

STATE OF ILLINOIS
BUREAU OF ADMINISTRATIVE HEARINGS
FOR
DEPARTMENT OF STATE POLICE
OFFICE OF THE STATEWIDE 9-1-1 ADMINISTRATOR

Johnson County Joint ETSB,)	
Applicant.)	
)	16-C-176
)	
Application for 9-1-1 Consolidation)	

RECOMMENDED DECISION

I. BACKGROUND

On December 17, 2018, Johnson County Regional Joint ETSB (the “Applicant”) filed a Consolidation Plan (“Consolidation Plan” or “Plan”) with the Office of the Statewide 9-1-1 Administrator pursuant to Section 15.4a of the Emergency Telephone System Act (“ETSA”). 50 ILCS 750/15.4a. The Applicant currently operates an Emergency Telephone System Board (“ETSB”). The Plan proposes the addition of Hardin and Pope Counties to the ETSB to form a Joint Emergency Telephone System Board (JETSB). Upon consolidation according to the Consolidation Plan, the system will be changing its 911 System Provider from NG911, Inc. to INdigital, Inc. and will ensure that all carriers are connected directly to the selective routers serving the Public Safety Answering Point (“PSAP”).

Under Section 15.4a(a)(7) of the Emergency Telephone System Act, 50 ILCS 750/15.4a(a)(7) the corporate authorizes of each county that has no 9-1-1 services as of January 2, 2016 shall provide enhanced 9-1-1 wireline and wireless enhanced 9-1-1 service for that county by either (i) entering into an intergovernmental agreement with an existing Emergency Telephone System Board to create a new Joint Emergency Telephone System Board or (ii) entering into an intergovernmental agreement with the corporate authorities that created an existing Joint Emergency Telephone System

Board. Hardin and Pope counties are underserved counties and propose to consolidate with Johnson County to be served by one PSAP.

Neither county individually serves a population greater than 25,000¹. The regulations promulgated pursuant to the ETSA specify the procedures and requirements of such a consolidation plan, 83 Ill. Adm. Code 1324.200, *et. seq.* (the “Regulations”).

On December 17, 2018, Illinois State Police (ISP) staff, Ms. Stacy Ross, issued a Department Review of Consolidation reporting on a technical review of the Consolidation Plan, as required by the Sections 1324.200(f)(1) and 1325.205 of the Regulations, 83 Ill. Adm. Code 1324.200(f)(1) and 83 Ill. Adm. Code 1325.205.

An administrative hearing was held before a duly authorized Administrative Law Judge, Michelle Thielen, on January 25, 2019. Justin Vaughn, Johnson County 911 Coordinator, appeared in support of the Consolidation Plan. William Barrett of the City of Marion was present as was Debra Prather, Director of Regulatory Affairs for INdigital Telecom. Attorney Suzanne Bond appeared for the Illinois State Police. Attorney Bond called Ms. Marci Elliott as a witness. Ms. Elliott testified she reviewed the Department Review of Consolidation prepared by ISP employee, Stacy Ross. Ms. Elliott indicated that no comments had been received by the Department regarding the Consolidation Plan. Neither the Illinois Commerce Commission or the public had concerns or objections to the Consolidation Plan. Ms. Elliott stated there were no requests to speak at the hearing. Ms. Elliott indicated the Department recommends approval of the Consolidation Plan without any alterations and without delay.

II. EVIDENCE

The evidence adduced at the Hearing is:

¹ The Johnson County ETSA reports in the Plan that it currently serves 12,582 persons, the Pope County ETSA serves 4479 and the Hardin County ETSA serves 4320. The JETSA after consolidation will serve 21,372 persons.

1. The Consolidation Application dated December 17, 2018, as amended herein by Johnson County Amended Financial Information;
2. The Department Review of Consolidation dated December 17, 2018, authored by Stacy Ross and reviewed by Marci Elliott; and,
3. The presentation and explanation of the Consolidation Plan presented by Mr. Vaughn;

III. CONSOLIDATION PLAN

The Consolidation Plan and the testimony of the witness at the hearing established the following facts:

- A. Neither Pope or Hardin County had 9-1-1 Services.
 - B. Both Pope and Hardin Counties have entered into an intergovernmental agreement (IGA) with Johnson County to Consolidate into a joint 9-1-1 system. Johnson county passed an ordinance dissolving its individual ETSB.
- TECHNICAL

IV. TECHNICAL REVIEW

The technical review performed by Ms. Ross concludes that Applicant's consolidation plan meets the requirements for a consolidation plan as prescribed by Section 1324.200(c) and 1325.205 of the Consolidation of 9-1-1 Emergency Systems and Standards of Service Applicable to 9-1-1 Emergency Systems Regulations. Cost Projections, Network Costs, Back-up PSAP Agreement or Call-Handling and Aid Agreements have been supplied to the Statewide 9-1-1 Administrator. The Technical Review indicates that the proposed Johnson County Joint ETSB complies with necessary requirements for approval of the Consolidation Plan.

V. FINDINGS OF FACT AND RECOMMENDATION

HAVING REVIEWED the entire record herein and being fully advised in the premises, it is:

A. FOUND that:

1. The Consolidation Plan furthers the statutory goal of ETSA to establish 9-1-1 as the primary emergency telephone number for use in the State of Illinois.

ETSA further states the statutory goal that “it is in the public interest to shorten the time required for a citizen to request and receive emergency aid.” 50 ILCS 750/1. This goal will be furthered with the approval of this Consolidation Plan.

2. The Consolidation Plan meets the requirements for a consolidation plan as required by Section 200(c) of Part 1324 of the Regulations.
3. In particular, the Consolidation Plan includes a completed application consisting of the following documents:
 - a. Contact and 9-1-1 system information;
 - b. Sworn statement of attesting to the truth of the information provided in the Plan;
 - c. Letter that is sent to the 9-1-1 system provider with a copy of the Plan; and
 - d. Summary of the proposed system’s operation, including information as to how the plan will assist with achieving the statutory goals enumerated in ETSA Section 5.4b(a). 83 Ill. Adm. Code 1324.200(c)(1).
4. In addition, the Consolidation Plan provides the following in compliance with Section 200(c)(1)(F) -(I) of Part 1324 of the Regulations:
 - a. List of all communities that are served by the 9-1-1 system;
 - b. List of public safety agencies that are dispatched by the 9-1-1 system;
 - c. List of the public safety agencies that are adjacent to the 9-1-1 system’s geographic boundaries; and
 - d. List of the carriers and interconnection VoIP providers that are known by the Applicant to provide service within the jurisdiction of the 9-1-1 system.
5. The Applicant has attached to the Consolidation Plan the following documents as required by Section 200(c)(1)(J) of Part 1324:
 - a. A local ordinance that dissolves an existing ETSB;

- b. An intergovernmental agreement creating a Joint ETSB or any other agreements pertinent to the 9-1-1 system consolidation;
 - d. The network diagram that is provided by the 9-1-1 system provider; and
 - e. The Call Handling and Aid Outside Jurisdictional Boundaries Agreements, 83 Ill. Adm. Code 1324.200(c)(1)(J).
6. The Consolidation Plan incorporates a next generation (NG9-1-1) solution, which meets the requirements set forth in Section 1325.205 of the Regulations.

B. DETERMINED that:

- 1. The Johnson County Joint ETSB has filed a 9-1-1 Consolidation Plan pursuant to 50 ILCS 750/15.4a of the Emergency Telephone System Act;
- 2. The Johnson County Joint ETSB Consolidation Plan furthers the statutory goals of the Emergency Telephone System Act;
- 3. The Johnson County Joint ETSB Consolidation Plan meets the requirements of 83 Ill. Adm. Code 1324.200(c) and 83 Ill. Adm. Code 1325.205; and
- 4. The Johnson County Joint ETSB Consolidation Plan should be approved.

IT IS THEREFORE RECOMMENDED that the Johnson County Joint ETSB Consolidation Plan be approved, subject to the condition identified above.

This Recommended Decision of the Administrative Law Judge is issued this 29th day of January 2019.

**BUREAU OF ADMINISTRATIVE
HEARINGS**

Dated: January 29, 2019

A handwritten signature in blue ink that reads "Michelle Thielen". The signature is written in a cursive, flowing style.

Michelle Thielen,
Administrative Law Judge

**STATE OF ILLINOIS
CMS BUREAU OF ADMINISTRATIVE HEARINGS
FOR
ILLINOIS STATE POLICE**

Johnson County Joint ETSB)	
)	Case No. 16-C-176
Application for Consolidation Plan)	

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing RECOMMENDED DECISION was served upon the parties of record to the above cause by electronic mail on January 29, 2019, addressed to such parties as shown below. The original was filed with the Bureau of Administrative Hearings as a part of the permanent case file, currently in the possession of the Hearing Officer and to be delivered to the Department of State Police upon the conclusion of this matter.



Michelle Thielen
Administrative Law Judge

Suzanne Bond
Legal Counsel
Illinois State Police
801 S. Seventh St., Suite 300-S
Springfield, IL 62703
Suzanne_Bone@isp.state.il.us

Justin Vaughn
115 North 5th Street
Vienna, IL 62995
jvaughn@joco911.com

Office of Statewide 911 Administrator
801 South Seventh St., Suite 300-N
Springfield, IL 2703
911_Tech_Support@isp.state.il.us