

**STATE OF ILLINOIS  
DEPARTMENT OF ADMINISTRATIVE HEARINGS  
FOR  
ILLINOIS STATE POLICE**

Cook County Emergency Telephone System Board )  
 Application for Consolidation Plan ) Case No. ISP-20-M-275  
 (City of Harvey)

## RECOMMENDED DECISION

## I. BACKGROUND

On June 23, 2020, the Cook County Emergency Telephone System Board (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 the City of Harvey to Cook County’s ETSB.

Under Section 15.4a(a)(2) of the Emergency Telephone System Act, 50 ILCS 750/15.4a(a)(2), in any county with a population of at least 250,000 that has more than one Emergency Telephone System Board, Joint Emergency Telephone System Board, or qualified government entity, any 9-1-1 Authority serving a population of less than 25,000 shall be consolidated such that no 9-1-1 Authority in the county serves a population of less than 25,000. The City of Harvey currently serves a population of approximately 24,179. Post-consolidation, the Cook County ETSA would serve approximately 201,872. 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 July 2, 2020, the Department of State Police (“Department”) staff, Stacy Ross, issued a Department Review of Consolidation reporting on a technical review of the Consolidation Plan, as required by Section 1324.200(f)(1) of the Regulations, 83 Ill. Adm. Code 1324.200(f)(1).

An administrative hearing was held before a duly authorized Administrative Law Judge, Katy L. Straub, on August 12, 2020.<sup>1</sup> Martin Bennett, Executive Director of the Cook County ETSB, appeared in support of the Consolidation Plan, represented by attorney Kathleen McKee of the Cook County State's Attorney Office. Attorney Suzanne Bond appeared for the Illinois Department of State Police, accompanied by Stacy Ross.

Ms. Ross testified that she prepared the Department Review of Consolidation, and that no comments had been received by the Department regarding the Consolidation Plan. Neither the Illinois Commerce Commission nor the public had concerns or objections to the Consolidation

<sup>1</sup> The transcript of the administrative hearing consists of an audio recording of the proceeding, duration 16 minutes, 27 seconds, currently in the possession of the Bureau of Administrative Hearings.

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

Plan. The Department did not receive any requests to speak at the hearing. Ms. Ross testified that based upon her technical review, the Consolidation Plan met all requirements, with the exception of an outstanding call handling agreement to address the City of Harvey's fire and EMS dispatch. At the time of hearing, the City of Harvey was still finalizing such call handling agreement, which was expected to be a standard agreement meeting requirement of the regulations. It was agreed that the hearing record would be held open for the submission of this call handling agreement once finalized. Ms. Bond indicated that pending receipt of a compliant agreement, 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 Consolidation Application filed with the Department on June 23, 2020, as supplemented by the call handling agreement tendered to the Department's counsel and the administrative law judge by electronic mail on August 16, 2020;
2. The Department Review of Consolidation dated July 2, 2020, authored by Stacy Ross, and the testimony of Ms. Ross at hearing; and
3. The presentation and explanation of the Consolidation Plan presented by Martin Bennett.

**III. CONSOLIDATION PLAN**

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

1. The City of Harvey passed an ordinance on November 25, 2019, Ordinance No. 3388, terminating its individual Emergency Telephone System Board, effective upon approval of the Statewide 9-1-1 Administrator to join the Cook County ETSB.
2. The Cook County ETSB adopted a Resolution, No. 19-0820, accepting the City of Harvey into the Cook County 9-1-1 System, upon approval of the Consolidation Plan by the Statewide 9-1-1 Administrator.
3. The City of Harvey has entered into an intergovernmental agreement with the Cook County ETSB to join its Emergency Telephone System Board.

**IV. TECHNICAL REVIEW**

The technical review performed by Stacy Ross concludes that Applicant's Consolidation Plan, with the addition of the call handling agreement as supplemented in the hearing record, meets the requirements for a consolidation plan as prescribed by Section 1324.200(c) 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

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

Call-Handling and Aid Agreements have been supplied to the Statewide 9-1-1 Administrator. Following receipt of the call handling agreement post-hearing, Ms. Ross confirmed that the proposed Cook County ESTB complies with all necessary requirements for approval of the Consolidation Plan.

**V. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION**

HAVING REVIEWED the entire record herein and being fully advised in the premises, the undersigned Administrative Law Judge hereby:

**A. FINDS 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 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 Interconnected VoIP providers that are known by the Applicant to provide service within the jurisdiction of the 9-1-1 system.

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

5. The Applicant has attached to the Consolidation Plan the following documents as required by Section 200(c)(1)(J) and (K) 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;
  - c. The network diagram that is provided by the 9-1-1 system provider;
  - d. The Call Handling and Aid Outside Jurisdictional Boundaries Agreements; and
  - e. The Test Plan, 83 Ill. Adm. Code 1324.200(c)(1)(J) and (K).
6. The Consolidation Plan does not provide for a next generation (NG9-1-1) solution at this time, as the next generation network is not ready.

**B. DETERMINES that:**

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

IT IS THEREFORE RECOMMENDED that the Cook County ETSB Consolidation Plan be approved.

This Recommended Decision of the Administrative Law Judge is issued this 21st day of August 2020:

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**STATE OF ILLINOIS  
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## 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 August 21, 2020, 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 Administrative Law Judge and to be delivered to the Department of State Police upon the conclusion of this matter.

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Dated: August 21, 2020

Katy L. Straub  
Administrative Law Judge

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