

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 20 day of May, 2020, and filed with the agency secretary on the 20 day of May, 2020.

AGENCY NAME: Alabama 9-1-1 Board

Amendment New Repeal (Mark appropriate space)

Rule No. 585-X-4-.02

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Requirements For Fee Remittance Submitted By Or On Behalf Of Voice

Rule Title: Communication Service Providers, With Attached Form

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes from proposed rule

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXVIII,
ISSUE NO. 6, AAM, DATED March 31, 2020.

Statutory Rulemaking Authority: Code of Alabama 1975, Sections 11-98-1, 11-98-4.1, 11-98-5.2, and 11-98-6, as amended

(Date Filed)
(For LRS Use Only)

REC'D & FILED
MAY 20 2020

Kang J. Fisher
Certifying Officer or his or her
Deputy

LEGISLATIVE SVC AGENCY

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

RULES AND REGULATIONS OF THE ALABAMA 9-1-1 BOARD

CHAPTER 585-X-4

COLLECTION AND DISBURSEMENT OF SERVICE CHARGES

585-X-4-.02 Requirements For Fee Remittance Submitted By Or On Behalf Of Voice Communication Service Providers, With Attached Form.

(1) All Voice Communication Service Providers shall remit 9-1-1 service charge fees pursuant to Section 11-98-5, Code of Ala. 1975.

(2) Fees shall be submitted to the Alabama Statewide 9-1-1 Board by the end of the calendar month following the month the provider receives the service charge from its subscribers, ~~together with a monthly report of the number of service identifiers in each emergency communication district (ECD).~~ Beginning ~~October~~ August 1, 20152020, all remittances by providers are required to use an ~~automated clearing house debit (or "ACH" debit)~~ Alabama Interactive as the proper method of remitting 911 fees to the Statewide Board. Alabama Interactive, Inc. has entered into a contractual agreement with the State of Alabama for Digital Government Services, under which Alabama Interactive provides electronic access and electronic transaction e-government services for state government agencies, including the Statewide Board. The Executive Director of the Board is responsible for administering this Rule and working with Providers to ensure compliance. ~~The attached form to this Rule shall be submitted electronically to the Alabama Statewide 911 Board's email address concurrently with all remissions to the Board at~~ The carrier remittance portal through which fee remittances must be made is available through the Alabama Statewide 911 Board's website:

www.al911board.com/remittances

(a) For service providers collecting less than \$50.00 per month of total fee remittances, the Board will not take collection action provided the reports and fee remittances are received on a quarterly basis.

(b) All service providers providing fee remittance for 9-1-1 ~~or E9-1-1~~ service pursuant to Section 11-98-5, Code of Ala. 1975, shall provide the following

~~information with the fee remittance submission: The information shall be provided in the appropriate categories, either the wireless, wire line LEC, wireless/wire line VoIP, or Broadband categories. This information shall be in a form referred to as the Alabama E9-1-1 Service Charge Remittance Report. The form shall include:~~

1. Service provider's name, identifying number, and contact information.

2. If used, third-party preparer's name, identifying number, and contact information.

3. Service connections information.

(i) Service collection period.

(ii) Service connection type(s) and counts of each.

(iii) Adjustments taken, with explanation, if not within the one percent administrative allowance pursuant to Section 11-98-5, Code of Ala. 1975.

4. Confirmation of summary information based on the information provided and the net service fee to be remitted.

~~1. Service provider's name and address; contact person; contact phone number and email address.~~

~~2. Date of remittance report.~~

~~3. Service collection period.~~

~~4. For wire line and VoIP carriers, itemization of fee remittance revenue shall include the following:~~

~~(i) Total connections; each provider shall report the number of service connections on which the 911 service charge is billed for each ECD in which it offers service pursuant to Section 11-98-1 et seq., Code of Ala. 1975, as amended and Rule 585-X-4-.01;~~

~~(ii) Gross fees collected;~~

~~(iii) 1% Provider allowance;~~

~~(iv) Billing adjustment/Uncollected~~

~~(v) Net fees collected;~~

~~5. For wireless providers, the itemization of fee remittance revenue shall include:~~

~~(i) The total number of wireless connections on which the 911 service charge is collected;~~

~~(ii) Gross Service Fees collected;~~

~~(iii) 1% provider allowance;~~

~~(iv) Billing adjustment/Uncollected~~

~~(v) Net fees collected;~~

~~6. Remittance Check Amount, Check Date, and Check Number unless the remittance is by wire transfer; and~~

~~7.5. The following certification shall be a part of the formsubmission: "These amounts are submitted in compliance with Sections 11-98-1 and 11-98-5, Code of Ala. 1975, as amended, along with the definitions and ordinances held within. I certify and declare that I have verified the foregoing and amounts alleged are true, to the best of my knowledge and belief."~~

~~(c) Fee Remittance Definitions:~~

~~1. Total connections: The number of connections, as described in Section 11-98-5, Code of Ala. 1975, and in Rule 585-X-5-.10 Administrative Code which are subject to the 9-1-1 service charge.~~

~~2. Gross Fees Collected: A calculated quantity equal to the product of the "total connections" and the 9-1-1 service charge, plus any "billing adjustment" minus the "uncollected".~~

~~3. 1% Provider Allowance: The 1 percent of the 9-1-1 service charges collected and retained by the provider as reimbursement for the administrative costs~~

~~incurred by the provider to bill, collect, and remit the fee, as described in Section 11-98-5(b), Code of Ala. 1975. It is deducted from the "gross fees collected," in the calculation of the "net fees collected".~~

~~4. Billing Adjustment: An adjustment, provided to reconcile the differences between the service providers actual 9-1-1 fees collected and the product of the "connections" and the 9-1-1 fee. This enables corrections to amounts billed to subscribers caused by new subscriber partial billing issues.~~

~~5. Uncollected: The amount billed by the service provider that was not collected. This enables resolution of differences between the service providers 9-1-1 fees collected and the product of the "connections" and the 9-1-1 fee.~~

~~6. Net Fees Collected: Revenues derived from the 9-1-1 fee levied on connections pursuant to Section 11-98-5(a), Code of Ala. 1975, that must be delivered to the Alabama 9-1-1 Board for deposit by the Board into the State 911 Fund. It is equal to the "gross fees collected", minus the "1% provider allowance", plus any "additional adjustment".~~

~~(d) Third party companies submitting fee remittances on behalf of voice communication service providers shall provide a contact person, address, contact phone number and email address on fee remittance information to respond to Board inquiries about fee remittances.~~

~~6.(e) The Voice Communications Service Providers shall provide their company contact person, address, contact phone number and email address on fee remittance information to explain any irregularities noticed in the monthly fee remittance submittals. In the event of multiple irregularities or failures to submit the fee remittances in a timely manner, the provider's representative will be encouraged to attend a board meeting of the Alabama 9-1-1 Board, either in person or via teleconference, to explain these issues to the Board.~~

ALABAMA STATEWIDE 911 BOARD
911 SERVICE CHARGE
MONTHLY REMITTANCE REPORT

Company Name: _____ Tax ID Number: _____
Contact: _____ Title: _____
Address: _____
Phone: _____ Fax: _____ Email: _____

Collection Period (Month/Year) _____ / _____
Number of connections from which 911 service
Charge collected _____
Rate (\$1.75 per connection per month) _____ 1.75
Gross Service Fees collected _____
Less : 1 % provider allowance (0.01) _____
Billing/Additional Adjustment /Uncollected _____
Net service fees remitted _____

These amounts are submitted in compliance with Sections 11-98-1 and 11-98-5 Code of Alabama, 1975, as amended, along with the definitions and ordinances held within. I certify and declare that I have verified the foregoing and amounts alleged are true, to the best of my knowledge and belief.

Signature: _____ Date: _____
Title: _____

Payment due no later than by the end of the calendar month following the month provider receives charge from its customers

____ Payment by electronic transfer:
Wire /ACH funds to bank:
www.al911board.com/remittances
Date of transfer _____

Author: James T. Sasser

Statutory Authority: Code of Ala. 1975, §§11-98-1, 11-98-4.1, 11-98-5.

History: **New Rule:** Filed February 27, 2014, effective April 3, 2014. ~~**New Rule**~~**Amended:** Filed May 27, 2015, effective July 1, 2015. **Amended:** Filed March 11, 2020; effective July 13, 2020