



**Written Testimony submitted to the Senate Financial Institutions &
Technology Committee**

Tuesday, June 6, 2023

By Frank Darr, Counsel, The Ohio Telecom Association

RE: Comments regarding proposed Senate Bill 50

Dear Chairman Wilson and members of the Financial Institutions and Technology Committee:

Senate Bill 50 would make several changes to Ohio law to promote a more robust 9-1-1 system. Parties interested in the bill have discussed and recommended additional changes to the bill and its counterpart in House Bill 33 to implement Next Generation 9-1-1. While the bill that was reviewed last week contains many of the recommended changes, new language has been proposed that should be clarified.

First, the Ohio Telecom Association supports changes that would clarify the scope of the services that would be subject to NG9-1-1 fees. These clarifications remove extraneous references to devices and better define the circumstances in which a charge would apply to a service. These changes reduce the concerns about the assessment's application.

Second, the OTA supports the removal of authority by counties to assess additional fees through the repeal of R.C. 128.25 and 128.26.

Third, OTA supports limits on the number of lines that may be subject to an assessment at a defined location.

Fourth, OTA supports the new implementation date of January 1, 2024 and changes that would permit a provider or seller to retain a servicing fee for the collection of the assessment.

One change that was recommended by interested parties was a limitation on the number of charges that could be applied to devices that share a telephone number. In that instance, it is recommended that language be included so that the service would be assessed a single monthly assessment fee. This approach is consistent with the policy reflected in other changes that

establish that the fee is charged to the service, not the device, capable of providing access to 9-1-1 emergency services.

One change in the bill that was not discussed among the parties and raises a question regarding its effect is new language in R.C. 128.412(D). The new language provides that the total number of separate next generation 911 fees billed to a subscriber shall not exceed the total number of separate wireless 911 charges that are billed the customer. This limit does not apply to a subscriber who purchases, subscribes to, or renews a contract for a service on or after January 1, 2024. It is unclear how this section will work. For example, if a subscriber pays for 911 on his or her cell contract, but the fee would also apply to an internet phone service after SB50 goes into effect, would the subscriber continue to pay one charge because he or she was paying only one charge prior to enactment, or would he or she pay two charges since it is likely that she is being billed separately for the services? Further, how does the language apply to a provider of wire or wireless internet and cell? How does a person's status change on January 1, 2024, i.e., are all customers then charged additional fees for any service or would customers that remain on existing contracts be charged the prior number of charges? As these questions suggest, this new provision needs clarification. Once it is clearer what the section is intended to accomplish, OTA may have additional recommendations.

Again, thank you for the opportunity to submit written testimony. The OTA looks forward to working through issues raised by the bill as it moves forward.