

AN ACT

*Codification  
District of  
Columbia  
Code  
2001 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish the Emergency and Non-Emergency Number Telephone Calling Systems Fund, which will be funded by user fees imposed on subscribers to local exchange service in the District of Columbia and may be used only to defray 911 system costs incurred by the District of Columbia and its agencies and instrumentalities; to require the Mayor to submit, as part of the annual budget, a requested appropriation for expenditures from the Emergency and Non-Emergency Number Telephone Calling Systems Fund; to allow monies from the Emergency and Non-Emergency Number Telephone Calling Systems Fund to be transferred the District of Columbia to offset 911 system costs incurred by the District of Columbia and its agencies and instrumentalities; to require subscribers to wireline and wireless local exchange service to pay monthly user fees; to require that each local exchange carrier collect and remit the user fees, which will not be subject to taxes or charges levied by the District of Columbia or considered revenue of a local exchange carrier; to require the Mayor to provide an annual report to the Council addressing whether the user fees imposed by this act should be adjusted; to require the Public Service Commission of the District of Columbia to direct Bell Atlantic - Washington, D.C., to remove the 911 system costs currently embedded in the base rates charged by Bell Atlantic - Washington, D.C., for local exchange service and to revise its tariff and contract rates for basic telephone services to reflect the removal of the embedded 911 system costs and the implementation of the user fee established by this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Administrative costs" means costs of a local exchange carrier to bill, collect, and remit the user fee imposed under section 4.
- (2) "Commission" means the Public Service Commission of the District of

Columbia.

(3) "Fund" means the Emergency and Non-Emergency Number Telephone Calling Systems Fund established under section 3.

(4) "Local exchange carrier" means a person that is engaged in the provision of local exchange service or exchange access.

(5) "Local exchange service" means a telecommunications service provided within an exchange area.

(6) "Person" means an individual, corporation, company, association, joint-stock company, association, firm, partnership, or other entity.

(7) "Public safety answering point" means an answering location for 911 and 311 calls originating in a given area.

(8) "Reverse 911 system" means a capability that allows the Metropolitan Police Department to forward a pre-recorded message to residents and businesses within a designated geographical area.

(9) "Subscriber" means a person with local exchange service in the District of Columbia.

(10) "911 system" means:

(A) Equipment for connecting and out-switching a 911 call originating within a local exchange carrier's local exchange service;

(B) Trunking facilities from a local exchange carrier to a public safety answering point;

(C) Equipment necessary for routing a 911 call to a public safety answering point;

(D) Facilities and staff needed to operate a call answering center;

(E) A 311 system; and

(F) A reverse 911 system.

(11) "311 system" means a telephone system that is used to reduce emergency telephone call congestion by diverting non-emergency calls from the emergency telephone lines.

### **Sec. 3. Emergency and Non-Emergency Number Telephone Calling Systems Fund.**

(a) There is established a fund designated as the Emergency and Non-Emergency Number Telephone Calling Systems Fund, which shall be separate from the General Fund of the District of Columbia and shall be used solely for the purposes set forth in subsection (b) of this section. The Fund shall be funded by user fees imposed under section 4. All fees collected under section 4, and all interest earned on those fees, shall be deposited into the Fund without regard to fiscal year limitation pursuant to an act of Congress. All fees deposited into the Fund shall not revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section, subject to authorization by Congress in an appropriations act.

(b) The Fund shall be used solely to defray costs incurred by the District of Columbia and its agencies and instrumentalities in providing a 911 system. For purposes of this subsection, the term "costs" shall include obligations incurred before the effective date of this act. The Fund shall not be used for any other purpose.

(c) The Mayor shall submit to the Council, as a part of the annual budget, a requested appropriation for expenditures from the Fund. Any monies received but not expended in a given fiscal year shall be retained by the Fund.

(d) All income and expenses of the Fund shall be audited annually by the Mayor. The audit report shall be provided to the Council. The expenses of each audit shall be defrayed by the Fund.

#### Sec. 4. Assessments.

(a)(1) All subscribers shall contribute to the Fund through a user fee to be collected by each local exchange carrier.

(2)(A) Subscribers to wireline local exchange service shall pay the following monthly user fees:

- (i) A fee of \$0.20 per exchange access line; and
- (ii) A fee of \$0.02 per Centrex line.

(B) Subscribers to wireless local exchange service shall pay a monthly user fee of \$0.20 for each telephone number that has a District of Columbia billing address.

(b)(1) Each local exchange carrier shall collect the user fees imposed under subsection (a) of this section and shall remit the proceeds to the Mayor on a quarterly basis.

(2) Each local exchange carrier shall be entitled to deduct and retain an amount not to exceed 2% of the user fees collected to cover administrative costs.

(c)(1) Payment of the user fees imposed under subsection (a) of this section shall not be subject to taxes or charges levied by the District of Columbia.

(2) User fees collected under subsection (a) of this section shall not be considered revenue of a local exchange carrier for any purpose.

(d) As part of the annual request for appropriations from the Fund, the Mayor shall provide a report to the Council addressing whether the user fees imposed under subsection (a) of this section should be adjusted.

(e) Each user fee imposed under this section shall be reflected in a separate line item on each bill sent by a local exchange carrier.

#### Sec. 5. Removal of 911 system costs from base rates.

The Commission shall direct Bell Atlantic - Washington, D.C., to remove the 911 charges currently embedded in the base rates charged by Bell Atlantic - Washington, D.C., for local exchange service and to revise its tariffs to reflect the removal of the 911 charge.

**ENROLLED ORIGINAL**

Sec. 6. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 7. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia