



STATE OF TENNESSEE
TENNESSEE EMERGENCY COMMUNICATIONS BOARD
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY, NINTH FLOOR
NASHVILLE, TENNESSEE 37243
615-253-2164/FAX: 615-253-2180

December 5, 2003

Aeneas Communications, LLC
POB 277
Jackson, TN 38302

Re: Emergency Telephone Service Charges on T1 and PRI Circuits

It has come to our attention that the calculation of emergency telephone service charges on T1 and PRI circuits by local exchange carriers is far from uniform, resulting in possible competitive disadvantages in the marketplace. A uniform method of calculating these service charges is necessary to ensure fairness and promote competition. The policy of the Tennessee Emergency Communications Board ("TECB") regarding the calculation of emergency telephone service charges on T1 and PRI circuits is based on the following legal authority.

In Tennessee, emergency telephone service charges are governed primarily by Tenn. Code Ann. § 7-86-108. In enacting this statute, the General Assembly authorized the imposition of service charges on all "exchange access facilities."¹ The law defines "exchange access

¹ Tenn. Code Ann. § 7-86-108 (which states in pertinent part:

(a)(1)(A) The board of directors of the district may levy an emergency telephone service charge in an amount not to exceed sixty-five cents (65¢) per month for residence-classification service users, and not to exceed two dollars (\$2.00) per month for business-classification service users, to be used to fund the 911 emergency telephone service. Any such service charge shall have uniform application and shall be imposed throughout the entire district to the greatest extent possible in conformity with the availability of such service within the district. No such service charge shall be imposed upon more than one hundred (100) exchange access facilities per service user per location. . . .)

facilities” as follows:

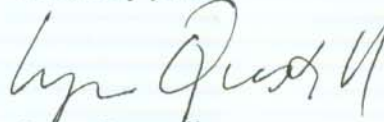
“Exchange access facilities” means all lines, provided by the service supplier for the provision of exchange telephone service, as defined in existing general subscriber services tariffs filed by the service supplier with the Tennessee regulatory authority;²

The TECB interprets this language to reach “all lines” used to provide exchange telephone service. In the case of a T1 circuit, this would include each of the twenty-four (24) lines available to the subscriber and, as to a PRI, each of the twenty-three (23) lines used for communication purposes that are available to the subscriber.³

The TECB appreciates the importance of assuring a level playing field in the telecommunications industry with regard to the imposition of such charges. Please adjust your billing in conformance with the TECB policy by April of 2004. These billing adjustments should be reflected on the annual report you are required by statute to provide to the boards of directors of the districts in which you operate.⁴ If you have any questions on this or any other matter related to emergency communications, please do not hesitate to contact me.

With kindest regards, I am

Sincerely yours,



Lynn Questell
General Counsel

cc/ Randy Porter, Chairman, TECB
Anthony Haynes, Executive Director, TECB
Richard Collier, General Counsel, Tennessee Regulatory Authority

² Tenn. Code Ann. § 7-86-103(7).

³ The statutory prohibition on charging for more than one hundred (100) exchange access facilities per service user per location would apply to subscribers of both T1 and PRI circuits. See Tenn. Code Ann. § 7-86-108(a)(1)(A).

⁴ See Tenn. Code Ann. § 7-86-110 (which states “the service supplier shall annually provide to the board of directors of the district an accounting of the amounts billed and collected and of the disposition of such amounts.”).