

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 585 Department or Agency: Alabama Statewide 911 Board
Rule No. 585-X-4-.06
Rule Title: Withholding of Funds by Board for Failure to Provide Requested Information

X New _____ Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Bill Borden

Date 6/27/2013

REC'D & FILED

JUL 22 2013

LEGISLATIVE REF SERVICE

ALABAMA STATEWIDE 911 BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Statewide 911 Board

RULE NO. & TITLE: 585-X-4-.06 Withholding of Funds by Board
for Failure to Provide Requested Information

INTENDED ACTION: Adoption of Rule

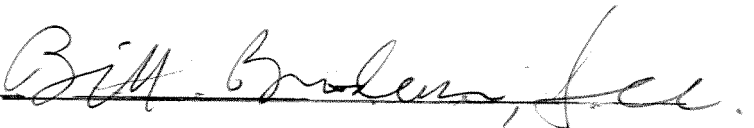
SUBSTANCE OF PROPOSED ACTION: Provides for the Board to withhold disbursements to Emergency Communication Districts and CMRS carriers should those entities not timely respond to the Board's request for information.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Sept. 18, 2013, 10:00 a.m. at the Bailey Building, 400 South Union Street, Montgomery, Alabama. Public Hearing on Rules and comments will be taken orally or in writing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Sept. 18, 2013

CONTACT PERSON AT AGENCY:

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

CHAPTER 585-X-4

COLLECTION AND DISBURSEMENT OF SERVICE CHARGES

585-X-4-06 Withholding of Funds by Board for Failure to Provide Requested Information

1. In order for the Board to effectively fulfill its statutorily mandated functions, the Board may from time to time request that a voice communication service provider or an Emergency Communication District (ECD) provide certain information and documentation including electronically stored information to the Board.
2. In the event that an ECD fails or refuses to timely or fully and completely provide such requested information or documentation, including electronically stored information, then the Board, at its discretion, may withhold disbursement due the ECD until such information is received by the Board.
3. In the event that the voice communication service provider is a CMRS provider, and the CMRS provider fails or refuses to timely or fully and completely provide such requested information or documentation, including electronically stored information, then the Board, at its discretion, may withhold disbursements from the Cost Recovery Fund to the CMRS provider until such information is received by the Board.

Author: James T. Sasser

Statutory Authority: Sections 11-98-4.1; 11-98-5 and 11-98-13.1, Code of Alabama, 1975, as amended

History: