

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter Q. 9-1-1 ISSUES.

§26.431. Monitoring of Certain 911 Fees.

- (a) **Purpose.** The purpose of this section is to implement the commission's statutory requirement to monitor the fees the Commission on State Emergency Communications (CSEC) establishes and the allocation of the revenues from such fees pursuant to Texas Health and Safety Code §§771.071, 771.072, and 771.0725.
- (b) CSEC shall:
- (1) provide documentation to the commission regarding the rate for the fees authorized in Texas Health and Safety Code §771.071 and §771.072, and the allocation of revenue pursuant to §771.072(d) and (e) including, but not limited to, documentation from each regional planning commission or other public agency designated by the regional planning commission to provide 9-1-1 service;
 - (2) complete direct mail notice, no later than the fifteenth day after providing its documentation to the commission, to the municipalities and counties whose 9-1-1 service fees are established by CSEC; and
 - (3) publish in the *Texas Register* notice of its proposed rates and allocation of revenue, no later than the fifteenth day after CSEC provides its documentation to the commission.
- (c) Interested parties shall file, not later than 45 days after CSEC publishes notice in the *Texas Register*, comments on CSECs' documentation and on the appropriateness of the rates for each fee and the allocation of the revenue pursuant to Texas Health and Safety Code §771.072(d).
- (d) The commission will review the documentation, rates and revenue allocations provided by CSEC and any comments submitted. If the commission determines that a proposed rate or allocation is not appropriate, it shall provide comments to CSEC, the governor, and the Legislative Budget Board within 120 days of CSECs' initial filing. The commission's comments shall explain its concerns, if any.
- (e) The commission may review and make comments regarding a rate or allocation under this section in an informal proceeding. A proceeding in which a rate or allocation is reviewed is not a contested case for purposes of Texas Government Code, Chapter 2001. A review of a rate or allocation is not a rate change for purposes of Texas Utilities Code, Chapter 36 or 53.