, the PSAP shall notify the Authority to allow the Call-taking Position to be reallocated at the discretion of the Authority and pursuant to the above guidelines.~~

#### R174-1-307. Payment for Allocated Call-taking Positions

The Authority shall be responsible for payment of non-recurring and recurring costs for all Call-taking Positions allocated under Sections R174-1-305 ~~and~~ ~~306~~.

#### R174-1-308. Purchase of Call-taking Positions or Optional Equipment

Upon the Authority's written approval, a participating PSAP or Dispatch Center may purchase Call-taking Positions or optional equipment authorized by the NG911 Contract at its own expense. Any such purchase shall be pursuant to the cooperative purchase provision of the NG911 Contract. The Authority shall not be responsible for payment of non-recurring or recurring costs for any such Call-taking Positions or optional equipment authorized by the NG911 Contract.

#### R174-1-401. Restricted Account Funding Procedures

Sections R174-1-401 through R174-1-404 apply to all requests for payment or reimbursement from restricted accounts maintained by the Authority pursuant to Sections 63H-7a-303, -304.

#### R174-1-402. Authority

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

#### R174-1-403. 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 creation of a shared computer aided dispatch system as defined in purchase and implementation of an eligible CAD-to-CAD interface or CAD Aggregator. ~~shared computer aided dispatch platform as defined in~~ 63H-7a-303.

(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

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the applicant in purchasing and implementing an eligible system, CAD-to-CAD Interface or CAD Aggregator, shared computer aided dispatch platform.

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(3) To be eligible for reimbursement under this Section, a system a CAD-to-CAD Interface or CAD Aggregator, shared computer aided dispatch platform, must:

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(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 a system, shared computer aided dispatch platform, that was implemented or became operational prior to January 1, 2020;

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(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 system, shared computer aided dispatch platform, CAD-to-CAD Interface or CAD Aggregator;

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(f) Security system and key costs; or

(g) Costs of non-emergency or administrative phone lines;

(h) Any other costs or systems that do not comply with this Administrative Rule or Utah Code Ann. §63H-7a-303.

(5) Any PSAP intending to apply for funds from the Computer Aided Dispatch Restricted Account as outlined in 63H-7a-303 shall submit a notice of intent to the Authority staff prior to the beginning of the fiscal year for consideration in the next budget cycle.



~~(4.5) Any PSAP intending to apply for funds from the Computer Aided Dispatch Restricted Account as outlined in 63H-7a-303 shall submit a notice of intent to the Authority staff prior to the beginning of the fiscal year for consideration in the next budget cycle.~~

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~~(65) 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 geographic areas that are part of the shared computer aided dispatch system.~~

~~(b) The CAD systems and geographic areas that are connected by the eligible CAD-to-CAD Interface or CAD Aggregator; The geographic areas that are part of the shared computer aided dispatch platform;~~

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~~(c) The date upon which the eligible shared computer aided dispatch system CAD-to-CAD Interface or CAD Aggregator shared computer aided dispatch platform became or will become or will become operational, such as a substantial completion, commissioning, or cutover date;~~

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~~(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 shared computer aided dispatch shared computer aided dispatch platform CAD system-to-CAD Interface or CAD Aggregator;~~

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~~(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 shared computer aided dispatch shared computer aided dispatch platform CAD-to-CAD Interface or CAD Aggregatorsystem;~~

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~~(f) A description of the anticipated effect of the eligible shared computer aided dispatch shared computer aided dispatch platform CAD-to-CAD Interface and CAD Aggregatorsystem 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~~

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

~~(6) After consultation with the 911 Division, the Executive Director shall recommend to the Board for approval an application under this Section unless the Executive Director determines:~~

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~~(6) After consultation with the PSAP Advisory Committee, the Executive Director shall recommend to the Board for approval approve an application under this Section unless the Executive Director determines:~~

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- (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 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 a lesser amount, ~~for payment at a later date,~~ conditional upon ~~sufficient~~ ~~sufficient~~ funds being available in the Computer Aided Dispatch Restricted Account ~~at that later date~~; or

Commented [QS12]: Without this word, I'm not sure it makes sense.

(b) deny the application without prejudice to a future application for reimbursement of the eligible ~~shared computer aided dispatch~~ ~~shared computer aided dispatch platform~~ ~~CAD-to-CAD Interface or CAD Aggregators system~~.

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(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 ~~shared computer aided dispatch~~ ~~shared computer aided dispatch platform~~ ~~CAD-to-CAD Interface or CAD Aggregators system~~ 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.

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#### R174-1-404. 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 Subsection 63H-7a-304(1), less:

(a) funds expended or disbursed pursuant to Subsection 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 Section 63H-7a-304.5, 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, upon written demand by the Executive Director, the PSAP shall return the funds to the Authority for use by the Authority or distribution in a subsequent fiscal year.

**R174-1-501. 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 application 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 with the express approval of the Authority's Executive Director.

**R174-1-502. 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 Section R174-1-501(a), (b), or (c) shall be assigned to Tier One;
- (b) each participant under Section R174-1-501(d) shall be assigned to Tier Two;

Commented [I5]: Clarifying question: Does a public works department fall under the definition of public safety agency? Or would they need to be sponsored by a PD/FD?

Commented [QS16R15]: UCA does not believe, as defined in the act, that public works qualifies as public safety agency.

Commented [KK17R15]: The concern here is that during an incident where Public Works was performing a public safety mission (snow/mud/trees/etc), they may have their radios turned off by UCA if the system were deemed overloaded.

(c) each participant under Section R174-1-501(e) shall be assigned to Tier One or Tier Two 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.

#### **R174-1-503. Application**

(1) Each entity described in Section R174-1-501 that seeks to participate in the public safety radio network shall submit the application described herein 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 applying;

(b) The basis for eligibility to participate in the public safety communications network under Section R174-1-501;

(c) For an entity seeking participation under Subsection R174-1-501(d):

(i) the name of the sponsoring entity;

(ii) approval signed by an authorized representative of the sponsoring entity; and

(iii) the public safety purpose for which admission is requested;

(d) For an entity seeking participation under Subsection R174-1-501(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 Subsection R174-1-501(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 Title 63H, Chapter 7a.

(4) For an application pursuant to Subsection R174-1-501(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 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.

#### **R174-1-504. Recertification**

(1) Each participant in the public safety communications network shall submit to the Authority an application to participate in the form prescribed by Section R174-1-503 no later than July 1 in the year that is five years from the date of its original application or its last recertification application, whichever is later.

(2) Each eligible entity that is a participant in the public safety communications network on January 1, 2020 shall submit to the Authority a recertification application in the form prescribed by Section R174-1-503 no later than:

(a) for a state agency, June 30 2022;

(b) for a county of the first or second class, December 31, 2021;

(c) for all other entities, June 30, 2021.

(3) A PSAP recertifying under this Section shall provide to the Authority, together with its recertification application, a copy of any PSAP interlocal agreement.

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

(5) The Executive Director shall review each recertification application under this section in the manner set forth in Section R174-1-503.

(6) 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 radio network on the later of either December 31 of the year in which the recertification application was required or six months from the due date.

#### **R174-1-505. Initial Allocation of Radio Consoles to Participating PSAPs**

The Authority will allocate Radio Consoles to each participating PSAP identified in Subsection R174-1-302(1) on a one-to-one basis with Legacy Radio Consoles deployed and connected to the Authority's legacy public safety radio system based upon the documentation on file with the Authority as of June 5, 2020. That allocation shall constitute the "Baseline" Dispatch Position count for the PSAP for purposes of this rule.

R174-1-506. Change in Allocation of Radio Consoles to Participating PSAPs

(1) The Authority will allocate to a PSAP or remove from a PSAP Radio Consoles to PSAPs based on a formula adopted by the Governing Board through the following process:

(a) On or before ~~January~~June 15, 2020~~1~~, the Authority's PSAP Advisory Committee will make a recommendation to the Authority's 911 Division Director and the Authority's Radio Division Director of a proposed formula;

(b) On or before ~~February~~July 15, 2020~~1~~, the Authority's 911 Division Director and Radio Division Director will make a joint recommendation to the Authority's Executive Director of a proposed formula after considering the proposal from the Authority's PSAP Advisory Committee;

(c) On or before ~~March~~August 15, 2020~~1~~, the Authority's Executive Director will make a recommendation to the Authority's ~~Executive Director~~Governing Board of a proposed formula after considering the proposal from the Authority's PSAP Advisory Committee and the Authority's 911 Division Director and Radio Division Director.

(d) On or before ~~April~~September 15, 2020~~1~~, the Authority's Governing Board will adopt the above referenced formula which will remain in place for at least three (3) years.

(2) This process will be repeated every three years with the above referenced submissions due on the three-year anniversary of the above referenced dates. If the Governing Board determines that an exigent circumstance requires a modification to the formula, the Board will direct the PSAP Advisory Committee, the 9-1-1 Division, and the Executive Director to review the formula and recommend changes for the current three-year period.

(3) If the Authority's Governing Board determines it is in the Authority's best interest, the Governing Board may increase or decrease the number of Radio Consoles provided to a given PSAP.

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

R174-1-506. Allocation of Additional Radio Consoles to PSAPs

(1) The Authority will allocate additional Radio Consoles to a participating PSAP based on increases in three-year average call volume for the PSAP as determined by the Authority, the formula in R174-1-306,

~~(2) To determine whether to allocate additional 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 Subsection R174-1-306(2)(a) and allocate additional Radio Consoles to the PSAP based on the growth in call volume as follows:~~

~~(i) The authority shall allocate to a PSAP one additional Radio Consoles per each Call Volume Increment, as defined in R174-1-306(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 Radio Consoles than a previous year, the PSAP will be permitted to retain already allocated Radio Consoles unless the Executive Director determines it is in the Authority's best interest to reduce the allocation of Radio Consoles to that PSAP.~~

~~(iii) If the Executive Director determines it is in the Authority's best interest, the Executive Director may defer or cancel the allocation of additional Radio Consoles that would otherwise be allocated under this Section. The Executive Director shall make a written determination of the reasons for any such deferral or cancellation and provide that determination to the affected PSAP.~~

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

#### **R174-1-507. Payment for Allocated Radio Consoles**

The Authority shall be responsible for purchase and maintenance costs for all Radio Consoles allocated under Sections R174-1-505 and ~~506~~. All such Radio Consoles shall remain the sole property of the Authority.

#### **R174-1-508. Purchase of Radio Consoles**

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



#### **R174-1-509. 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 Subsection 63H-7a-404(3)(c).

#### **R174-1-601. 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, users of the public safety radio network may not connect a radio device to the public safety radio network unless the radio device is one approved under this Rule.

#### **R174-1-602. 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 connected to and 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 and a showing that the radio complies with the requirements of Section R174-1-603.

#### **R174-1-603. 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

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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.

R174-1-701. Appeals

Any person aggrieved by a decision of the Executive Director under these Administrative Rules may appeal to UCA's Governing Board by submitting a written request for review of the Executive Director's decision, along with the appellant's arguments, to the Chairperson of the Governing Board. Such an appeal will be heard and a controlling decision will be rendered at a future meeting of the Governing Board.

~~R174-1-701. Appeals~~

~~Agencies may appeal a decision made or action taken by the Executive Director with regard to this Rule to the Authority's Board. Decisions by the Board are binding upon the Executive Director.~~