225-1-3-.01 Collection Of Service Charges. The CMRS Board shall levy a CMRS emergency telephone charge on each CMRS connection that has a principal wireless address (or billing address if the principal wireless service address is now known) within the state, including prepaid connections. The rate of such wireless service charge shall be seventy cents (\$0.70) per month per CMRS connection, beginning on May 1, 1998, which amount shall not be increased except by the Legislature. The CMRS service charge shall have uniform application and shall be imposed throughout the state. The CMRS Board shall receive all revenues derived from the CMRS service charge levied on CMRS connections in the state and collected pursuant to §11-98-8, Code of Ala. 1975.

Author: Commercial Mobile Radio Service Emergency Telephone Service Board


225-1-3-.02 Establishment Of CMRS Fund. The CMRS Board shall establish and maintain the CMRS Fund as an insured interest bearing account into which the Board shall deposit all revenues derived from the CMRS service charge levied on CMRS connections and collected pursuant to §11-98-8, Code of Ala. 1975, and 225-1-2-.01 of the Rules and Regulations adopted by this Board.
Chapter 225-1-3  
Commercial Mobile Radio Service

Author: Commercial Mobile Radio Service Emergency Telephone Service Board

225-1-3-.03 Disbursement To ECDs From CMRS Fund. The CMRS Board shall make disbursements from the CMRS fund in the following manner: Out of funds collected by the Board and after deduction of administrative expenses, fifty-six percent (56%) shall be distributed to ECDs in accordance with the distribution formula and may only be used for the lease, purchase or maintenance of wireless enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisions, and for expenses directly related to the FCC Order or the handling of wireless emergency calls.

Author: Commercial Mobile Radio Service Emergency Telephone Service Board

225-1-3-.04 Disbursement To CMRS Providers From CMRS Fund. A separate account shall be established for each participating ECD. Forty-four percent (44%) of the CMRS Fund, shall be deposited into the ECD accounts based upon the Distribution Formula. Each ECD shall have the option of delegating authority for CMRS provider cost recovery reimbursement to the CMRS Board via written letter or authorization. In that event the CMRS Board shall carry out all reimbursement functions on behalf of the ECD. The forty-four percent (44%) of the CMRS Funds shall be used solely for the purpose of payment of actual costs incurred by CMRS providers in complying with the wireless E-911 service requirements established by the FCC Order and any rules and regulations which are or may be adopted by the FCC pursuant to the FCC Order, including, but not limited to costs and expenses incurred for designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining all necessary data, hardware, and software required in order to provide the service as well as the incremental costs of operating the service.

Author: Commercial Mobile Radio Service Emergency Telephone Service Board
225-1-3-.05 **Cost Recovery Requirements For ECDs And CMRS Providers.**

(1) Pursuant to §11-98-7(b)(3)(b), Code of Ala. 1975, disbursements shall be made directly to CMRS providers based upon sworn invoices presented by the provider to the Board. Each such invoice must reflect the sworn confirmation of the CMRS provider that the payment does not exceed the actual costs incurred by the provider, for the period of service covered by the invoice, in complying with the wireless E-911 service requirements established by the FCC Order as defined by §11-98-6, Code of Ala. 1975.

(2) In no case shall total disbursements for CMRS provider cost recovery exceed the total amount collected for CMRS provider cost recovery.

(3) All disbursements made under (1) above shall be expensed to each ECD account in accordance with the Distribution Formula.

(4) All initial contracts between the Board and the providers for cost recovery may be submitted to the Board after May 1, 1999. Thereafter, all contracts for cost recovery shall be submitted and executed between October 1 and December 1 of each year beginning October 1, 2000.

**Author:** Commercial Mobile Radio Service Emergency Telephone Service Board

**Statutory Authority:** Code of Ala. 1975, §11-98-7.

**History:** New Rule: Filed April 29, 1999; effective June 3, 1999.

225-1-3-.06 **Withholding Of Funds By Board For Failure To Provide Requested Information.**

(1) In order for the Board to effectively fulfill its statutorily mandated functions the Board may from time to time request that a CMRS Provider or an ECD provide certain information and documentation to the Board.

(2) In the event that a CMRS Provider of ECD fails or refuses to timely or completely provide such requested information or documentation, then the Board, at its discretion, may withhold disbursement due a CMRS Provider or ECD until such time that the requested information or documentation is received by the Board.

**Author:** Commercial Mobile Radio Service Emergency Telephone Service Board

**Statutory Authority:** Code of Ala. 1975, §11-98-7.

**History:** New Rule: Filed March 13, 2007; effective April 17, 2007.