# RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY

***RI E-911 Uniform Emergency Telephone System***

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**Colonel James M. Manni**

**Superintendent, Rhode Island State Police**

**Commissioner, Rhode Island Department of Public Safety**

June 29, 2020

Lisa M. Fowlkes Chief

Public Safety and Homeland Security Bureau Federal Communications Commission

445 12th Street, S.W. Washington, D.C. 20554

Re: Information collection mandated by the New and Emerging Technologies Improvement Act of 2008

Dear Chief Fowlkes:

Regarding your request, please find the following enclosed responses from the Rhode Island Department of Public Safety/Rhode Island E-911 (DPS/RI E-911) with respect to the Federal Communications Commission (FCC) inquiry under the “New and Emerging Technologies 911 Improvement Act of 2008.”

## An overview of your state’s or jurisdiction’s 911 system, including information on the total number of active public safety answering points (PSAPs); the total number of full and part- time telecommunicators; the total annual cost to provide 911/E911 service; and the total number of 911 calls received for the annual period under review. You should feel free to share your future plans for technical consolidation of PSAPs or other restructuring plans.

The RI E-911 uniform emergency telephone system began operations in 1988 in accordance with enabling statute RIGL §39-21-1 and is under the jurisdiction of the Rhode Island Department of Public Safety. RI E-911 is a transfer agency, meaning we receive all 911 emergency calls originating within the geographic location of Rhode Island and transfer (warm transfer) those calls to the appropriate local service provider.

During calendar year 2019, RI E-911 received 474,142 incoming 911 calls.

RI E-911 has one active staffed primary PSAP and one active unstaffed alternate PSAP. RI E-911 employed 36 telecommunicators and 8 supervisors during the 2018 calendar year. The budget for fiscal year 2019 (July 1, 2018 to June 30, 2019) was $5,927,294. The budget for fiscal year 2020 (July 1, 2019 to June 30, 2020) was $6,904,105.00.

## A description of the authority enabling establishment of 911/E911 funding mechanisms including whether your state or jurisdiction has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation; a description of the legal authority; a description of any changes to existing legal authority; a statement describing how the funds collected are made available to localities; whether your state has established written criteria regarding the allowable uses of the collected funds; and how funds collected are made available to localities.

In accordance with RIGL §39-21.1-14(a), the State of Rhode Island has established a monthly surcharge of $1.00 for wireless and wirelines that can access, connect with, or interface with the Rhode Island E-911 uniform emergency telephone system.

In accordance with RIGL §39-1-62(d)(2), a monthly surcharge of twenty-six cents (.26) is added to all wireless lines that can access, connect with or interface with the Rhode Island E-911 uniform emergency telephone system.

In accordance with RIGL §39-21.2-4, a charge of 2.5% per retail transaction is collected at the point of sale for every retail transaction on prepaid wireless telecommunications services. This prepaid charge is the only funding obligation imposed with respect to prepaid wireless telecommunications service in this state.

Pursuant to RIGL §39-1-62 (d) (1), these funds are deposited into the Rhode Island General Fund as general revenue.

On July 1, 2018, RIGL §39-21.1-14 and RIGL §39-21.2-4 were renamed Emergency services and first response surcharge. Corresponding statutory language was included in RIGL §39-21.1-14(g) to provide funding to “the state’s first responder and emergency service agencies.”

Rhode Island has established criteria regarding uses of the collected funds as noted in RIGL §39-21.1- 14(g):

“Included within, but not limited to, the purposes for which the money collected may be used are rent, lease, purchase, improvement, construction, maintenance, repair, and utilities for the equipment and site or sites occupied by the state's first responder and emergency services agencies; salaries, benefits, and other associated personnel costs; acquisition, upgrade, or modification of PSAP equipment to be capable of receiving E-911 information, including necessary computer hardware, software, and database provisioning, addressing, and non- recurring costs of establishing emergency services; network development, operation, and maintenance; database development, operation, and maintenance; on-premise equipment maintenance and operation; training emergency service personnel regarding use of E-911; educating consumers regarding the operations, limitations, role, and responsible use of E-911; reimbursement to telephone common carriers or telecommunication services providers of rates or recurring costs associated with any services, operation, administration, or maintenance of E-911 services as approved by the division; reimbursement to telecommunication services providers or telephone common carriers of other costs associated with providing E-911 services, including the cost of the design, development, and implementation of equipment or software necessary to provide E-911 service information to PSAP's, as approved by the division.”

In October of 2019, RIGL. 39-21.1-14 established (a)(1) A monthly E-911 surcharge of fifty cents ($.50) is hereby levied upon each residence and business telephone line or trunk or path and data, telephony, internet, voice over internet protocol (VoIP) wireline, line, trunk or path in the state including PBX trunks and Centrex equivalent trunks and each line or trunk serving, and upon each user interface number or extension number or similarly identifiable line, trunk, or path to or from a digital network (such as, but not exclusive of, integrated services digital network (ISDN),.. In each instance where a surcharge is levied pursuant to this subsection (a)(1) there shall also be a monthly first response surcharge of fifty cents ($.50). The surcharges shall be billed by each telecommunication services provider at the inception of services and shall be payable to the telecommunication services provider by the subscriber of the services.

(2) A monthly E-911 surcharge of fifty cents ($.50) is hereby levied, on each wireless instrument, device, or means including prepaid, cellular, telephony, internet, voice over internet protocol (VoIP), satellite, computer, radio, communication, data or data only wireless lines or any other wireless instrument, device, or means that has access to, connects with, or activates or interfaces or any combination thereof with the E-911 uniform emergency telephone system… The E-911 uniform emergency telephone system shall establish, by rule or regulation, an appropriate funding mechanism to recover from the general body of ratepayers this surcharge.

(b) The amount of the surcharges shall not be subject to the tax imposed under chapter 18 of title 44 nor be included within the telephone common carrier's gross earnings for the purpose of computing the tax under chapter 13 of title 44.

(c) Each telephone common carrier and each telecommunication services provider shall establish a special account to which it shall deposit on a monthly basis the amounts collected as surcharges under this section.

(d) The money collected by each telecommunication services provider shall be transferred within sixty (60) days after its inception of wireline, wireless, prepaid, cellular, telephony, voice over internet protocol (VoIP), satellite, computer, internet, or communications services in this state and every month thereafter, to the division of taxation, together with the accrued interest. The E-911 surcharge shall be deposited in a restricted receipt account and used solely for the operation of the E-911 uniform emergency telephone system. The first response surcharge shall be deposited in the general fund; provided, however, that, ten percent (10%) of money collected from the first response surcharge shall be deposited in the information technology investment fund established pursuant to § 42-11-2.5. Any money not transferred in accordance with this paragraph shall be assessed interest at the rate set forth in § 44-1-7 from the date the money should have been transferred.

(e) Every billed subscriber-user shall be liable for any surcharge imposed under this section until it has been paid to the telephone common carrier or telecommunication services provider. Any surcharge shall be added to and shall be stated separately in the billing by the telephone common carrier or telecommunication services provider and shall be collected by the telephone common carrier or telecommunication services provider.

(f) Each telephone common carrier and telecommunication services provider shall annually provide the E-911 uniform emergency telephone system division or any other agency that may replace it, with a list of amounts uncollected together with the names and addresses of its subscriber-users who can be determined by the telephone common carrier or telecommunication services provider to have not paid the E-911 surcharge.

(g) Included within, but not limited to, the purposes for which the money collected from the E-911 surcharge may be used are rent, lease, purchase, improvement, construction, maintenance, repair, and utilities for the equipment and site or sites occupied by the E-911 uniform emergency telephone system; salaries, benefits, and other associated personnel costs; acquisition, upgrade, or modification of PSAP equipment to be capable of receiving E-911 information, including necessary computer hardware, software, and database provisioning, addressing, and non-recurring costs of establishing emergency services; network development, operation, and maintenance; database development, operation, and maintenance; on-premise equipment maintenance and operation; training emergency service personnel regarding use of E-911; educating consumers regarding the operations, limitations, role, and responsible use of E-911; reimbursement to telephone common carriers or telecommunication services providers of rates or recurring costs associated with any services, operation, administration, or maintenance of E-911 services as approved by the division; reimbursement to telecommunication services providers or telephone common carriers of other costs associated with providing E-911 services, including the cost of the design, development, and implementation of equipment or software necessary to provide E-911 service information to PSAP's, as approved by the division.

## A description of your state or jurisdictional authority that determines how 911/E911 fees are collected and spent, including which entities have authority to approve expenditure of the funds, and whether a funding mechanism exists that mandates how collected funds can be used.

As noted in question 2, monthly surcharges on devices with connectivity to the Rhode Island E-911 uniform emergency telephone system are authorized in accordance with state law, to wit: RIGL §39- 21.1-14, RIGL §39-1-62, RIGL §39-21.2-4. Effective October 1, 2019 all surcharge revenue is deposited into a restricted receipt account for the exclusive revenue source of the Rhode Island

E 9-1-1 agency. The expenditure of funds is authorized by the Rhode Island State Legislature, State of Rhode Island Budget Office and the Rhode Island Department of Public Safety.

## A description of the uses of collected 911/E911 fees, including a statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services; identification of the allowed uses of collected funds, including operating costs, personnel costs, administrative costs, dispatch costs, and grant programs. You are encouraged to describe your long term strategic 911 goals to help the FCC and Congress understand capitalization of new projects and goals for recurring costs efficiencies.

The State of Rhode Island Budget Office has indicated that 90% of funds collected are deposited into the state General Fund with the remaining 10% submitted to the State Information Technology Investment Fund in accordance with RIGL §42-11-2.5 and further authorized by RIGL §39-21.1- 14(d).

The FY 2019 budget was $5,927,294.00. Historically, personnel costs account for 76% of our budget amounting to $4,504,743.44 and operating costs accounting for 24% amounting to $1,422,550.56. The FY 2020 budget was $6,904,105.00 with personnel costs amounting to $5,247,119.80 and operating costs amounting to $1,656,985.20. All remaining funds collected are distributed via the state General Fund.

## A description of 911/E911 fees, including the amount of the fees or charges imposed for the implementation and support of 911 and E911 services; the total amount collected pursuant to the assessed fees or charges for the annual period under review, and by service type; and identification of any other sources of 911 funding.

Up until October 1, 2019, the state General Fund financed 100% of the E-911 program. As noted in question #2, effective October 1, 2019, fifty cents ($.50) of the surcharge was deposited into a restricted receipt account. In calendar year 2019, the State of Rhode Island generated a total of $15,340,800.24. The Rhode Island Department of Revenue reports that from January 1, 2019 to December 31, 2019, the sum of $2,205,636.00 was collected via the Geographic Information System (GIS) and Technology Fund as a wireless surcharge. The wireline vs. wireless surcharge revenue is presently not available, however, historically, the call volume is 90% wireless vs. 10% wireline.

## A description of any diversion or transfer of 911/E911 fees for other uses, including a statement whether in the annual period under review funds collected for 911 or E911 purposes in your state/jurisdiction were made available or used solely for purposes designated by the funding mechanism; and a description of the amounts and uses of any funds diverted from 911/E911 uses.

Effective October 1, 2019, as noted in the statute above, all surcharge revenues fifty cents ($.50) is deposited into a restricted receipt account for the exclusive revenue source of the Rhode Island

E 9-1-1 agency.

## A description of oversight and auditing of the collection and uses of 911/E911 fees, including whether your state or jurisdiction has established any oversight or auditing mechanisms or procedures to determine whether collected funds have been made available for the purposes designated by the funding mechanism; and whether your state or jurisdiction has the authority to audit service providers regarding the amount of 911/E911 fees they collect from subscribers. We also encourage feedback on any barriers to auditing.

The State of Rhode Island Budget Office has indicated that all collected E-911 funds are subject to allocation under the annual Appropriation Act, which provides the legislative authority for state spending. The Rhode Island Division of Taxation has the authority to audit service providers regarding the amount of 911/E911 fees they collect from subscribers.

## A description of the Next Generation 911 (NG911) services and expenditures, including whether your state or jurisdiction classifies expenditures on NG911 as within the scope of permissible expenditures of funds for 911 or E911 purposes; a description of the amount spent, if any, in the annual period under review; a description of the type and number of NG911 ESInets operated within the state; a description of any NG911 projects completed or underway during the annual period under review, including plans to consolidate networks or expand their operation beyond 911 services; and a description of total PSAPs accepting texts or planning to become text capable. We draw your attention to the reports and recommendations of the Task Force on Optimal Public Safety Answering Point Architecture (TFOPA), which recommended objective network architecture, security, and funding concepts facilitate the transition to NG911.

## Page 16 of the TFOPA report cites “three major PSAP focused work efforts…including Cybersecurity.” The committed revenues of the restricted receipt account were utilized to conduct a forensic analysis of the cybersecurity risks inherent in the legacy hardware and software of the agency. This “Discovery” led to an immediate response to Tier 1 concerns along with the justification to overhaul the existing hardware in favor of a virtualized environment to support the future of RI E911 solutions on cybersecure architecture.

## Further, a NeQter appliance was installed inside the firewall for the purpose of log management. The NeQter appliance will aid in gathering required evidence to help Rhode Island E911 obtain NIST 800-171 compliance and ultimately CMMC.

## Rhode Island E911 is currently exploring options to expand our IP network to the municipal departments. This will allow Rhode Island E911 to utilize SIP for transferring 911 calls. Eventually Rhode Island E911 is utilizing ELNT copper lines which are being phased out by the CLECS.

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RI E911 has purchased software enhancements necessary for the implementation of NG911 technologies. During FY19, RI E-911 spent approximately $365,000 to upgrade software. These expenditures were approved by the Legislature, the Department of Public Safety, and the Rhode Island Budget Office.

**Rapid SOS**

RI E 9-1-1 was pleased to announce that in September of 2019, RapidSOS software was deployed statewide. This software allows access to device-based location information from enabled (smartphones, connected cars, wearables and connected homes) resulting in faster and in most cases more accurate location information than Phase 2 currently provides.

**Emergency Medical Dispatch (EMD)**

RI E 9-1-1 in conjunction with the Department of Health is actively pursuing the implementation of EMD protocols. The use of (EMD) provides supervisors and telecommunicators with scientifically backed scripted protocols delivered by a state-of-the-art call taking software while callers await the arrival of first responders. Rhode Island contracted with Priority Dispatch who process over 90 million emergency calls per year. It is in use in over 3,000 cities in 41 countries and in 18 languages and is used in 70% of dispatch centers in New England.

**Pictometry**

RI E 9-1-1 was pleased to announce the purchase of a **state-wide sub three-inch OBLIQUE capture** in the fall of 2019 with an option for a fly-over in the fall of 2021. Pictometry provides a selection of up to 12 different high-resolution views of any property, building, highway or other pertinent information relative to an emergency caller’s location. It allows RI E 9-1-1 telecommunicators to focus on the above referenced data to determine distance, height, elevation and area directly from the imagery.

**Cyber Security Assessment**

RI E 9-1-1 hired Rhode Island based Carousel Industries to perform a network and computer assessment of the current environment. The main goal was to identify the strengths and weaknesses of the network architecture and software from a cyber security perspective. Upon completion there were configuration and design issues that had to be addressed, these issues were categorized and prioritized in the following manner; 1 (of greatest concern, needs immediate attention); 2 (of moderate concern); 3 (of low concern).

**Text-To-911**

RI E-911 maintains a voice and data network which connects our PSAP to all local service provider dispatch centers and transfers callers to the appropriate provider. RI E-911 implemented an NG911 network and commenced Text-to-911 in February 2019. RI E-911 utilizes two emergency services IP networks (ESInets) for the implementation of NG911.

**Tyler Computer Aided Dispatch**

RI E 9-1-1 has held extensive negotiations with Tyler Technologies to implement a comprehensive CAD and statewide records management system. The CAD platform is the most effective design to launch our EMD program. The proposed system is highly configurable and adaptable to the unique workflows at RI E 9-1-1 and will improve data sharing, operational efficiencies, situational awareness, enhanced safety for first responders and better community service.

## A description of cybersecurity expenditures, including whether your state or jurisdiction expended funds on cybersecurity programs for PSAPs; the number of PSAPs in your state that either implemented a cybersecurity program or participated in a regional or state-run cybersecurity program, including operation or utilization of any Information Sharing and Analysis Centers or organizations; and whether your state or jurisdiction adheres to the National Institute of Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (February 2014) for networks supporting one or more PSAPs in your state or jurisdiction.

RI E-911 has a hardware-based firewall and software-based antivirus/anti-ransomware for critical servers as well as user endpoints. Upon discovering issues with proper notifications from the vendor and other gaps in our cyber environment, RI E 9-1-1 decided to conduct a cyber security and network discovery. RI E 9-1-1 hired Rhode Island based Carousel Industries to perform a network and computer assessment of the current environment. The main goal was to identify the strengths and weaknesses of the network architecture and software from a cyber security perspective. At this time, RI E-911 meets all requirements set out in NIST’s Framework for Improving Critical Infrastructure Cybersecurity (April 16, 2018) for Tier 3.

## A description regarding measuring effective utilization of 911/E911 fees, including an assessment of the effects achieved from the expenditure of state 911/E911 or NG911 funds, including any criteria your state or jurisdiction uses to measure the effectiveness of the use of 911/E911 fees and charges.

In accordance with Rhode Island E-911 performance measures that are reported on a monthly basis to the Rhode Island Department of Public Safety, RI E-911 monitors the number of incoming 911 calls on a daily basis (both wireline and wireless), monitors the number of calls that enter into queue, the duration of the calls that enter into queue, the maximum duration of the calls that enter into queue and the average duration of the calls that enter into queue. Additionally, RI E-911 monitors, on a weekly basis, our incoming call volume reports and staffing levels. These measures/metrics provide RI E-911 with an effective overview and operational effectiveness allowing us the most efficient means of the expenditure of state 911/E911 funds.

If you have any questions or concerns, please feel free to contact me. Respectfully submitted,

J. David Smith