

Navajo Nation Telecommunications Regulatory Commission

Navajo 9-1-1 Program Proposed Organizational Structure

Recommendation Document for addressing the Enhanced or Next
Generation 9-1-1 on the Navajo Nation



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8/20/2013

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Introduction

This document proposes an organizational solution for the Navajo Nation to implementing a 9-1-1 system which is sustainable and independent. The Navajo Nation Telecommunications Regulatory Commission (NNTRC) proposes this structure to ensure the funding of the entire 9-1-1 is able to be separated from the normal Navajo Nation budgeting process by identifying a taxing scheme to fund the system in the long term.

The proposed 9-1-1 system is assumed to be delivered by three main components: Public Safety Answering Point (PSAP), Location Information System (LIS), and Rural Addressing (RA). While each of the delivery components are intricate and complex, this paper does not list the detailed specifics of the individual delivery systems, but rather this paper addresses the governance and legislative requirements for authorization and sustainability.

This document proposes a framework named the *Navajo 9-1-1 Program* depicted as an organization chart in Figure 1. Following Figure 1 this document begins to outline the major components describing the composition and duties. The descriptions may also include actions required by the Navajo Nation Council to institute this proposal.

This document is not intended to depict all Navajo Nation 911 stakeholders, but rather outline major roles with official structure or statutory authority over the delivery of 9-1-1 service. Many of the components of this proposal do not exist. Major modifications to the NNTRC authorities in *21 N.C.C. Telecommunications Regulatory Act* to implement the *Navajo 9-1-1 Program* would be necessary. The NNTRC with current staff would not be able to carry forward the new functions of the NNTRC as proposed, a new position is needed and a budget to host the necessary meetings and perform the duties.

Navajo 9-1-1 Program

Proposed Organizational Structure

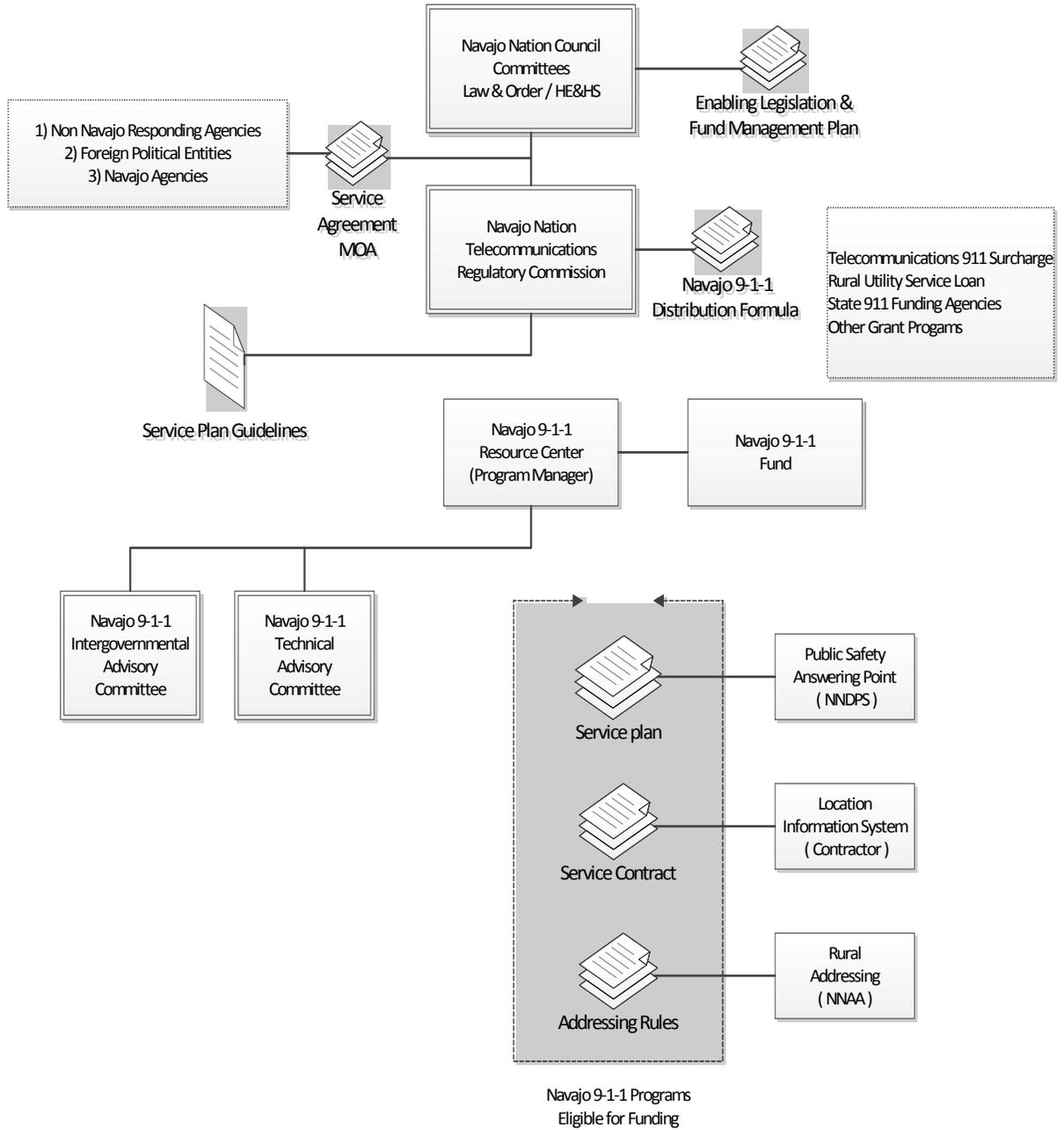


Figure 1

1 Navajo Nation Council Law & Order Committee and Health, Education & Human Services Committee

The two committees will have oversight of the NNTRC 9-1-1 program and statutory authority in the following ways:

- a. Implementing all legislation necessary to enable the NNTRC to act on Navajo 9-1-1;
- b. Oversight of the NNTRC Navajo 9-1-1 Programs;
- c. Approving any changes to the Navajo 9-1-1 surcharge by the NNTRC;
- d. Approving any changes to the Navajo 9-1-1 Fund and/or fund management plan;
- e. Reviewing any modifications to the *Navajo 9-1-1 Distribution Formula*.
- f. Approving any *Memorandums of Agreements* (MOA) with neighboring political entities and/or emergency service responders.

2 Navajo Nation Telecommunications Regulatory Commission

The NNTRC should have statutory authority over the delivery of 9-1-1 service in the following ways:

- a. Establishing Navajo Nation 9-1-1 surcharge rates: **(Legislative Authority Needed)**;
- b. Establishing formula for distribution of 911 Fund to Eligible 9-1-1 Departments, Contractors, or Creditors **(Legislative Authority Needed)**;
- c. Approving and regulating the PSAP *Service Plans* **(Legislative Authority Needed)**;
- d. Regulating Rural Addressing and/or Location Information Standards on the Navajo Nation **(Legislative Authority Needed)**;
- e. Negotiate with neighboring political entities in establishing emergency response in border areas. **21 N.N.C § 508(A)**;
- f. Promulgate rules concerning privacy of Navajo members' information in database for emergency response. **21 N.N.C § 520 Protection of Customer Privacy – Needs Expansion**;
- g. Establish and maintain the *NNTRC E911 Resource Center* **(No Funding)**;
- h. Regulate telecommunications carriers providing basic emergency service, **21 N.N.C § 509 (C) Emergency**;
- i. Establishing formula for distribution of wireless prepaid 9-1-1 surcharge funds: **(Legislative Authority Needed)**; and
- j. Promulgate rules concerning 9-1-1 dialing capabilities of multi-line telephone systems **(Legislative Authority Needed)**.

3 Navajo 9-1-1 Technical Advisory Committee

The Navajo 9-1-1 Technical Advisory Committee is an organization created by order of the NNTRC. The duties of the Committee will be defined in regulation, as follows:

- a. Make recommendations and reports to the Commission concerning the effectiveness of the implementation of the *Navajo 9-1-1 Program*;
- b. Review and update the *Navajo Service Plan Guidelines*;
- c. Review and make recommendations to the substance and format of the *PSAP service plans*;
- d. Investigate and report to the Commission the development and impacts of new 9-1-1 technologies;

- e. Make recommendations to Database standards for Location Information Services;
- f. Make recommendations to the 9-1-1 Resources on educational materials;
- g. Make recommendations to Commission on PSAP configurations and physical distribution;
- h. Make recommendations to Rural Addressing efforts and status; and
- i. Study and report to the Commission on the overall costing, funding and billing issues of providing 9-1-1 service, including the 9-1-1 surcharge, tariffs, and PSAP equipment costs.

The voting membership of the Committee will consist of representation from PSAPs, Dispatch centers, Telecommunications Carriers, Public Safety, EMS, Fire Departments and representatives of other stakeholder groups appointed by the NNTRC.

4 Navajo 9-1-1 Intergovernmental Advisory Committee

The Navajo 9-1-1 Intergovernmental Advisory Committee is an organization created by order of the NNTRC. The duties of the Committee will be defined in regulation, as follows:

- a. Make recommendations to the policy section within the *Services Plan Guidelines*;
- b. Recommend rule makings to NNTRC relating to Service Plan, MSAG Service Contract, and/or Rural Addressing rules;
- c. Review and/or make recommendations on the Formulating draft legislation for the advancement of 9-1-1 issues;
- d. Examine governance and funding issues concerning a potential transition to NG 9-1-1;
- e. Examine regulatory issues concerning a potential transition to NG 9-1-1; and
- f. Examine decisions to be made concerning the transition to NG 9-1-1 technology.

The voting membership of the Committee would consist of Chapter Officials, Council Delegates, County representatives, local municipalities/townships, etc. and appointed by the NNTRC.

5 Navajo 9-1-1 Resource Center

The Navajo 9-1-1 Resource Center would be a new section of the NNTRC Office created by order of the NNTRC. The mission of the Resource Center would be to carry forward the purpose of *Navajo 9-1-1 Program*. The immediate duties of the Resource Center would be:

- a. Act upon the recommendations of both Technical and Intergovernmental Advisory Committees;
- b. Organize and coordinate the meetings of the Technical and Intergovernmental Advisory Committees;
- c. Maintain the check list of the Service Plan and ensure E-9-1-1 funding recipients are compliant;
- d. Act as the focal point for PSAP coordination within and outside the Navajo Nation;
- e. Collect and maintain a complete listing of stakeholder agencies within and outside the Navajo Nation;
- f. Act as the administrator for MSAG Contract(s);
- g. Coordinate meetings and agreements with neighboring jurisdictions or service area;
- h. Educate the public to the proper use of 9-1-1;
- i. Receive and follow on service complaints on 9-1-1 service from the public;

- j. Facilitate discussion among Navajo 9-1-1 Stakeholders on 9-1-1 activities within the Navajo Nation;
- k. Develop necessary recommendations for rulemakings for the NNTRC; and
- l. Prepare necessary reports for the NNTRC and Oversight Committees relating to response statistics.

In the long term the *Navajo 9-1-1 Resource Center* should become the independent legal entity designed to carry forward the mission of *Navajo 9-1-1 Program*.

6 Navajo 9-1-1 Fund

The *Navajo 9-1-1 Fund* is a revolving fund account that would be primary account for funding the *Navajo 9-1-1 Program*. The primary source of funding for the *Navajo 9-1-1 Fund* would be the *Telecommunications Navajo 9-1-1 Surcharge* removing the any state 9-1-1 Surcharge appearing on eligible phone bills on the Navajo Nation. The *Navajo 9-1-1 Fund* may also be allocated funding from other sources such as BIA Federal Funds, USDA 9-1-1 Loans, State 9-1-1 Programs, and the Navajo Nation Council. The *Navajo 9-1-1 Resource Center* would be the primary department charged with the of distribution funds to eligible mechanisms within the *Navajo 9-1-1 program*. The overall governing mechanism for the *Navajo 9-1-1 Fund* is the *Navajo 9-1-1 Distribution Formula*.

--- Example Fund Management Plan ---

For use by the NNTRC Office for the Navajo 9-1-1 Program. The Fund Management Plan shall be approved by the Law & Order Committee, and the Health, Education & Human Services Committee, and the Budget & Finance Committee of the Navajo Nation Council.

PURPOSE

The purpose of this fund is to deposit surcharge fees and taxes collected by telecommunications providers on the Navajo Nation into the Public Safety E911 Account. The account shall be used to pay for the expenses defined and outlined by *Navajo Nation 9-1-1 Act* and the *Navajo 9-1-1 Distribution Formula*. The fund would augments other program funds, insure payments for loans,

The *Navajo 9-1-1 Distribution Formula* shall be created and updated by order of the NNTRC, and approved by committees of the Navajo Nation Council.

7 Navajo Telecommunications 9-1-1 Surcharge

The *Navajo Telecommunications 9-1-1 Surcharge* is create by the Navajo Nation Council to contribute to the *Navajo 9-1-1 Fund*. The Navajo Tax Commission shall collect the tax from telecommunication providers that have registered with the NNTRC and have a valid NNTRC *Certificate of Convenience and Necessity (CCN)*. The Navajo Telecommunications 9-1-1 Surcharge shall be adjusted appropriately by the NNTRC with approval by the Oversight Committees.

8 Navajo 9-1-1 Distribution Formula

The *Navajo 9-1-1 Distribution Formula* is the created by Order of the NNTRC for governing the allocation percentage of funds to programs within the *Navajo 9-1-1 Program*. The NNTRC should be the primary entity for determining the distribution of funds, but the oversight committees would have the ability to review and/or disapprove any revision.

9 Navajo 9-1-1 Service Plan Guidelines

The Service Plan is the core document that clearly defines the roles and responsibilities of the parties communicating for the immediate delivery of emergency services on and around the Navajo Nation. The *Navajo 9-1-1 Service Plan Guidelines* would be agreed upon by the *Navajo 9-1-1 Technical and Intergovernmental Advisory Committees*, and final approval would be voted upon by the NNTRC. The departments or entities requesting the funding from the *Navajo 9-1-1 Fund* are required to develop, submit, and update an approved *Service Plan* for a specific eligible program based upon the *Navajo 9-1-1 Service Plan Guidelines*

10 PSAP Service Plans

The PSAP Service Plans is the document developed by NNDPS or any other interested qualifying party with the assistance of the *Navajo 9-1-1 Resource Center* that outlines the *Standard Operating Procedures (SOP)* for providing 9-1-1 Service to the Navajo Nation public. The *Service Plan* document outlines the obligations, actions and vital information of the *PSAP*. Based on the *PSAP Service Plan* the *Navajo 9-1-1 Resource Center* would administer appropriately funding and ensure compliance with the approved *Navajo 9-1-1 Service Plan Guidelines*.

11 Public Safety Answering Points (NNDPS)

9-1-1 Navajo Program may fund only one PSAP, although in some cases one 9-1-1 authority funds multiple PSAPs. A PSAP may, in turn, take 9-1-1 calls for and dispatch calls for service for multiple political entities and responding agencies.

The Division of Public Safety will be the primary operator of PSAPs for the Navajo Nation by providing facilities, personnel, and security. The NNDPS may apply for reimbursement or direct funding of PSAP functions allowed by the NNTRC for operations of the PSAP. The PSAP shall operate as the first point of contact for all emergency calls.

The Jurisdictional issue shall remain solely with NNDPS and NNTRC would not be concerned with issues of jurisdiction but rather, the NNTRC will impose obligations on coordination on response for emergency service. These obligations would be submitted as part of the *PSAP Service Plan*. The NNTRC would require the PSAP to update all information and keep MOAs current with surrounding PSAPs adjacent to the Navajo Nation.

12 Navajo Nation MSAG Service Contract

The *Master Street Addressing Guide (MSAG)* is a key component for location information services for all PSAPs when a call is routed to a PSAP. The MSAG should be made available to all

entities that may work in coordination with the PSAP in order locate the parties requesting emergency services.

The Navajo public has voiced concerns with privacy of this information. The NNTRC under its current authorities can set privacy rules under Navajo Nation law to protect the information from being distributed unwillingly or reasons unrelated to public safety and/or emergency response.

13 Location Information Systems (Contractor)

Under the current organization and capabilities of the Navajo Nation, it is likely that portions of the *Navajo 9-1-1 Program* should be outsourced to firms experienced and capable in delivering, protecting, and updating the MSAG data for the *Navajo 9-1-1 Program*.

14 Addressing Rules

The Addressing standards adopted and promoted should be in the best interest of locality and responders. The NNTRC with authorization could be able to promulgate rules for addressing schemes and adopt exceptions if warranted. The NNAA would make recommendations, as part of the *Navajo 9-1-1 Technical Advisory Committee*, for the type of addressing scheme to be used for an area, but the NNTRC would have the authority to authorize an alternate standard by order.

15 Navajo Nation Rural Addressing Authority (NNAA)

The Rural Addressing Department would be the primary agency responsible for assigning the address to a resident or commercial property on the Navajo Nation, and is responsible for reporting that information to the proper agency for assignment into a database for 9-1-1 locations purposes.