

**Before the
Navajo Nation Telecommunications Regulatory Commission**

In the Matter of)	
)	
Navajo Nation 911 Service and Public Safety)	No. NNTRC-12-001
Answering Point (PSAP))	
)	
_____)	

NOTICE OF INQUIRY

1. The Navajo Nation Telecommunications Regulatory Commission (“NNTRC”) is authorized by the Navajo Nation Council to establish and enforce rules, regulations and policies, and issue orders as necessary for the health and safety of the general public in regard to telecommunications matters, including such rules, regulations, policies or orders as are necessary for the establishment of Enhanced 911 (E911) or Next Generation 911 (NG911) on the Navajo Nation. *See* 2 N.N.C. § 3453(B)(2); *see also* 21 N.N.C. § 514(A).

2. The NNTRC is established as an independent Commission under the Office of the President and the Vice-President pursuant to 2 N.N.C. § 3451.

3. On July 25, 2011, the Law and Order Committee of the Navajo Nation Council received reports from the NNTRC, the Division of Community Development, and the Department of Public Safety (DPS) concerning the current status of the Nation’s emergency calling response system. As a result of those reports, the Committee recommended that the Office of the President create an action plan to address the lack of E911 services on the Nation.

4. Pursuant to its statutory authority under Navajo law, and based on the critical need for E911 or NG911 services on the Navajo Nation, as addressed in the Findings, below, NNTRC is hereby publishing a Notice of Inquiry regarding the establishment of one or more Public Safety Answering Points (PSAPs) on the Navajo Nation, development and completion of an E911 or NG911 Service Plan, and implementation of E911 or NG911 services on the Navajo Nation.

5. In this proceeding, the NNTRC seeks input from stakeholders, including federal, state, county, municipal and tribal governments and their agencies (including Navajo Nation

agencies, and the Indian Health Service and the Bureau of Indian Affairs), telecommunications service providers, and the public.

Findings

6. 911 Emergency Service is absolutely critical in order to meet the basic health and safety needs of the Navajo people. Without 911 service, first responders, including police, fire and ambulance, are unable to quickly locate and respond to the emergency needs of the Navajo people.

7. The Navajo Nation does not have even Basic 911 Emergency Service, let alone E911, and also does not have any operational PSAPs within the territorial jurisdiction of the Navajo Nation.

8. When an emergency call is received from a wireline or wireless telephone on the Navajo Nation, it is received on an administrative telephone line where additional information is unavailable, such as identity and address. E911 technology is crucial for dispatchers to relay emergency information to first responders.

9. As a result of no E911 services on the Navajo Nation, many emergency situations are grossly prolonged, and may result in additional injury, or even death.

10. Over the past decades, the Nation has made at least two concerted yet so far unsuccessful efforts to implement 911 services on the Navajo Nation.

11. In order to implement E911 and receive state funding from Arizona and New Mexico for such services, the Navajo Nation must develop a Service Plan which meets those states' requirements. So far, the Nation has been unsuccessful in completing a Service Plan which meets those requirements.

12. So far, no such action plan has yet been created.

13. There is also no designated lead agency within the Navajo Nation government to ensure that an action plan is developed and successfully implemented.

14. On August 18, 2011, the NNTRC held a regular meeting to hear reports from the Executive Director of NNTRC and from officers for DPS concerning the lack of E911 services.

15. Based on the July 25, 2011 directive from the Law and Order Committee, and the reports made to NNTRC on August 18, 2011, the NNTRC is opening this Inquiry in order to facilitate the effective implementation of oversight, funding, construction, development and

administration of one or more PSAPS on the Navajo Nation, and their associated Service Plans. The NNTRC seeks comments and input on the following questions.

Discussion

16. How can the Navajo Nation ensure that the E911 model adopted by the Nation is the most advanced available, taking into consideration the current rule making regarding NG911 by the Federal Communications Commission in PS Docket No. 11-153 and 10-255?

17. What is required for successful administration of a 911 system? The NNTRC envisions three main separate components in the administration of E911 system. The three components are the PSAP, Master Street Addressing Guide (MSAG), and Rural Addressing. Can the three components be managed separately by independent agencies or departments, or should the entire E911 solution be managed by only one agency or department?

18. Who should develop and negotiate the Service Plan(s)? Who should be the lead agency? How often does the service plan need to be modified and what aspects of service plan require agreements to be maintained and updated?

19. Who should approve the Service Plan(s)? Is it acceptable that the NNTRC be designated as the entity that can adopt and approve modifications to the service plan? Does the adoption or modification of the service plan require additional approval by the Navajo Nation Council or one or more of its standing committees? Should the NNTRC consider chartering an advisory committee explicitly to review and make recommended modifications to the service plan?

20. How should NNTRC oversee and fund PSAPs and E911 services? Should the NNTRC have direct operational control of the PSAP and other components of E911? How should collect funds be made available to localities or agencies providing an any aspect of 911 services?

21. Should the Nation implement an E911 tax? If an E911 tax is implemented who should be exempt from such taxes? Should E911 tax be percentage or surcharge per line? How should the tax or surcharge be determined and how often should the tax or surcharge be adjusted?

22. What should be fundable with an E911 tax? E.g. Facility Management (Environment Services, Construction, Rental, Improvements), Call Center Equipment (Purchase, Support Contracts, Chairs, Desks, Filing & Office Supplies), Call Center Network (Monitoring Devices, Interface Equipment, Backup & Disaster Recovery, Compliance Equipment, Software Licensing), Administrative costs.

23. Who should operate and administer PSAPS? Should any other entity be involved in the operation besides the Navajo DPS? Can portions of the PSAP operations be outsourced to private entities as a cost savings or risk management mitigation solution?
24. Should the Nation manage the MSAG database within the Nation or should the Nation outsource the management of the MSAG database to a private entity?
25. Who are the stakeholders, including governmental agencies? The NNTRC seeks comments on listing of stakeholder to ensure the service plan stakeholder listing is complete.
26. What entity should be responsible for collecting and maintaining contact information of stakeholder agencies (state, county, municipal, tribal, federal)?
27. What information from stakeholders should be shared? What information should be maintained as confidential information from stakeholders?
28. How can coordination among stakeholders be best facilitated?
29. What is the current status of the Service Plan? How can the development of a Service Plan be best accomplished?
30. How many PSAPs should there be and where should they be located?
31. What data should be kept on first response statistics?

Ordering Clause

32. Accordingly, **IT IS ORDERED THAT**, pursuant to the statutory authority of the NNTRC under 2 N.N.C. §§ 3451-55 and 21 N.N.C. §§ 501-529, this Notice of Inquiry is **HEREBY ADOPTED**.

Adopted: November 9, 2012

The Navajo Nation Telecommunications Regulatory Commission

/s/

Bob Begaye
Chairperson
Navajo Nation Telecommunications Regulatory Commission