

**STATE OF ILLINOIS  
DEPARTMENT OF STATE POLICE**

<b>Madison County ETSB</b>	:	
	:	
	:	<b>Case No. 19-C-254</b>
<b>Application for 9-1-1</b>	:	
<b>Consolidation Plan</b>	:	

**ORDER OF THE STATEWIDE 9-1-1 ADMINISTRATOR**

**I. Introduction**

On August 30, 2019, the Madison County ETSB ("Applicant") filed a Short Form Consolidation Application ("Application") with the Department of the Illinois State Police ("Department") pursuant to the Emergency Telephone System Act ("ETSA") 50 ILCS 750/, 83 Ill. Admin. Code 1324 "Consolidation of 9-1-1 Emergency Systems" ("Part 1324"). The Applicant seeks authorization to consolidate by purportedly reducing the number of PSAP's from 16 to 8 within their Enhanced 9-1-1 System;

The Madison County ETSB supported the Application with documentary materials, including a narrative statement explaining the purpose for modifying the Applicant's existing 9-1-1 plan.

The Application was filed pursuant to the Emergency Telephone System Act ("ETSA"), 50 ILCS 750, *et seq.* under Section 750/15.4a(a)(1) and 83 Ill. Admin. Code Section 1324.200(c)(3).

The Office of the 9-1-1 Administrator is authorized to coordinate the implementation of systems established under the ETSA. In order to secure compliance with the technical and operational standards for the development of local agency systems, the ETSA empowers the Statewide 9-1-1 Administrator to approve or disapprove plans submitted by the public agencies. Rules regarding consolidation and standards of service applicable to 9-1-1 emergency systems, as adopted by the Department, are set forth in 83 Ill. Adm. Code Part 1324 and 1325, respectively.

**II. Description of Applicant and Current Filing History**

Applicant operates the 9-1-1 Authority in Madison County, Illinois. The Illinois Commerce Commission ("Commission") approved Applicant's 9-1-1 system in Docket No. 91-0268. The system became operational in June 1992 and operates on a countywide basis with 15 Public Safety Answering Points, located at: 1) Alton Police Dept.; 2) Collinsville Police Dept.; 3) Edwardsville Police Dept.; 4) Glen Carbon Police Dept.; 5) Granite City Police Dept.; 6) Madison County Sheriff Dept.; 7) Pontoon Beach Police Dept.; 8) Wood River Police Dept.; 9) Troy Police Dept.; 10) Highland Police Dept.; 11) East Alton

Police Dept; 12) Bethalto Police Dept.; 13) SIUE Police Dept.; 14) Venice Police Dept.; 15) Madison City Police Dept. Additionally, the Applicant has an unmanned backup at its Wood River Training Facility, which is commonly known as MADCOM. The 9-1-1 System dispatches police, fire, and ambulance services.

Pursuant to 1324.200(c)(3), because the Applicant was only reducing the number of PSAPs to comply with the ETSA, it was not required to formally submit a consolidation plan but rather was required to make written notification documenting its proposed changes. On June 14, 2019, the Applicant made such written notification. On or about July 9, 2019, the Applicant was notified of concerns regarding its application for short form consolidation and advised it could not implement such changes until the matter is heard before the Statewide 9-1-1 Advisory Board. Subsequently, the Applicant withdrew its June 14<sup>th</sup> application and filed the current Application on August 30, 2019.

This order addresses only the August 30<sup>th</sup> Application and Case Number 19-C-254.

**WHEREAS**, the Madison County ETSA submitted a short form consolidation application with the Office of the Statewide 9-1-1 Administrator on August 30, 2019, seeking to consolidate by reducing the number of PSAP's within their Enhanced 9-1-1 System from 15 (plus one unmanned backup) to 8;

**WHEREAS** the Application has been read and reviewed by the Department, the Illinois Commerce Commission, the Statewide 9-1-1 Advisory Board, and the Administrator;

**WHEREAS** the ETSA, 50 ILCS 750.4a, provides in relevant part that "any county with a population of at least 250,000 that has a single Emergency Telephone System Board or qualified governmental entity and more than 2 PSAPs, the 9-1-1 Authority shall reduce the number of PSAPs by at least 50% or to 2 PSAPs, whichever is greater." 50 ILCS 750/15.4a(a)(1);

**WHEREAS** the ETSA further provides that "no county or 9-1-1 Authority may avoid the requirements of this Section by converting primary PSAPs to secondary or virtual answering points." 50 ILCS 750/15.4a(b)(1);

**WHEREAS**, the Department further clarified in its administrative rules that counties "may not convert PSAPs to SAPs, VAPs, or Dispatch Centers to avoid the requirements for consolidation in ETSA Section 15.4(a). The authorized PSAPs remaining after consolidation shall directly dispatch all emergency calls and shall not transfer or relay those calls to an unauthorized entity." 83 Ill. Adm. Code 1324.200(b)(3);

**WHEREAS**, for purposes of ETSA, Direct dispatch method is defined to mean "a 9-1-1 service that provides for the direct dispatch by a PSAP telecommunicator of the appropriate unit upon receipt of an emergency call and the decision as to the proper action to be taken"; Public safety answering point or PSAP is a set of call-takers authorized by

a governing body and operating under common management that receive 9-1-1 calls and asynchronous event notifications for a defined geographic area and processes those calls and events according to a specified operational policy"; and unmanned backup PSAP means "a public safety answering point that serves as an alternate to the PSAP at an alternate location and is typically unmanned but can be activated if the primary PSAP is disabled." 50 ILCS 750/2;

**WHEREAS**, for purposes of this rule, Call Relay is defined to mean "a 9-1-1 service in which the PSAP telecommunicator takes the pertinent information from a caller and relays that information to the appropriate public safety agency or other provider of emergency services"; Dispatch Center means "a location other than a PSAP, SAP or VAP that receives an emergency call transferred or relayed from a PSAP, SAP or VAP for purposes of completing the call taking process by dispatching police, medical, fire or other emergency responders"; Emergency Call means "any type of request for emergency assistance *through the 9-1-1 network*, not limited to voice. This may include a session established by signaling with two-way, real-time media and involves a human making a request for help"; and Public Safety Answering Point or PSAP means "the initial answering location of an emergency call." 83 Ill. Adm. Code 1324.110;

**WHEREAS**, Madison County proposes to "decommission" 6 of its PSAPs, specifically those located within the Troy Police Dept., the Highland Police Dept., the Bethalto Police Dept, the SIUE Police Dept., the Venice Police Dept., and the Madison City Police Dept., and to close its PSAP in the East Alton Police Dept.

**WHEREAS**, Madison County proposes to "decommission" its unmanned backup, MADCOM, which has not been utilized since approximately 2014 or 2016 due to a flood at the Glen Carbon PSAP, and intends to count the decommissioning of MADCOM toward the statutorily required 50% reduction of PSAPs;

**WHEREAS**, Madison County proposes to continue to operate 8 remaining consolidated PSAPs, specifically those located within the Alton Police Dept.; Collinsville Police Dept.; Edwardsville Police Dept.; Glen Carbon Police Dept.; Granite City Police Dept.; Madison County Sheriff Dept.; Pontoon Beach Police Dept.; and Wood River Police Dept.

**WHEREAS**, Madison County officials testified that they propose to dispatch its emergency calls for decommissioned PSAPs by having the remaining PSAPs utilize an agency broadcast via radio and an ANI/ALI dump via the county's two computer aided dispatch systems thereby relinquishing its responsibility to the responding decommissioned PSAPs for managing and responding to the incident.

**WHEREAS** the Statewide 9-1-1 Advisory Board voted unanimously to deny the Madison County ETSB's consolidation plan application based upon its review of the plan and the testimony received at the Board's public hearing.

**THE ADMINISTRATOR** finds that

1. Madison County has 15 PSAPs, not 16 as indicated in its application;
2. MADCOM is an Unmanned Backup PSAP, which is not a PSAP for purposes of consolidation as required by Section 15.4a of the ETSA insofar as it is not a set of call-takers authorized by a governing body and operating under common management serving as the initial answering location of an emergency call but rather is unmanned and typically is only activated if the primary PSAP is disabled. In fact, in this case, the unmanned backup in question has not been activated in the past three years;
3. Neither the ETSA nor the Administrative rules regulate a police department's non-emergency dispatching and many police departments throughout the state continue to serve in this capacity. Local and county police departments are regulated by the Illinois Municipal Code (65 ILCS 5/11 and Illinois Counties Code 55 ILCS 5/3) respectively and their non-emergency dispatch activities are within this jurisdiction rather than the ETSA. The Statewide 9-1-1 Advisory Board has previously discussed and acknowledged this distinction regarding the current administrative rules during its November 30, 2015, Board Meeting. Accordingly, the decommissioning of a PSAP rather than its closure is not in itself a flaw with the application;
4. For purposes of 83 Ill. Admin. Code 1324.200(b)(3), a decommissioned or closed PSAP is an unauthorized entity; and
5. Madison County's proposed method of dispatch is call relay via radio broadcast and an ALI/ANI dump within the county's two computer aided dispatch systems rather than direct dispatch. While transfer or relay to an existing secondary answering point such as a private ambulance company or fire department is permitted, the primary method of dispatch to decommissioned or closed PSAPs must be direct. 83 Ill. Admin. Code 1324.200(b)(3).

**NOW THEREFORE**, the Administrator orders the following;

**IT IS HEREBY ORDERED** that based upon a review of all of the information available, Madison County's Application does not meet the requirements of 50 ILCS 750/15.4a and 83 Ill. Adm. Code 1324.200.

**IT IS FURTHER ORDERED** that Madison County must close or decommission another PSAP to meet the statutorily required 50%. Madison County ETSB must identify an additional PSAP for closing or decommissioning no later than June 1, 2020 and file their Consolidation Plan by December 1, 2020.

**IT IS FURTHER ORDERED** that none of the decommissioned PSAPs may receive any 911 calls. Rather, the remaining PSAPs must direct dispatch the appropriate unit upon receipt of an emergency call making the decision as to the proper action to be taken and may not relay pertinent information from a caller via radio and computer aided dispatch to any of the decommissioned PSAPs for incident management. Madison County ETSB must ensure all remaining PSAPs comply with this order.

**IT IS FURTHER ORDERED** that none of the decommissioned PSAPs are eligible to receive 9-1-1 surcharge distributions or be eligible for 9-1-1 grant funding. The Madison County ETSB shall receive all 9-1-1 surcharge distributions and be the only entity eligible for 9-1-1 grant funding within Madison County.

**IT IS FURTHER ORDERED** the Madison County ETSB is responsible for managing and accounting for these funds through the annual financial reporting and auditing process. 50 ILCS 750/40 and 50 ILCS 750/50; the Madison County ETSB may not divert them to entities that do not serve as PSAPs, including but not limited to decommissioned PSAPs, and must ensure an accounting procedure is in place to track revenues, expenses, assets, and reserves; and audits must be performed in accordance with generally accepted auditing standards.

**IT IS FURTHER ORDERED** that the Madison County ETSB will be required to file a Progress Report on or before January 1, 2020, and every month thereafter until the consolidation is completed that details the steps that have been taken and the progress that has been made toward completing its consolidation to the Office of the Statewide 9-1-1 Administrator.

This Order is a final administrative decision of the Statewide 9-1-1 Administrator subject to review under the Administrative Review Law, 735 ILCS 5/3-101. In the event you wish to seek review of or appeal this Order, you are advised:

1. Every action seeking review of such final decision shall be commenced by the filing of a Complaint and the issuance of Summons in the Circuit Court within 35 days from the date a copy of the decision was served upon the parties.
2. In your action seeking review you must name in the Complaint, and issue a Summons for, each party of record to the case other than yourself.
3. Attached below is a list of all parties of record to this case, including the name and address of the agency or officer entering the Order, and the addresses of each party where the parties may be served with pleadings, notices, or service of process for any review or further proceedings.
4. You are not required to file any motion or request for reconsideration with the Department or the Statewide 9-1-1 Administrator before filing your action for review in the Circuit Court. The administrative rules of the Department do not require or allow for any further proceedings before the Statewide 9-1-1 Administrator.

Name of Officer who entered the final Order:

Cindy Barbera-Brelle  
Statewide 9-1-1 Administrator  
Illinois State Police  
801 South Seventh Street, Suite 300-S  
Springfield, Illinois 62703

Other Parties of Record:

Office of the Statewide 9-1-1 Administrator  
Illinois State Police  
801 South Seventh Street, Suite 300-S  
Springfield, Illinois 62703

Illinois Department of State Police  
c/o Illinois State Police Legal Office  
801 South Seventh Street, Suite 1000-S  
Springfield, Illinois 62703

ENTERED: This 20<sup>th</sup> day of November 2019.



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Cindy Barbera-Brelle  
Statewide 9-1-1 Administrator  
Office of the Statewide 9-1-1 Administrator  
Illinois State Police

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing document were served upon all parties listed below by electronic mail on November 20, 2019.



Cindy Barbera-Brelle  
Statewide 9-1-1 Administrator

**SERVICE LIST**

Dana Burris  
Interim 9-1-1 Director  
101 E. Edwardsville Road  
Wood River, IL 62095  
(618) 296-5913  
[dlburris@co.madison.il.us](mailto:dlburris@co.madison.il.us)

Suzanne L. Y. Bond, Special Counsel  
Illinois State Police  
801 South Seventh Street, Suite 300-S  
Springfield, Illinois 62703  
[Suzanne.Bond@illinois.gov](mailto:Suzanne.Bond@illinois.gov)

Colonel Kelly Walter, Chair  
Statewide 9-1-1 Advisory Board  
801 South Seventh Street, Suite 300-S  
Springfield, Illinois 62703  
[Kelly.Walter@illinois.gov](mailto:Kelly.Walter@illinois.gov)

Lisa Wirtanen  
9-1-1 Service Executive  
National Business | Enhanced Client Services  
4918 West 95<sup>th</sup> Street  
Floor 2/9-1-1 Office  
Oak Lawn, IL 60453  
[lb9261@att.com](mailto:lb9261@att.com)

Office of the Statewide 9-1-1 Administrator  
801 South Seventh Street, Suite 300-S  
Springfield, Illinois 62703  
[ISP.911Admin@illinois.gov](mailto:ISP.911Admin@illinois.gov)  
[ISP.911Tech@illinois.gov](mailto:ISP.911Tech@illinois.gov)

