September 14, 2023

WV Public Service Commission
ATTN: Karen Buckley
PO Box 812
Charleston, WV 25325-0812

RE: Mercer County 9-1-1 Fee Increase

The Mercer County Commission, on September 12, 2023, amended the Mercer County Commission 9-1-1 Ordinance. This will increase the residential and VoIP fee $.75 per month; per year for the next 5 years:

- $3.00 to $3.75 per month effective January 1, 2024
- $3.75 to $4.50 per month effective January 1, 2025
- $4.50 to $5.25 per month effective January 1, 2026
- $5.25 to $6.00 per month effective January 1, 2027
- $6.00 to $6.75 per month effective January 1, 2028
And all subsequent years.

The business 9-1-1 fee (including Centrex) increases from $3.00 to $8.00 for each of the first 8 business lines. All additional lines at the rate of $1.00 per line per month.

These changes are effective January 1, 2023.

I have attached a copy of the signed ordinance.

Any questions, feel free to contact me.

Serving Mercer County,

Robert Hoge
Director
E911 Information

Mercer County Commission
Mercer County, West Virginia

September 12, 2023

Amended Ordinance for Mercer County, WV to raise the E911
Residential landline fee from $3.00 to $6.75
Business landline fee from $3.00 to $8.00
An ordinance of Mercer County providing for an amendment to the original proposal for an enhanced emergency telephone system for holding public meetings and for notifying the public of such meetings and of the location at which a copy of proposal may be examined.

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 of the capital, installation and maintenance costs thereof;

WHEREAS, section six, article 6, Chapter 24 (24-6-6) of the West Virginia Code states the emergency telephone system plan may be amended after notice of the proposed amendments is given and a public meeting is held.

Now therefore be it ordained by the County Commission of Mercer County, West Virginia pursuant to and in accordance with 24-6-6 of the West Virginia Code, the following:

Mercer County proposes to amend the residential and business wireline and voice over protocol (VoIP) rates from the current rate of $3.00 per line to $3.75 per line in 2024, $4.50 per line in 2025, $5.25 per line in 2026, $6.00 per line in 2027, $6.75 per line in 2027 and all subsequent years and $8.00 per line per month for the first 8 business lines and at the rate of $1.00 per month for all additional lines, effective 1-1-2024.

That a copy of the proposal attached hereto be made available for examination by the public at the Mercer County Courthouse, County Commission Office, 1501 Main St Suite 210 Princeton, WV or the Mercer County Communications Center Administration Offices, 900 Shelter Rd, Princeton, WV.

Public meetings are being held at Spanishburg VFD on July 31, 2023, East River Ruritan, Oakvale on August 8, 2023, Karen Preservati Center, Princeton on August 17, 2023, Bluewell VFD on August 24, 2023 and Green Valley Glenwood VFD on August 31, 2023. All meetings begin at 6:00 pm.

A public hearing is scheduled to be held in the County Commission Courtroom at the Mercer County Courthouse, 1501 Main St, Princeton, WV at 10:00 am on Tuesday, September 12, 2023 in order to receive comments from public officials and interested persons.

An advertisement was posted on the County Commission Facebook page and posted on the doors of the Mercer County Courthouse, notifying the public of the date, time and places of the public hearings and of the locations at which the proposed increase will be discussed.

Section 1 – Definitions

As used in this plan, unless the context clearly requires a different meaning:

(a) "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, relaying a message to the appropriate provider or transferring the call to the appropriate provider.
(b) **County Commission** means the County Commission of Mercer County, West Virginia.

(c) **County** means Mercer 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 the 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 or dispatches such call be telephone, radio or any other appropriate means of communication to emergency service providers that serve the location from which the call is made.

(f) **Public agency** means Mercer County and all incorporated municipalities of the county which provide or have authority to provide firefighting, police, ambulance, medical, rescue, or other emergency services within the county.

(g) **Public safety unit** means the functional divisions of Mercer County and each county municipality which proved firefighting, police, medical, rescue or other emergency service.

(h) **Telephone company** means a public utility, which is engaged in the provision of telephone service.

(i) **Wireless Communications** Commercial mobile radio service (CMRS) providers or means cellular licensees, broadband personal communications services (PCS) licensees and specialized mobile radio (SMR) providers, as those terms are defined by the Federal Communications Commission, which offer real-time, two-way switched voice service that is interconnected with the public switched network, and includes resellers of any commercial mobile radio service.

**Section 2 Territory Included in System**

(a) All territory in Mercer County, including every municipal corporation in the county, which is served by telephone company central office equipment that will permit an enhanced emergency telephone system to be established, is to be included in the system.

(b) The municipal corporations included in the system shall include, but not necessarily be limited to, the following:

1) Town of Athens
2) City of Bluefield
3) Town of Bramwell
4) Town of Oakvale
5) City of Princeton

**Section 3 – County Answering Point(s)**

(a) The county answering point shall be operated constantly and shall provide full service,
including access for the hearing impaired, 24-hours per day.

(b) The Primary County Answering Point is located at 911 Shelter Rd, Princeton, West Virginia.

(c) A Secondary County Answering Point shall be McDowell County Emergency Communications, which will serve as a back-up to the Primary Answering Point in case of failure.

(d) The County Answering Point shall provide services for the entire County of Mercer.

(e) The answering point(s) will be required to respond to calls as follows:
   1. By directly dispatching an emergency service provider; or
   2. By relaying a message to the appropriate emergency service provider.

(f) The county answering point shall be connected to the telephone company’s telephone network by dedicated trunks or advanced technologies.

Section 4 – Emergency Service Providers; Resolution of Disputes; Handling of Misdirected Calls; Publicly Accessible Telephone Numbers; Enhanced 9-1-1 Communications Advisory Board

(a) Every emergency service provider that provides emergency service within the territory of the county will be required to participate in the enhanced emergency telephone system.

(b) The emergency service providers referred to in subsection (a), above, shall be the following:

Mercer County Office of Homeland Security and Emergency Management
Mercer County Sheriff’s Department
West Virginia State Police – Princeton Detachment
Athens Volunteer Fire Dept.
City of Bluefield Fire Dept.
Bluestone Valley Volunteer Fire Dept.
Bluewell Volunteer Fire Dept.
Bramwell Volunteer Fire Dept.
East River Volunteer Fire Dept.
Green Valley Glenwood Volunteer Fire Dept.
Matoaka Volunteer Fire Dept.
Montcalm Volunteer Fire Dept.
City of Princeton Fire Dept.
Oakvale Volunteer Fire Dept.
Bluefield Rescue Squad
Princeton Rescue Squad
West Virginia Dept. of Natural Resources – Camp Creek State Park
West Virginia Dept. of Natural Resources – Pinnacle Rock State Park
West Virginia Dept. of Natural Resources – Natural Resources Police
West Virginia Division of Forestry
Athens Police Department
Bluefield Police Department
Bramwell Police Department
Princeton Police Department
Concord University Police Dept.
Norfolk Southern Railroad Police
Hatfield McCoy Recreational Authority

(c) In the event of a dispute between the County and one of 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) In the event a call is incorrectly dispatched to an emergency service provider, the provider receiving the call shall immediately notify the county answering point dispatcher via radio requesting the appropriate jurisdiction be alerted to respond to the call. The emergency service provider initially alerted will then proceed as directed.

(e) Each emergency service provider participating in the enhanced emergency telephone system shall maintain a publicly accessible 10-digit telephone number, which shall be appropriately listed in appropriate telephone directories in addition to any telephone numbers provided in the system.

(f) Below is a list of the membership of the Mercer County Communications Center Authority Board

1. County Commission President or designee
2. Mercer County Sheriff or designee
3. West Virginia State Police
4. Mercer County Fireman’s Association President or designee – Emergency Medical Service Provider
5. Municipal Representative
6. Legal Representative
7. Office of Emergency Management
8. Healthcare
9. Director of County Enhanced 9-1-1 Center

The Director of the Enhanced 9-1-1 system shall serve as ex-officio of the Authority Board at all times.

Section 5 – Imposition of Fee; Adoption of Billing Contract; Establishment of Separate Enhanced 9-1-1 Fund; Payment of Costs Not Recovered Through Fee

(a) Pursuant to 7-1-3cc of the West Virginia Code, Mercer County Commission shall impose a fee of $8.00 per month per local business exchange service line and $3.75 per month per line in 2024, $4.50 per month per line in 2025, $5.25 per month per line in 2026, $6.00 per month per line in 2027 and $6.75 per month per line in 2028 and all subsequent years for local residential service line. Said fee shall be effective 1-1-2024 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. Tel-e-assistance services shall be exempt from the fee imposed by this section.

(b) To equalize the rate charged to PBX, Centrex and similar systems a fee will be charged at the rate of $8.00 per line per month for the first 8 business lines and at the rate of $1.00 per month for all additional lines.
(c) All fees remitted under the contract referred to in subsection (a), above, are proposed to be
deposited in a separate Revenue line-item account “911 Fees”

Section 6 – Telephone Company

(a) Upon adoption of this plan, the terms and conditions of the telecommunications service and
facilities provided by the telephone company 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 company that will provide the services and facilities identified in subsection
(a), is as follows:

Frontier Communications

Section 7 Limitation of Liability

(a) Any public agency participating in the enhanced emergency telephone system established in
Mercer County and any officer, agent or employee of such public agency or of the county is
not liable for any damages in a civil action for injuries, death or loss of persons or property
arising from any act or omission, except willful or wanton misconduct, in connection with
developing, adopting or approving any final plan or agreement made pursuant to this
ordinance, or otherwise bringing into operation an enhanced emergency telephone system
pursuant to this ordinance.

(b) Employment as a dispatcher at the Mercer County Communications Center shall be
contingent upon successful completion of training courses to be specified by the Mercer
County Communications Center Authority Board. The costs of such training courses will be
allowable expenses of the Enhanced 911 System Fund.

Section 8 – Tariffs, Rules and Regulations, and Laws

The final plan for the County enhanced emergency telephone system 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 if fully set out
therein.

Section 9 – Filing of Plan with the Public Service Commission

Upon completion and adoption of the final plan for the County enhanced emergency
telephone system, the County Commission will send a signed copy of such plan to the Public
Service Commission of West Virginia.
PASSED AND ADOPTED by the County Commission of Mercer County, State of West Virginia, this 12th day of September 2023.

SIGNATURES:

Bill Archer County Commission President

Gene Buckner County Commissioner

Greg Puckett County Commissioner