



CLAY COUNTY COMMISSION

P.O. BOX 190  
CLAY, WEST VIRGINIA 25043

CONNIE W. WORKMAN, Clerk  
Phone: 304-587-4259  
Fax: 304-587-4202

Members:  
FRAN KING, Commissioner  
CONNIE KINDER, Commissioner  
DAVID SCHOOLCRAFT, Commissioner

08:44 AM JUN 01 2021 EXEC SEC DIV

May 18, 2021

ORIGINAL

WV Public Service Commission  
Attn: Ingrid Ferrell, Executive Secretary  
PO Box 812  
Charleston, WV 25323-0812

Dear Ms. Ferrell:

You are hereby notified, pursuant to an amendment made to the Clay County Commission E911 Ordinance on May 12, 2021, the Clay County Commission E911 Fee increased to \$4.00 (Four Dollars) per month on all local residential and business service lines, including Centrex Systems and PBX and similar systems.

Please find attached a copy of the Clay County Commission's E911 Ordinance and Order amending said E911 fee. If you have any question, please call me at 304-587-4259.

Sincerely,

Fran King, President  
Clay County Commission

At a regular session of the County Commission of Clay County, West Virginia, held at the Courthouse thereof, on the 12<sup>th</sup> day of May, 2021, the following Order was made and entered:

PROPOSED AMENDMENT TO THE CLAY COUNTY COMMISSION'S  
ORDINANCE ESTABLISHING, MAINTAINING AND OPERATING A COUNTYWIDE  
ENHANCED EMERGENCY TELEPHONE SYSTEM (E911) TO INCREASE THE FEE UPON  
LOCAL EXCHANGE SERVICE CONSUMERS TO FINANCE THE COST OF EQUIPPING,  
FURNISHING AND MAINTAINING THE ENCHANCED EMERGENCY TELEPHONE  
SYSTEM

**WHEREAS:** The County Commission of Clay County, West Virginia, having heretofore adopted an Ordinance for the establishment, maintenance, and operation of a Countywide Enhanced Emergency Telephone System (E911) and desiring to amend said plan hereinafter set forth, does hereby adopt the following amendment to said ordinance:

**NOW, THEREFORE, BE IT RESOLVED:**

**Delete -**


Page 4, Section 6 – Imposition of Fee; Adoption of Billing Contract; Establishment of Separate E-911 Fund; Payment of Costs not Recovered Through Fee, Item (a) – The imposition, pursuant to section three-cc, article one chapter seven (§7-1-1-cc) of the West Virginia Code, of a fee of \$2.00 per month per local exchange service line or equivalent, except for Tel-Assistance lines, is proposed to finance the projected costs of the capital installation and maintenance costs of the enhanced emergency telephone system. Such fee is not proposed to be used to offset the costs associated with the establishing, furnishing, operating or maintaining of the county answering point. Such fee is proposed to become effective beginning on December 1, 1996.


**Add** - Page 4, Section 6 – Imposition of Fee; Adoption of Billing Contract; Establishment of Separate E-911 Fund; Payment of Costs not Recovered Through Fee, item (a) - The imposition, pursuant to section three-cc, article one chapter seven (§7-1-3-cc) of the West Virginia Code, The Clay County Commission shall impose a fee of \$4.00 per month for all local residential service lines, all local business exchange service lines including Centrex Systems and PBX and similar systems. Tel-e-Assistance services shall be exempt from the fee. Fees will be used to finance the cost of equipping, furnishing and maintain the Enhanced Emergency Telephone System. Said fee shall be effective immediately upon implementation of fee by all competitive local exchange carriers and other carriers whose subscribers are responsible of paying a fee pursuant to West Virginia Code §7-1-3cc.

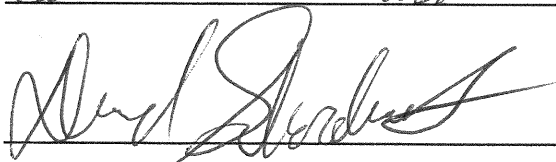
The adoption of the foregoing Resolution having been moved by: Connie Kinder, Commissioner and duly seconded by David Schoolcraft, Commissioner, the vote thereon was as follows:

Fran King, President	Aye
Connie Kinder, Commissioner	Aye
David Schoolcraft, Commissioner	Aye

Whereupon, Fran King, President, declared said Resolution duly adopted and it is, therefore, ADJUDGED and ORDERED that said Resolution be and the same is hereby adopted.

\_\_\_\_\_, President

\_\_\_\_\_, Commissioner

\_\_\_\_\_, Commissioner

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TELECOMMUNICATIONS

SECTION - PSC

The County Commission of Clay County met this the 13th day of August, 1996 at 4:30 p.m. as per advertisement for a public hearing on the adoption of an ordinance for an enhanced emergency telephone system for Clay County. Upon the motion of Ronald Haynes, and seconded by James Sams, motion carried, all aye, the proposed ordinance is hereby adopted and is as follows:

WHEREAS, section three-cc, article one, chapter seven (7-1-3-cc) of the West Virginia code grants the authority to county commissions to establish an enhanced emergency telephone system and impose a fee for the capital, installation and maintenance costs thereof;

WHEREAS, article six, chapter twenty-four (26-6-1 et al) of the West Virginia code requires the preparation of a proposal, the holding of a public meeting and the timely placement of an advertisement concerning such proposal and meeting before a final plan for the implementation of such an enhanced emergency telephone system may be adopted;

NOW, THEREFORE, be it ordained by the County Commission of Clay County, West Virginia, pursuant to and in accordance with section six, chapter twenty-four (26-6-1 et al) of the West Virginia Code, the following:

That a copy of the proposal attached hereto be mailed to the telephone companies providing local exchange service within the county and to local emergency providers and that the county commission seek the advice of such companies and such providers in developing a final plan for an enhanced emergency telephone system.

That a copy of the proposal attached hereto be made available for examination by the public at the county clerk's office, in the Clay County Courthouse, during regular business hours;

That a public meeting be scheduled to be held at the Clay County Courthouse, commission room on the 13th. day of August, 1996 at 4:30 p.m. in order to receive comments from other public officials and interested persons;

That a least thirty days but not more than sixty days before such meeting an advertisement be placed by the County Commission in the Clay County Free Press, newspaper of general circulation in Clay County notifying the public of the date, place and purpose of such meeting and of the location at which a

copy of such proposal may be examined.

**PLAN FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM FOR  
CLAY COUNTY, WEST VIRGINIA**

**SECTION 1 - DEFINITIONS**

As used in this proposal, unless the context clearly requires a different meaning;

- (a) "County answering point" means a facility to which enhanced emergency telephone system calls for a county are initially routed for response, and where county personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider or, relaying a message to the appropriate provider, or transferring the call to the appropriate provider.
- (b) "County Commission" means the County Commission of Clay County, West Virginia.
- (c) "County" means Clay County, West Virginia.
- (d) "Emergency Service Provider" means any emergency services organization or public safety unit.
- (e) "Enhanced emergency telephone system" means a telephone system which automatically connects the person dialing the primary emergency number to the county answering point and in which the telephone network system automatically provides to personnel receiving the call, immediately on answering the call, information on the location and the telephone number from which the call is being made, and upon direction from the personnel receiving the call routes such call to emergency service providers that serve the location from which the call is made.
- (f) "Telephone company" means a public utility which is engaged in the provision of telephone service.

**SECTION 2 - TERRITORY INCLUDED IN SYSTEM**

- (a) All territory in the county, including the municipal corporation in the county, which is served by telephone company central office equipment that will permit an enhanced emergency telephone to be established, is proposed to be included in the system.
- (b) The municipal corporation included in the system is proposed to include, but not limited to the Town of Clay.

### **SECTION 3 - COUNTY ANSWERING POINT**

- (a) The county answering point shall be operate constantly and shall provide full service, including access for the hearing impaired, 24 hours per day.
- (b) The answering point is to be located in Nicholas County at Summersville, West Virginia.
- (c) All areas covered by 911 will be answered at the answering point.
- (d) The answering point will be required to rewpnd to calls, "by directly dispatching an emergency provider" or "by transferring the call to the appropriate provider" or "by relaying a message to the appropriate provider."
- (e) The county answering point is proposed to be connected to each telephone company's telephone network by the CALLS system.

### **SECTION 4 - EMERGENCY SERVICE PROVIDERS; HANDLING OF MISDIRECTED CALLS**

- (a) Every emergency service provider that provides emergency service within the territory of the county will, if this proposal is adopted as a final plan for an enhanced emergency telephone system, be required to participate in the enhanced emergency telephone system.
- (b) The emergency service providers referred to in subsection (a) shall include, but not be limited to all fire, medical, and law enforcement emergency serviceproviders operating in Clay County.

- (c) In the event of a dispute between the County and one or more emergency service providers, such dispute, upon application to the Public Service Commission of West Virginia by any party to the dispute may be resolved by order of the Public Service Commission of West Virginia.
- (d) Each emergency service provider when responding to a misdirected call will contact the dispatcher, who will then re-contact the caller, as necessary and feasible, to provide more accurate or corrected information. The dispatcher shall dispatch correct emergency service provider(s) as soon as possible.
- (e) Each emergency service provider participating in the system will, if this proposal is adopted as a final plan, be required to maintain a telephone number in addition to the one provided in the system.

#### **SECTION 5 - PROJECTION OF COSTS**

- (a) The initial capital, installation and related costs such as training, dispatch consoles and computer equipment, of the enhanced emergency telephone system are to be no more than \$80,000 of the phone fees.
- (b) The annual costs of the first five years of recurring maintenance and dispatch operation are projected to average no more than \$80,000.
- (c) The initial costs associated with establishing, equipping and furnishing the county answering point is projected to be no more than \$4,000 for electrical wiring, furnishings and administrative phones.
- (d) The annual costs of operating and maintaining the answering point for the first five years are projected to be furnished and/or paid for by the Clay County Commission.
- (e) The other costs that will not be a part of the costs of the enhanced emergency telephone system but that will be incurred in conjunction with the implementation of such system are projected to be no more than \$1,000 per year, averaged over five years.

**SECTION 6 - IMPOSITION OF FEE; ADOPTION OF BILLING CONTRACT;  
ESTABLISHMENT OF SEPARATE E-911 FUND; PAYMENT OF COSTS NOT  
RECOVERED THROUGH FEE**

- (a) The imposition, pursuant to section three-cc article one chapter seven (7-1-1-cc) of the West Virginia Code, of a fee of \$2.00 per month per local exchange service line or equivalent, except for Tel-assistance lines, is proposed to finance the projected costs of the capital installation and maintenance costs of the enhanced emergency telephone system. Such fee is not proposed to be used to offset the costs associated with the establishing, furnishing, operating or maintaining of the county answering point. Such fee is proposed to become effective beginning on December 1, 1996.
- (b) The County Commission of Clay County proposes to enter into contract with Bell Atlantic and Citizens Telecom for the billing of the enhanced emergency telephone system fee.
- (c) All fees remitted under the contract referred to in subsection (b) are proposed to be deposited in a separate "E-911 Fund".
- (d) The costs associated with establishing, furnishing, and maintaining the county answering point are proposed to be paid for by, and/or other arrangements for payment will be made by, the Clay County Commission.

**SECTION 7 - TELEPHONE COMPANIES**

- (a) Upon the adoption of this ordinance, the terms and conditions of the telecommunication services and facilities provided by the telephone companies will be governed by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and orders of the Public Service Commission of West Virginia and the laws of the State of West Virginia.
- (b) The telephone companies that are proposed to be providing the services and facilities identified in subsection (a) above, are Bell Atlantic and Citizens Telecom.



**SECTION 8 - TARIFFS, RULES AND REGULATIONS, AND LAWS**

The final plan will be supplemented and superseded by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and orders of the Public Service Commission of West Virginia, and the laws of the State of West Virginia. Such tariffs, rules, regulations, orders and laws will be deemed incorporated in the final plan as is fully set forth therein.

**SECTION 9 - FILING OF THE PLAN WITH THE PUBLIC SERVICE COMMISSION**

Upon completion and adoption of the final plan, the County Commission will send a copy of such plan to the Public Service Commission of West Virginia.

Given under our hands this the 13th. day of August, 1996.

W. S. Sizemore Jr. PRESIDENT

Ronald Hayles COMMISSIONER

James Sams COMMISSIONER  
CLAY COUNTY COMMISSION

ATTEST: Judy R. Moore, CLERK