

MPSC Staff Comments on 9-1-1 – MLTS Rulemaking Process
December 22, 2009

Andrews University

The use of “database service provider” intends on a service supplier to perform duties. The Act does not allow a service supplier to incur any duties with multi-line telephone systems.

If the “database service provider” is not a “service supplier,” as defined in the Act, please redefine and resubmit your comments.

Andrews University Response:

A database service provider is not a service supplier in the context of this legislation. While the database service provider might also be a service supplier, the database service supplier could also be a company that is in business solely for the purpose of providing ALI database services or a company that builds appliances but also sells database services. The fact that a service supplier might also happen to be a database service provider should not preclude the MPSC from being able to regulate whatever organization is charged with providing ALI database services to the public safety agencies and individuals located in Michigan that are ultimately the beneficiaries of these services. These databases are the property of the public, not the service suppliers or the database service provider. The fact that one company or another may have been contracted to be the maintainer of that database does not negate the fact that equal access to that database is a necessity for all parties charged with maintaining the information contained in that database. When implemented, this legislation will require MLTS operators to be responsible to see that this data is maintained. It will no longer be an "optional service" that you can purchase from a service supplier. As such, MLTS operators should be given access to this public service resource at pricing that is the same or similar to what is being paid by the entities that already have access to the database.

Most PSAPs in Michigan get their database service from the same database service provider. Since previous legislation, regulations, and contracting for services have created this situation, it is fully within the MPSC jurisdiction to review the operations of database service providers and act in the interest of the citizens and employees of Michigan who get their emergency telephone service from MLTS operators.

In AT&T Michigan's comments on this item they state:

Third, AT&T Michigan's pricing to end users should not be the same as pricing to carriers. AT&T Michigan provides a different type of access in each situation, and its prices should be able to vary accordingly.

AT&T Michigan's intention is clear. If an MLTS operator's only avenue of updating E911 data is via commercial products from LECs, ILECs, and other service suppliers, the monthly operating costs for MLTS operators will be higher than if they were allowed access at carrier rates. This in return results in higher revenues for the service supplier. In this comment, AT&T Michigan indicates that they and Verizon have already addressed the technical issues that would allow MLTS operators to maintain this information so it would seem reasonable that a database service provider should be able to do likewise.

This legislation will cause additional operating costs to be incurred by MLTS operators. There is no language in the legislation that allows these operating costs to be passed on to any local or state political jurisdiction. This would seem to be an unfunded mandate. Some MLTS operators will, out of financial necessity, have to design their E911 support to meet but not exceed the requirements of regulation. For those who wish to exceed the requirements of regulation, they will likely have to scale back their implementation due to higher operating costs in the form of fees paid that (after a service supplier takes their profit) ultimately support the updating of the ALI database.

It is probably obvious as to how higher fees to access the ALI database lessens the safety of Michigan citizens but just in case this is not clear, here is an example: A business with 100 employees is the only tenant of a one story building with less than 40,000 square feet. They have an MLTS that is capable of providing station level detail for every phone when a 911 call is made and they have 120 DIDs, one or more for each phone, fax machine, etc. Each employee is assigned a phone and DID number. In an ideal emergency calling scenario, when an employee or visitor at that company makes a 911 call, the PSAP will see the DID, company name, street address, and room/office address showing where the 911 call was made. To accomplish this, the MLTS operator will need to pay to maintain the ALI information for 100 or more DIDs. If the MLTS operator does not move any phone numbers around in this office and depending on who their carrier is, this may be an one time charge. More likely, the MLTS operator will have to pay a monthly fee priced per DID to maintain this information so that the deployment of phones/numbers can be changed and stay compliant with regulations. If the MLTS operator cannot afford the monthly charges, they will scale back the detail of the information maintained and split the building into zones. In this case the PSAP will see a substitution for the DID that pertains to that area of the building and rings nearby, company name, street address, NW Section (or some similar description). In this case, the MLTS operator might only pay to maintain data for 10 DIDs. They would still be meet/exceed the requirements of regulation but the effectiveness of emergency response could be greatly diminished due to the additional time and effort it takes to locate the caller.

Andrews University wants to exceed the requirements of regulation. Student housing environments in particular are better served when more specific location detail is available at the time a 911 call is made. The extent to which Andrews University can provide a better 911 experience for our students, employees, and guests by getting the best possible information to the PSAP will be diminished by the amount of extra fees we have to pay for a service which is provided in a near monopoly environment. There are probably many other MLTS operators in Michigan who would like to exceed the requirements of these pending regulations and very few who would object to getting their ALI database services for a lower price.

As such, we respectfully ask that you consider the following modifications as shown in red:

R 484.XXX Definitions.

Rule 2. (1) As used in these rules:

(x) "Database service provider" means an organization or company that maintains and supplies or contracts to maintain and supply an ALI database or an MSAG.

PART 2. RECORDS, REPORTS, AND TARIFFS

R 484.XXX Availability of Records

Rule 3.

(y) Database service providers will provide MLTS operators access to maintain ALI records that pertain to all services which the MLTS operates.

(z) For an MLTS providing a communication service to 50 or more service users, the database service provider will not charge the MLTS operator for ALI database services at more than the rates charged to local exchange carriers.

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