



STATE OF IOWA

CHESTER J. CULVER

GOVERNOR

PATTY JUDGE

LT. GOVERNOR

DEPARTMENT OF PUBLIC DEFENSE

IOWA HOMELAND SECURITY AND
EMERGENCY MANAGEMENT DIVISION

DAVID L. MILLER, ADMINISTRATOR

November 22, 2010

To: County E911 Service Boards
Iowa E911 Communications Council

RE: E911 Legislative Changes

I am writing in response to numerous letters received from county E911 Service Boards and other interested parties regarding proposed legislative changes to Iowa's E911 law (Iowa Code, Chapter 34A). The letters we have received call for changes in three key areas:

1. The elimination of the surcharge cap of \$1.00 per month, per access line, on wireline services.
2. Increasing the wireless surcharge by at least 10 cents.
3. Elimination of phase one wireless reimbursement with a portion of the resulting savings being distributed to local E911 service boards.

I am aware of the current draft legislative proposal put forth by our agency in consultation with the Iowa E911 Communications Council. This proposal includes changes to reflect the current E911 technologies, makes other non-substantive changes, and specifically addresses the issue of phase one wireless reimbursement.

The current proposal includes an amendment to section 34A.7A*b* which eliminates phase one cost recovery for wireless carriers while still allocating funds to pay for the non-recurring and recurring costs of the network used to deliver the wireless calls. This means that wireless carriers would not be entitled to cost recovery from the surcharge for costs they may experience in delivering the wireless E911 call to the network.

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While we may agree there may need to be changes in surcharge rates for both wire and wireless services, the arguments for these changes have not been fully substantiated by data showing that need. In addition, specifically with regard to wireline surcharge, there is some relief in current law. Section 34A.6A provides for an alternative surcharge of up to \$2.50 per month, per access line for a period of twenty-four months, if approved by voters.

Therefore, rather than pursuing a change in surcharge rates at this time, I would prefer we take the time to accumulate and look at the budgetary data and other information that would support that request. In addition, the public safety community is currently involved in discussions concerning a wide variety of public safety communications issues to include a discussion of their related costs and funding; i.e. narrow banding, next generation 911, VOIP services, etc. Information gained from these discussions should also be factored into making a comprehensive decision on public safety communications funding that may include changes in the structure and amounts of surcharge collection.

Our experience is that funding issues generate much debate during the legislative process. We don't get many bites at the apple. As such, we feel it would be more prudent to collect the proper information and data to support the request and that any changes in surcharge consider the entire spectrum of public safety communications. While we will continue to pursue those legislative issues that were developed in conjunction with the E911 Communications Council but do not foresee supporting a change in the surcharge structures at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Miller", written over a circular stamp.

David L. Miller
Administrator