

## CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

### Subchapter Q. 9-1-1 ISSUES.

#### §26.433. Roles and Responsibilities of 9-1-1 Service Providers.

- (a) **Purpose.** The provisions of this section are intended to assure the integrity of the state's emergency 9-1-1 system in the context of a competitive and technologically evolving telecommunications market. In particular this section establishes specific reporting and notification requirements and mandates certain minimum network interoperability, service quality standards, and database integrity standards. The requirements in this section are in addition to the applicable interconnection requirements required by §26.272 of this title (relating to Interconnection).
- (b) **Application.** This section applies to a certificated telecommunications utility (CTU).
- (c) **9-1-1 service provider certification requirements.**
- (1) Only a CTU may be a 9-1-1 database management services provider.
  - (2) Only a CTU may be a 9-1-1 network services provider.
  - (3) Unless acting as a 9-1-1 database management services provider or 9-1-1 network services provider, PSAPs and 9-1-1 administrative entities do not require certification by the commission.
- (d) **Requirement to prepare plan and reporting and notification requirements.**
- (1) **Network Services Plan.** Before providing service, a 9-1-1 network services provider must prepare and file with the commission a network services plan. The plan must be updated upon a change affecting a 9-1-1 administrative entity, a 9-1-1 database management services provider, or the 9-1-1 network services provider, but not more often than quarterly of each year. Material submitted to the commission in accordance with this section believed to contain proprietary or confidential information must be identified as such, and the commission may enter an appropriate protective order. The network services plan must include:
    - (A) a description of the network services and infrastructure for equipment and software being used predominantly for the purpose of providing 9-1-1 services including alternate routing, default routing, central office identification, and selective routing, ESN, and transfer information;
    - (B) a schematic drawing and maps illustrating current 9-1-1 network service arrangements specific to each 9-1-1 administrative entity's jurisdiction for each applicable rate center, city, and county. The maps must show the overlay of rate center, county, and city boundaries; and
    - (C) a schedule of planned network upgrades and modifications that includes an explanation of 9-1-1 customer premises equipment implications, if any, related to upgrades and modifications.
  - (2) **Database Services Plan.** Before providing service, a 9-1-1 database management services provider must prepare and file with the commission a database services plan. The plan must be updated upon a change affecting a 9-1-1 administrative entity, a 9-1-1 database management services provider, or the 9-1-1 network services provider, but not more often than quarterly of each year. Material submitted to the commission in accordance with this section believed to contain proprietary or confidential information must be identified as such, and the commission may enter an appropriate protective order. The database services plan must include:
    - (A) a narrative description of the current database services provided, including but not limited to a description of current 9-1-1 database management service arrangements and each NPA/NXX by selective router served by the database management services provider;
    - (B) a schematic drawing and maps of current 9-1-1 database service arrangements specific to the applicable agency's jurisdiction for each applicable rate center, city,

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- and county. The maps must show the overlay of rate center, county, and city boundaries;
    - (C) a current schedule of planned database management upgrades and modifications, including software upgrades;
    - (D) an explanation of 9-1-1 customer premises equipment implications, if any, related to any upgrades and modifications referenced in subparagraph (C) of this paragraph; and
    - (E) a description of all database contingency plans for 9-1-1 emergency service.
  - (3) **Other notification requirements.** A CTU must notify each affected 9-1-1 administrative entity at least 30 days prior to activating or using a new NXX in a rate center or upon the commencement of providing local telephone service in any rate center.
- (e) **Network interoperability and service quality requirements.** To ensure network interoperability and a consistent level of service quality the following standards apply.
  - (1) A CTU operating in the state of Texas must:
    - (A) Participate, as technically appropriate and necessary, in 9-1-1 network and 9-1-1 database modifications; including, but not limited to, those related to area code relief planning, 9-1-1 tandem reconfiguration, and changes to the 9-1-1 network services or database management services provider.
    - (B) Notify and coordinate changes to the 9-1-1 network and database with, as necessary and appropriate, its wholesale customers, all affected 9-1-1 administrative entities, and CSEC.
    - (C) Provide a P.01 grade of service, or its equivalent as applicable, on the direct dedicated 9-1-1 trunk groups. If a CTU is a 9-1-1 network services provider, the CTU must provide a P.01 grade of service, or its equivalent as applicable, to the PSAP.
    - (D) Apprise all affected 9-1-1 administrative entities of any failure to meet the P.01 grade of service, or its equivalent as applicable, in writing and correct any degradation within 60 days.
  - (2) A telecommunications provider operating in the state of Texas must:
    - (A) Provide to each applicable 9-1-1 administrative entity the name, title, address, and telephone number of the telecommunications provider's 9-1-1 contacts including a designated contact person to be available at all times to work with the appropriate 9-1-1 administrative entity or entities, CSEC and the commission to resolve 9-1-1-related emergencies. CSEC must be notified of any change to a telecommunications provider's designated 9-1-1 contact personnel within five working days.
    - (B) Develop a 9-1-1 disaster recovery and service restoration plan with input from the applicable 9-1-1 administrative entity, CSEC, and the commission.
- (f) **Database integrity.** To ensure the consistent quality of database information required for fixed-location 9-1-1 services, the following standards apply.
  - (1) A CTU operating in the state of Texas must:
    - (A) Utilize a copy of the 9-1-1 administrative entity's MSAG or other appropriate governmental source, such as post offices and local governments, to confirm that valid addresses are available for 9-1-1 calls for areas where the 9-1-1 service includes selective routing, or automatic location identification, or both, in order to confirm that valid addresses are available for 9-1-1 calls. This requirement is applicable where the 9-1-1 administrative entity has submitted an MSAG for the service area to the designated 9-1-1 database management services provider. The MSAG must be made available to the CTU at no charge and must be in a mechanized format that is compatible with the CTU's systems. This requirement must not be construed as a

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- basis for denying installation of basic telephone service, but as a process to minimize entry of erroneous records into the 9-1-1 system.
- (B) Take reasonable and necessary steps to avoid submission of telephone numbers associated with non-dial tone generating service to the 9-1-1 database management services provider.
  - (C) Submit corrections to inaccurate subscriber information to the 9-1-1 database management services provider within 72 hours of notification of receipt of the error file from the 9-1-1 database management services provider.
  - (D) As applicable, coordinate 9-1-1 database error resolution for resale customers.
- (2) A 9-1-1 database management services provider operating in the state of Texas must:
- (A) Provide copies of the MSAG for each 9-1-1 administrative entity the 9-1-1 database management services provider serves to any CTU authorized to provide local exchange service within the jurisdiction of those 9-1-1 administrative entities. The 9-1-1 database management services provider must make all updates to the MSAG electronically available to CTUs within 24 hours of the update by the 9-1-1 administrative entity.
  - (B) Upon receipt of written confirmation from the appropriate CTU, delete inaccurate subscriber information within 24 hours for deletions of fewer than 100 records. For deletions of 100 records or more, the database management service provider must delete the records as expeditiously as possible within a maximum time frame of 30 calendar days.
- (g) **Cost recovery.** A CTU is prohibited from charging a 9-1-1 administrative entity for, through tariffed or non-tariffed charges, the preparation and transfer of files from the CTU's service order system to be used in the creation of 9-1-1 call routing data and 9-1-1 ALI data.
- (h) **Unbundling.** A dominant CTU that is a 9-1-1 network services provider and a 9-1-1 database management services provider, if it has not already done so prior to the effective date of this section, must file within 90 days from the effective date of this section an alternative 9-1-1 tariff that provides 9-1-1 administrative entities the option to purchase any separately offered and priced 9-1-1 service.
- (i) **Migration of 9-1-1 Service.** Unless otherwise determined by the commission, nothing in this rule, any interconnection agreement, or any commercial agreement may be interpreted to impair a 9-1-1 administrative entity's authority to migrate to newer functionally equivalent IP-based 9-1-1 systems or NG9-1-1 systems, or to require the removal of unnecessary direct 9-1-1 dedicated trunks, circuits, databases, or functions.
- (1) For purposes of this subsection, "unnecessary direct dedicated 9-1-1 trunks" means those dedicated 9-1-1 trunks that generally would be part of a local interconnection arrangement but for: the CTU's warrant in writing that the direct dedicated 9-1-1 trunks are unnecessary and all 9-1-1 traffic from the CTU will be accommodated by another 9-1-1 service arrangement that has been approved by the appropriate 9-1-1 administrative entity; and written approval from the appropriate 9-1-1 administrative entity accepting the CTU's warrant. A 9-1-1 network services provider or CTU presented with such written documentation from the CTU and the appropriate 9-1-1 administrative entity must rely on the warrant of the CTU and the appropriate 9-1-1 administrative entities.
  - (2) Paragraph (1) of this subsection is intended to promote and ensure collaboration so that 9-1-1 service architecture and provisioning modernization can proceed expeditiously for the benefit of improvements in the delivery of 9-1-1 emergency services. Paragraph (1) of this subsection does not require or authorize a 9-1-1 administrative entity's rate center service plan specifications or a 9-1-1 network architecture deviation that causes new, material cost shifting between telecommunications providers or between telecommunications providers and 9-1-1

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administrative entities. Examples of such a deviation include points of interconnection different from current LATA configurations and requiring provisioning of the 9-1-1 network with a similar type deviation that may involve new material burdens on competition or the public interest.

(j) **9-1-1 Service Agreement.**

- (1) A CTU that provides local exchange service to end users must execute a separate 9-1-1 service agreement with each appropriate 9-1-1 administrative entity and collect and remit required 9-1-1 emergency service fees to the appropriate authority in accordance with such a 9-1-1 service agreement.
- (2) A CTU that provides resold local exchange service to end users must execute a separate 9-1-1 service agreement with each appropriate 9-1-1 administrative entity and collect and remit required 9-1-1 emergency service fees to the appropriate authority in accordance with such a 9-1-1 service agreement.