**Section 1324.200 Consolidation Plans and Requests for Waiver**

a) By January 1, 2016, the Department shall post a link on its website for the electronic submission of consolidation plans and requests for waiver.

b) Counties and 9-1-1 Authorities:

1) Shall use their service population to determine whether they are required to consolidate pursuant to ETSA Section 15.4a;

2) Are responsible for submitting consolidation plans and requests for waiver. PSAPs within 9-1-1 Authorities do not have standing to submit consolidation plans or requests for waiver; and

3) 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. Nothing in this subsection (b)(3) shall be construed to mean a PSAP, SAP or VAP cannot serve as a Dispatch Center.

c) By July 1, 2016, each county and each 9-1-1 Authority required to consolidate pursuant to ETSA Section 15.4a(a) shall electronically file a plan for consolidation and/or a request for a waiver pursuant to ETSA Section 15.4a(c) at the link posted on the Department's website.

1) Consolidation plans must include a completed application consisting of the following documents:

A) Contact and 9-1-1 system information;

B) Notarized statement of truth regarding information provided in the plan;

C) A letter that is sent to the 9-1-1 system provider with a copy of the plan;

D) A detailed summary of the proposed system's operation, including, but not limited to, a five-year strategic plan for implementation of the consolidation with financial projections and information as to how the plan will assist with achieving the statutory goals enumerated in ETSA Section 15.4b(a);

E) A summary of the anticipated implementation costs and annual operating costs of the consolidated system that are directly associated with 9-1-1, as well as the anticipated revenues, that:

i) Identify the ETSBs or qualified governmental entities that will be dissolved and consolidated, with the amount of reserves estimated to be transferred to the Joint ETSB. Any reserves are required to be transferred to the resulting Joint ETSB pursuant to ETSA Section 30(d);

ii) Identify the number of answering positions, full-time and part-time dispatchers prior to consolidation, and the proposed number after consolidation;

iii) Identify total network cost prior to consolidation and the proposed cost after consolidation;

iv) Identify network cost that the State will be responsible for paying;

v) Identify recurring and nonrecurring consolidation cost; and

vi) Identify all revenue sources for the consolidated system;

F) A list of all communities that are served by the 9-1-1 system;

G) A list of public safety agencies (police, fire, EMS, etc.) that are dispatched by the 9-1-1 system, including their addresses, telephone numbers and form of dispatch;

H) A list of the public safety agencies (police, fire, EMS, etc.) that are adjacent to the 9-1-1 system's geographic boundaries;

I) A list of the carriers and Interconnected VoIP providers who are known by the applicant to provide service within the jurisdiction of the 9-1-1 system;

J) Attachments (as applicable):

i) Any local ordinances that dissolve an existing ETSB or creates a new ETSB;

ii) Any intergovernmental agreements or memorandums of understanding creating a Joint ETSB or any other agreements pertinent to the 9-1-1 system consolidation;

iii) Any contracts with a new 9-1-1 system provider;

iv) The backup PSAP Agreement that establishes backup and overflow services between 9-1-1 authorities or PSAPs within those authorities;

v) The network diagram that is provided by the 9-1-1 system provider, showing the applicable grade of service, trunking, routing and backup configuration for the 9-1-1 system; and

vi) The Call Handling and Aid Outside Jurisdictional Boundaries Agreements

• Call Handling Agreements shall be made between the 9-11 Authority and public agencies and/or public safety agencies in a single system, and also between the 9-1-1 Authority and/or public agencies or public safety agencies whose jurisdictional boundaries are contiguous. Call Handling Agreements shall describe the primary and secondary dispatch methods to be used by the requesting parties within their respective jurisdictions.

• Aid Outside Jurisdictional Boundaries Agreements shall be made between the 9-1-1 Authority and the public agencies and/or public safety agencies in a single system, and between the 9-1-1 Authority and the public agencies and public safety agencies in adjacent systems, whose jurisdictional boundaries are contiguous. Aid Outside Jurisdictional Boundaries Agreements shall provide that, once an emergency unit is dispatched in response to a request through the system, the unit shall render its services to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.

• When possible, these agreements may be consolidated into a single agreement;

K) The Test Plan, which is the 9-1-1 system's overall plan detailing how and to what extent the network and database will be tested.

2) If incorporating an NG9-1-1 solution, the application must, in the narrative portion of the consolidation plan:

A) Include a contract with a 9-1-1 system provider to provide 9-1-1 services;

B) Explain what national standards, protocols and/or operating measures will be followed;

C) Explain what measures have been taken to create a robust, reliable and diverse/redundant network and whether other 9-1-1 authorities will be sharing the equipment;

D) Explain how the existing 9-1-1 traditional legacy wireline, wireless and VoIP network, along with the databases, will interface with and/or be transitioned into the NG9-1-1 system;

E) Explain how split exchanges will be handled;

F) Explain:

i) How the databases will be maintained and how address errors will be corrected and updated on a continuing basis;

ii) Who will be responsible for updating and maintaining the data, at a minimum, on a daily basis Monday through Friday; and

G) Explain what security measures will be placed on the IP 9-1-1 network and equipment to safeguard it from malicious attacks or threats to the system operation and what level of confidentiality will be placed on the system in order to keep unauthorized individuals from accessing it.

3) Notwithstanding this subsection (c), any 9-1-1 Authority required to consolidate pursuant to ETSA Section 15.4a(a) that is only reducing the number of PSAPs in order to comply with the Act need not formally submit a consolidation plan to the Administrator for approval. While Administrator approval is not necessary for these consolidations, the 9-1-1 Authority must provide written notification documenting the change 10 business days prior to making the change.

d) Consolidation plans must meet the applicable grade of service.

e) Pursuant to ETSA Section 15.4a, a request for waiver must include sufficient information to establish that consolidation will result in a substantial threat to public safety, is economically unreasonable, or is technically infeasible. A request for waiver shall include, at a minimum, the following:

1) The grounds on which the waiver is sought (e.g., substantial threat to public safety, economically unreasonable, and/or technically infeasible);

2) A detailed explanation of the efforts taken, if any, to comply with the statutory requirement for consolidation prior to requesting a waiver;

3) The duration of time for which a waiver is sought;

4) A five-year strategic plan, including, but not limited to, financial projections, for implementation of a consolidation plan; and

5) Any additional information regarding planned equipment purchases or replacements, as well as efforts to establish interoperability or shared resources.

f) Upon receipt of a consolidation plan, it will be posted on the Department's website and be made available to the Commission for a technical review to ensure compliance with 83 Ill. Adm. Code 725, and the Department will notify all vendors registered with it pursuant to 83 Ill. Adm. Code 1325.300 that a plan has been received, posted and submitted for technical review. After 20 days, or until notified otherwise by the Commission, the Department will proceed as though no separate Commission proceeding will be undertaken. Within 20 days after receiving a consolidation plan and/or request for waiver, the Department will:

1) Review the:

A) consolidation plan to ensure it complies with the provisions of this Section; or

B) request for waiver to ensure it complies with ETSA Section 15.4a(c); and

2) Submit its findings to the Advisory Board.

g) Upon receipt of the technical review findings from the Commission and no later than 40 days after receiving a consolidation plan and/or request for waiver, the Department will appoint an Administrative Law Judge (ALJ) to hold a hearing. The procedures for the hearing shall be as described in Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 10], unless otherwise specified in this subsection (g) and as ordered by the ALJ.

1) At least 10 days prior to the scheduled hearing, the Department will post a copy of requests for waivers, the consolidation plans, and the Department's review of those plans on its website. The Department will include the date on which the associated hearing will be held, as well as provide the email and mailing address for comments. This information shall remain posted until the hearing is held.

2) Comment by Interested Parties

A) From the time the information is posted by the Department on its website until 5 days prior to the scheduled hearing, any interested party may:

i) Submit written comments in response to the plans, request for waivers, and technical review finding to the Department by email or mail;

ii) Request an opportunity to speak at the public hearing regarding a plan, request for waiver, or technical review finding by completing the form available online and submitting it to the Department by email or mail.

B) Written comments and requests to speak received less than 5 days prior to the scheduled hearing shall not be considered.

3) No less than 4 days prior to the scheduled hearing, the Department will notify the applicant if:

A) The technical review indicates that the consolidation plan is not compliant with any element of Section 1324.200(c)(1);

B) The request for waiver is not compliant with ETSA Section 15.4a(c); and/or

C) The Department receives objections to the consolidation plan or request for waiver.

4) No less than 2 days prior to the scheduled hearing, the applicant, under ETSA Section 15.4a(b), may electronically request an extension of the deadlines in ETSA Section 15.4a(b) and submit a modified plan and/or request for waiver for review under this Part.

A) If the applicant requests an extension, the ALJ shall postpone the scheduled hearing until the applicant submits a modified plan or request for waiver.

B) If the applicant does not request an extension, the ALJ shall proceed with the scheduled hearing.

5) Upon conclusion of the hearing, the ALJ shall make a recommendation to the Advisory Board regarding whether a proposed order for consolidation or waiver should be granted.

h) Upon receipt of a recommendation from the ALJ and no later than 60 days after receiving a consolidation plan and/or request for waiver, the Advisory Board shall hold a public hearing pursuant to ETSA Section 15.4a(b) and Section 1324.210.

i) Any county or 9-1-1 Authority filing a consolidation plan may file a proprietary copy that plainly identifies confidential or proprietary information or information that is a trade secret and request that it be redacted and not subject to disclosure or made part of the public record. The county or 9-1-1 Authority shall also submit a redacted copy deleting any confidential or proprietary information or information that is a trade secret by plainly indicating on the redacted copy the information that has been deleted.