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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

June 3, 1999

Charles F. Wynne, Director  
Pennsylvania Emergency Management Agency  
2605 Interstate Drive  
P. O. Box 3321  
Harrisburg, PA 17105

Re: IRRC Regulation #30-51 (#2019)  
Pennsylvania Emergency Management Agency  
Public Safety Emergency Telephone Program

Dear Mr. Wynne:

Enclosed are our Comments on your proposed regulation #30-51. They are also available on our website at <http://www.irrc.state.pa.us>.

The Comments list our objections and suggestions for your consideration when you prepare the final version of this regulation. We have also specified the regulatory criteria which have not been met. These Comments are not a formal approval or disapproval of the proposed version of this regulation.

If you want to meet with us to discuss these Comments, please contact John Jewett at 783-5475.

Sincerely,

A handwritten signature in black ink that reads "Robert E. Nyce".

Robert E. Nyce  
Executive Director

REN:cae  
Enclosure  
cc: Mark Goodwin  
Office of General Counsel  
Office of Attorney General  
Pete Tartline

**COMMENTS OF THE INDEPENDENT REGULATORY REVIEW COMMISSION**

**ON**

**PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY REGULATION NO. 30-51**

**PUBLIC SAFETY EMERGENCY TELEPHONE PROGRAM**

**JUNE 3, 1999**

We have reviewed this proposed regulation from the Pennsylvania Emergency Management Agency (PEMA) and submit for your consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (71 P.S. §§ 745.5a(h) and (i)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to fiscal impact, reasonableness and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

**1. Section 120b.104. Technical standards for plans. – Consistency and Clarity**

The existing language of Subsection 120b.104(b)(2)(xviii) reads as follows:

The 9-1-1 operators, dispatch personnel and supervisors shall receive a minimum of 40 hours classroom and hands on instruction. The APCO [Associated Public Safety Communicate Officers, Inc.] training course or a similar course that is used is subject to Council approval. In addition to minimum training requirements, a county may require additional training at its discretion.

The 40-hour minimum classroom and hands on instruction is inconsistent with the training requirements in proposed Regulation #30-52. The current language of this subsection should be deleted and replaced with a reference to training requirements in Chapter 120c, which is in proposed Regulation #30-52.

**2. Section 120b.106. Eligible costs. – Consistency and Clarity**

Consistent with Act 17 of 1998, the proposed regulation adds “training” directly related to the provision of 9-1-1 services to the list of eligible recurring costs in Subsection 120b.106(b)(2)(vii). Counties may use funds generated by contribution rates assessed via Act 17 to pay for training. However, existing language in Subsection 120b.106(c)(5) identifies “recruitment and training of dispatchers, call takers or telecommunication officers or operators” as an ineligible cost for which funds from the contribution rate cannot be used. To be consistent with Act 17, PEMA should delete the words “and training” from Subsection 120b.106(c)(5) in the final-form regulation.

**3. Section 120b.113. Accuracy standards for 9-1-1 database systems. – Reasonableness and Clarity**

PEMA needs to clarify that this section applies to *enhanced* 9-1-1 centers.

Subsection (b) requires the local exchange carrier (LEC) and the county to perform a database validation every six months. Commentators expressed concern with the reasonableness of requiring validation every six months and questioned the feasibility of this requirement. PEMA should justify why a six-month interval for validation is both appropriate and practical.

Commentators have also questioned the feasibility of the minimum 95 percent requirement in Subsection (b)(1). If they have to wait for LECs to reach 95 percent accuracy on their databases, some county 9-1-1 center may never receive the required data. PEMA should explain the need for and feasibility of the 95 percent rule.

In Subsection (b)(2), the phrase “the use of” after the first comma is unnecessary and should be deleted.

Subsection (b)(3) provides the following:

Thereafter, additional validation processes shall be implemented by a county and the LEC or LECs to eliminate, insofar as possible, any substantive mismatches between the county’s MSAG and the LEC’s customer database.

This subsection is confusing for two reasons. First, it is not clear what time reference is meant by “Thereafter.” PEMA should use a specific time reference in place of “thereafter” to describe when additional validation processes should be implemented.

Second, it is not clear what is meant by “additional validation processes.” Does this mean a different technology must be used to validate information or a different method for validation? PEMA should clarify its intent on what it means by additional validation processes.