AMENDED POLICY NO. 14

PROCEDURES FOR ECD RATE INCREASE REQUESTS AND. REQUESTS FOR EXTENSION OF INCREASE

The following are procedures to be used by districts to apply to the Tennessee Emergency Communications Board (TECB) for initial increases to the emergency telephone service charge (also referred to below as "rates"):

1. The Board of Directors of an Emergency Communications District (ECD) must vote to initiate a rate increase request, with proposed rates, desired effective date(s), the amount of additional revenue, and justification for the rate increase.

2. (a) The ECD must send a letter to the County Executive (for a county ECD) or Mayor (for a municipal ECD) notifying them of the ECD's intent to petition the TECB for a rate increase. The County Executive/Mayor must sign a statement acknowledging receipt of such letter, which the ECD shall include in its application to the TECB.

   OR

   (b) The ECD must send a certified letter to the County Executive (for a county ECD) or Mayor (for a municipal ECD) notifying him or her of the ECD's intent to petition the TECB for a rate increase.

3. The ECD must publish a Public Hearing Notice (indicating its intent to petition the TECB for a rate increase) in a newspaper of general circulation (that serves that ECD's area) at least two times during the period—at least 30 days, but not more than 60 days, before such Public Hearing.

4. The ECD must hold the Public Hearing on its rate increase request. Minutes must be kept and sent to the TECB as part of the ECD's rate increase application.

5. The ECD must adopt a resolution to request the TECB to raise its rates.[1] The resolution must contain the proposed rates, amount of additional revenue, desired effective date(s), and justification for the rate increase.

6. The ECD must complete and return an application from the TECB. The completed application packet should be sent to the following address:

   Tennessee Emergency Communications Board
   Department of Commerce and Insurance
   500 James Robertson Parkway, Fifth Floor
   Nashville, TN 37243

7. In the application packet, the ECD shall include an interlocal agreement with each local governmental entity that contributes facilities, resources and/or income of any kind to the ECD or receives such from the ECD, in which such entity agrees that in exchange for the added or continued service that will be facilitated by the Emergency Communications Board's approval of an increase to the emergency telephone service charge within the ECD, the local governmental entity will not decrease its contribution to the ECD below the maximum amount it contributed during the prior fiscal year;[2]

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[1] The ECD can decide to not adopt the resolution. If this action occurs, then the process stops.

[2] This requirement is evidentiary. The fact that a district is unable to obtain such an agreement will be considered as part of the rate increase information, but will not, in and of itself, preclude a district from receiving a rate increase, so long as the district provides evidence of its attempt to comply with this requirement.

8. In the application packet, the ECD shall execute the following certification:

Certification of Dispatcher Training

> I hereby certify that each emergency call taker or public safety dispatcher who receives an initial or transferred 911 call from the public who is working for or, pursuant to an interlocal agreement, on behalf of the _____ Emergency Communications District has satisfied the minimum requirements for dispatcher training established in Tenn. Comp. R. & Reg. 0780-6-2. I further certify that evidence of completion of such training is available for inspection, as are attendance records, course outlines and lesson plans.

9. The TECB staff will review the application for completeness. The resolution referred to in #5 above must be included in the application package. If an application is incomplete or inaccurate, it may increase needed review time and ultimately delay consideration by the TECB.

10. The TECB staff will conduct a review of the district and its rate increase request, including, but not limited to, an on-site visit, review of the material submitted, and a meeting with the ECD Director and/or Board Chair.

11. The TECB staff may set deadlines for submitting all necessary materials for consideration in order to provide adequate review time by TECB staff.

12. The TECB staff will submit its "findings," and the "application" to the TECB at a public meeting.

13. The TECB will deliberate the rate increase request. At a minimum, the ECD Chair and Director shall attend this meeting, and be prepared to respond to questions from the TECB regarding the need for the request.

14. The TECB will either approve or deny the rate increase request, and provide rationale for its decision.

15. If the rate increase request is approved by the TECB, the TECB Executive Director shall send a letter to the ECD to keep on file, as well as inform the Tennessee Regulatory Authority. The rate increase approval letter may be used to notify the appropriate telephone companies of the approved rate increase.

16. Every three years following the TECB's decision to increase an ECD's landline rates, the ECD shall file with the TECB a report:

    1. Identifying current rates, date approved by TECB, and date increased revenue was first realized.

    2. Identifying the reasons for the rate increase as stated in original application and the subsequent applications to extend the increased rate.

    3. Describing the status of each reason listed in the various applications and how the rate increase was applied.

    4. Identifying reasons for continuing the current rate.

    5. Providing projected budgets for the next three years showing sources of revenue and projected expenditures with a net increase or decrease in fund balance for each year.

    6. Providing a current copy of any applicable interlocal agreements.

7. Providing an updated financial statement.

17. TECB staff shall analyze each report, notify the TECB of its findings and make a written recommendation on inconsistencies or irregularities not resolvable by staff, to be placed on an agenda for the Board's consideration.

Adopted 09-12-02; amended 7-16-04, 11-10-05, 4-20-06, 10-31-06, 4-19-07, 5-14-08