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 File Date: 9-29-15
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Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Emergency Communications Board
Division:	
Contact Person:	Lee Pope, General Counsel
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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
0780-06-03	Service Provider Contact Information
Rule Number	Rule Title
0780-06-03-.01	Purpose
0780-06-03-.02	Definitions
0780-06-03-.03	Wireless Telecommunications Service Provider Contact Information

Chapter Number	Chapter Title
Rule Number	Rule Title

Department of Commerce and Insurance
Emergency Communications Board

Chapter 0780-06-03
Service Provider Contact Information

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- 0780-06-03-.03 Wireless Telecommunications Service Provider Contact Information.

- 0780-06-03-.01 Purpose.

The purpose of this chapter is to require all wireless telecommunications service providers authorized to do business in this state to submit contact information in order to facilitate requests from law enforcement agencies for call location information in accordance with T.C.A. § 38-1-602(b).

Authority: T.C.A. §§ 38-1-602 and 38-1-604.

- 0780-06-03-.02 Definitions.

(1) Unless otherwise stated, as used in this chapter and each subsequent chapter of the Rules of the Emergency Communications Board:

- (a) "Act" means T.C.A. title 38, chapter 1, part 6;
- (b) "Board" means the Emergency Communications Board created by T.C.A. § 7-86-302;
- (c) "Contact information" means a company's:
 - 1. Legal name;
 - 2. Brand of wireless product;
 - 3. National Emergency Number Association Identification Number; and
 - 4. The telephone number to be used to obtain subscriber location information twenty-four (24) hours a day, seven (7) days a week.
- (d) "Wireless telecommunications service provider" means a provider of "commercial mobile radio service" as that term is defined by 47 C.F.R. § 20.3;
- (e) "Public safety answering point" means a facility that has been designated to receive 911 calls and route them to emergency services personnel pursuant to T.C.A. § 7-86-107.

Authority: T.C.A. §§ 38-1-602 and 38-1-604.

- 0780-06-03-.03 Wireless Telecommunications Service Provider Contact Information.

(1) By no later than December 1, 2015, each wireless telecommunications service provider authorized to do business in this state shall submit its contact information to the board for the purpose of facilitating requests from law enforcement agencies for call location information in accordance with T.C.A. § 38-1-602(b).

(2) Within thirty (30) days of being authorized to do business in Tennessee, a wireless telecommunications service provider shall submit its contact information to the board for the purpose of facilitating requests from law

enforcement agencies for call location information in accordance with T.C.A. § 38-1-602(b).

(3) Each wireless telecommunications service provider shall submit updated contact information to the board no later than seven (7) days following any changes in the contact information previously provided to the board pursuant to 0780-06-03-.03(1) or (2).

(4) The board shall maintain a listing of wireless telecommunications service provider contact information on its website and shall disseminate the listing to all public safety answering points on a quarterly basis.

Authority: T.C.A. §§ 38-1-602 and 38-1-604.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

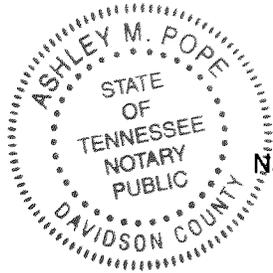
Board Member	Aye	No	Abstain	Absent	Signature (if required)
Mike Hooks	X				
Woody Boyd	X				
Greg Cothron	X				
Jennifer Estes	X				
Jill Holland	X				
Marvin Kelley	X				
Randy Porter	X				
James Sneed	X				
James Turnbow	X				

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Emergency Communications Board on 05/06/15, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 3/10/15

Rulemaking Hearing(s) Conducted on: (add more dates). 05/06/15



Date: 8/24/15

Signature: [Handwritten Signature]

Name of Officer: Lee Pope

Title of Officer: General Counsel

Subscribed and sworn to before me on: 08.24.15

Notary Public Signature: Ashley M. Pope

My commission expires on: 01.09.18

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
 Herbert H. Slatery III
 Attorney General and Reporter
9/16/2015
 Date

Department of State Use Only

Filed with the Department of State on: 9-29-15

Effective on: 12-28-15

Tre Hargett

Tre Hargett
Secretary of State

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Public Hearing Comments

One copy of a document containing responses to comments made at the public hearing must accompany the filing pursuant to T.C.A. § 4-5-222. Agencies shall include only their responses to public hearing comments, which can be summarized. No letters of inquiry from parties questioning the rule will be accepted. When no comments are received at the public hearing, the agency need only draft a memorandum stating such and include it with the Rulemaking Hearing Rule filing. Minutes of the meeting will not be accepted. Transcripts are not acceptable.

There were no comments at the public hearing on these rules.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

Economic Impact Statement:

1. Types and estimated number of small businesses directly affected:

Small businesses will be minimally affected by the proposed rules.

2. Projected reporting, recordkeeping, and other administrative costs:

There is minimal additional projected reporting, recordkeeping, or other administrative costs associated with these proposed rules.

3. Probable effect on impacted small businesses and consumers:

There will be minimal effect on impacted small businesses and consumers as a result of these proposed rules.

4. Less burdensome, intrusive, or costly alternative methods:

There is no known less burdensome, intrusive or costly alternative method.

5. Comparison with federal and state counterparts:

The rules appear to comport with other similar state rules. There is no basis for comparison to current federal rules or statutes.

6. Effect of possible exemption of small businesses:

There will be no exemptions created by these rules.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 "any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments." (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The proposed rules have no projected impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

These rules allow the Board to obtain contact information for all wireless telecommunications service providers authorized to do business in this state in order to facilitate a request from a law enforcement agency for call location information in accordance with T.C.A. § 38-1-602(b).

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

These rules are required by, and made pursuant to, T.C.A. § 38-1-601 and § 38-1-604.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

These rules will affect wireless telecommunications service providers authorized to do business in this state. A Notice of Rulemaking Hearing was filed on March 10, 2015, and published in the Tennessee Administrative Record. Notice was published on the Board's website and distributed via email to all interested parties reasonably known to the Board. A public hearing was held on May 6, 2015. There were 0 public comments on these rules by 0 entities.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

These rules are expected to have no fiscal impact on the Board, no fiscal impact on local government, and minimal fiscal impact on wireless telecommunications service providers.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Curtis Sutton, Executive Director of the Tennessee Emergency Communications Board, and Lee Pope, General Counsel for the Board.

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Lee Pope, General Counsel for the Tennessee Emergency Communications Board.

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Tennessee Emergency Communications Board, 500 James Robertson Parkway, 11th Floor, Davy Crockett Tower, Nashville, Tennessee 37243, (615) 253-2164 James.L.Pope@tn.gov

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.