

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

DuPage County Emergency Telephone System Board :
: :
: **15-0192**
Petition for Approval of a 9-1-1 Emergency Telephone Number System. :

ORDER

By the Commission:

On March 12, 2015, the Emergency Telephone System Board (“ETSB”) of DuPage County, Illinois (“DuPage” or “Petitioner”), filed a Petition with the Illinois Commerce Commission (“Commission”) seeking authorization to modify its existing 9-1-1 emergency telephone number system. The Petitioner received an order to operate its Enhanced 9-1-1 System from the Commission on September 5, 1991, in Docket 91-0102. DuPage has a proposed effective date for the modification of May 1, 2015.

DuPage supported the Petition with documentary materials, including a narrative statement explaining the purpose for modifying Petitioner's existing 9-1-1 plan. According to the Petition, DuPage requests a change in dispatch service for the Village of Hinsdale Police, Fire and EMS.

Previously, in Docket 10-0243, The DuPage County ETSB and the Village of Hinsdale entered into a contractual agreement with the Southwest Central Dispatch Center (“SWCD”) for the provision of 9-1-1 emergency dispatch services specifically for the Village of Hinsdale Police, Fire and EMS. The Village of Hinsdale has provided notice to SWCD of its intent to terminate its contractual agreement for emergency dispatch services effective May 1, 2015 and has since entered into an agreement with the DuPage Public Safety Communications (“DU-COMM”) public safety answering point (“PSAP”) for emergency dispatch services. Upon approval of this modification, all 9-1-1 calls for the Village of Hinsdale Police, Fire and EMS will be routed to the DU-COMM PSAP. The DU-COMM PSAP, an existing primary PSAP in the DuPage County 9-1-1 System, meets all the requirements for a primary PSAP as prescribed in Section 725.415 of Illinois Administrative Code Part 725.

On March 31, 2015, Commission Staff, through Stacy Ross, 9-1-1 Program Assistant, filed an Answer to the Petition. Staff recommended approval of the relief sought and supported waiver of hearing.

The Administrative Law Judge determined that the Petition and accompanying material established a prima facie case for approval of Petitioner's proposed modification of its existing 9-1-1 plan. Accordingly, and in view of Staff's support for the Petition, no evidentiary hearing was conducted in this proceeding.

The Petition in this proceeding was filed pursuant to the Emergency Telephone System Act ("Act"), 50 ILCS 750, *et seq.* The purpose of the Act is "to establish the number '9-1-1' as the primary emergency telephone number for use in this State and to encourage units of local government and combination of such units to develop and improve emergency communication procedures and facilities in such a manner as to be able to quickly respond to any person calling the telephone number '9-1-1' seeking police, fire, medical, rescue and other emergency services." 50 ILCS 750/1.

The Commission is authorized to coordinate the implementation of systems established under the Act. In order to secure compliance with the technical and operational standards for the development of local agency systems, the Act empowers the Commission to approve or disapprove plans submitted by the public agencies. Standards of service applicable to 9-1-1 emergency systems, as adopted by the Commission, are set forth in 83 Ill. Adm. Code Part 725.

The Commission, having considered the entire record herein and being fully advised of the premises, is of the opinion and finds that:

- (1) Petitioner, the Emergency Telephone System Board of DuPage County, Illinois, seeks to continue providing emergency services and, as such, is a public agency within the meaning of Section 2.01 of the Emergency Telephone System Act;
- (2) the Commission, pursuant to the provisions of the Act, has jurisdiction over Petitioner and of the subject matter hereof;
- (3) the facts set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (4) Commission approval of Petitioner's modification is in the public interest; authorization should be granted for said modification to be put into service on as soon hereafter as practicable;
- (5) any inter-governmental agreements, together with any amendments thereto, and together with any agreements between public agencies and public safety agencies, not heretofore filed with the Commission and the Office of the Attorney General should be filed with both the Commission and the Office of the Attorney General;
- (6) certified notification of the continuation of inter-governmental and other relevant agreements should be made annually among the parties and copies of the annual certified notification agreements should be filed with the Commission and the Illinois Attorney General prior to the 31st of January of each succeeding year;
- (7) the authorization granted herein is subject to the Petitioner's continued compliance with all rules and regulation relating to 9-1-1 service now in existence or as promulgated by the Commission in the future;

- (8) rates for 9-1-1 emergency service shall be the appropriate telephone public utility's applicable rates now in effect or such other rates as may be hereinafter approved by the Commission.

IT IS THEREFORE ORDERED that the plan submitted by the Petitioner, the Emergency Telephone System Board of DuPage County, Illinois, for the modification of its 9-1-1 emergency telephone number system, is hereby authorized effective May 1, 2015.

IT IS FURTHER ORDERED that the authorization herein granted is subject to the conditions set forth in Findings Nos. 5, 6 and 7 above.

IT IS FURTHER ORDERED that the rates for said authorized service shall be the appropriate telecommunications carrier's applicable rates now in effect, or such other rates as may hereafter by approved by the Commission.

IT IS FURTHER ORDERED that any petitions, objections or motions made in this proceeding and not otherwise specifically disposed of herein are hereby disposed of in a manner consistent with the conclusions contained herein.

IT IS FURTHER ORDERED that subject to the provisions of 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 22nd day of April 22, 2015.

(SIGNED) BRIEN SHEAHAN

Chairman