

## Chapter PSC 173

### 911 EMERGENCY TELECOMMUNICATIONS SERVICE

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**Note:** Chapter PSC 173 was created as an emergency rule effective 2-9-89; CR 04-026: r. and recr. Ch. PSC 173 Register November 2004 No. 587, eff. 1-1-05 and 10-1-05.

#### Subchapter I — General Provisions

**PSC 173.01 Purpose.** The purpose of this chapter is to implement those provisions of s. 256.35, Stats., that authorize the commission to review the contracts between counties and telecommunications providers for the provision of 911 emergency telecommunications service and that establish a wireless 911 fund to promote installation and use of enhanced wireless 911 emergency telecommunications service.

**History:** CR 04-026: cr. Register November 2004 No. 587, eff. 1-1-05; correction made under s. 13.92 (4) (b) 7., Stats., Register February 2011 No. 662.

#### PSC 173.02 Definitions. In this chapter:

(1) “Active prepaid wireless telephone” means a prepaid wireless telephone that has been used or activated by the customer during the month to complete a telephone call for which the customer’s card or account was decremented.

(2) “Commercial mobile radio service provider” has the meaning given in s. 196.01 (2g), Stats.

(3) “Commission” means the public service commission.

(5) “Federal wireless orders” means the orders of the federal communications commission regarding 911 emergency services for wireless telephone users in FCC docket no. 94-102.

(8) “Phase I wireless 911 service” means the wireless telecommunications service described in 47 CFR 20.18 (d).

(9) “Phase II wireless 911 service” means the wireless telecommunications service described in 47 CFR 20.18 (e) - (i).

(10) “Prepaid wireless telephone service” means wireless telephone service which is activated by payment in advance of a finite dollar amount or for a finite set of minutes and which, unless an additional finite dollar amount or finite set of minutes is paid in advance, terminates either upon use by a customer of an agreed-upon amount of service corresponding to the total dollar amount paid in advance, or within a certain period of time following initial purchase or activation.

(12) “Surcharge period” means the 3-year period beginning on December 1, 2005, and ending on November 30, 2008.

**History:** CR 04-026: cr. Register November 2004 No. 587, eff. 1-1-05; corrections in (4), (7), (11), (13), (14), (15) made under s. 13.92 (4) (b) 7., Stats., Register February 2011 No. 662; CR 19-071: r. (4), (6), (7), (11), (13) to (15) Register October 2021 No. 790, eff. 11-1-21.

#### Subchapter II — Wireline 911 Emergency Telecommunications Service Contracts

**PSC 173.03 Submission of telecommunications emergency services contracts.** (1) A telecommunications provider that enters into a contract with a county for the provision

of wireline 911 emergency telecommunications service shall within 20 days submit the contract for commission review.

(2) In addition to the contract, the utility shall submit all of the following information:

(a) A copy of the county ordinance adopting the plan for a wireline 911 emergency telecommunications system.

(b) A list identifying all participating local exchange carriers and a statement that each has tariffs or concurring tariffs on file with the commission providing for individual 911 contracts.

(c) A list identifying the localities and the number of all service users residing outside the contracting county, specifying the municipality in which they reside.

(d) A list identifying those municipalities outside the contracting county with residents who will be billed for the service.

(e) A statement that all telecommunications service users in the county have access to a wireline 911 system. If such a statement cannot be made with regard to a segment of the county’s service users, the telecommunications utility shall provide information indicating that the local exchange carrier serving those service users is not capable of providing the wireline 911 system on a reasonable economic basis on the effective date of the contract.

(f) A list of exchanges in the county with customers served by a wireline 911 system outside the county, which identifies the provider of the wireline 911 service.

(g) A description of access to the wireline 911 system by telecommunications devices for the communicatively impaired.

(h) Cost support for and complete itemization of the installation and monthly charges for automatic number identification, automatic location identification and all trunking service components for both the primary telecommunications utility under the contract and the participating local exchange carriers. Cost support may be in the form of tariff reference if the rates and charges for wireline 911 service are those in the utility’s tariffs.

(i) A statement of the total billable exchange access lines for purposes of the contract and the actual exchange access line count. This statement shall provide detail as to how the billable exchange access line count was determined, including any equivalency factor used for the line equivalents and the number of lines to which the factor applies.

(3) The commission shall withhold from public inspection any wireline 911 emergency telecommunications service contract, or any other information received under this subchapter, that would aid a competitor of one or more of the participating telecommunications providers.

**History:** CR 04-026: cr. Register November 2004 No. 587, eff. 1-1-05.

**PSC 173.04 Commission review.** (1) Upon receipt of a contract for wireline 911 emergency telecommunications ser-

vice, the commission shall issue a notice of investigation in accordance with s. [PSC 2.09](#).

(2) Within 60 days of receipt of a contract for the provision of wireline 911 emergency telecommunications service, the commission may disapprove the contract if it finds any of the following:

- (a) The contract is not compensatory.
- (b) The contract is excessive.
- (c) The contract does not comply with the utility's tariff specifying the rates and charges or terms and conditions for the offering of wireline 911 emergency telecommunications service.

(3) The commission may act on the contract without hearing.

(4) Any person may request disapproval of the contract within 20 days of mailing of notice by the commission, specifying reasons for the disapproval in writing. The person may request a hearing by specifying factual issues that are in dispute.

(5) The contract shall be effective immediately on signing and remain effective unless and until disapproved by the commission.

**History:** CR 04-026: cr. [Register November 2004 No. 587](#), eff. 1-1-05.

**PSC 173.05 Assessment.** A telecommunications provider submitting a contract under s. [PSC 173.03](#) shall pay the commission's direct costs of contract approval, unless the utility has an agreement with participating telecommunications providers to share this cost.

**History:** CR 04-026: cr. [Register November 2004 No. 587](#), eff. 1-1-05.