

**STATE OF ILLINOIS
BUREAU OF ADMINISTRATIVE HEARINGS
FOR
ILLINOIS STATE POLICE**

Peoria-Stark Joint ETSB)
) Case No. ISP-22-C-297
Application for Consolidation Plan)

**RECOMMENDED DECISION ON
APPLICATION FOR CONSOLIDATION (AMENDED)**¹

I. BACKGROUND

On February 14, 2022, Peoria County (the “Applicant”) submitted its Application for 9-1-1 Consolidation Plan (“Consolidation Plan” or “Plan”) to the Office of the Statewide 9-1-1 Administrator pursuant to Section 15.4a of the Emergency Telephone System Act (“ETSA”). 50 ILCS 750/15.4a. The Applicant currently operates an Emergency Telephone System Board (“ETSB”). The Plan proposes the addition of Stark County, an unserved county, to form a Joint Emergency Telephone System Board (“Joint ETSB” or “JETSB”).

Section 15.4a(a)(7) of the ETSA requires the corporate authorities of each county that has no 9-1-1 service as of January 1, 2016 to provide 9-1-1 wireline and wireless 9-1-1 service for that county by either (i) entering into an intergovernmental agreement with an existing Emergency Telephone System Board to create a new Joint Emergency Telephone System Board, or (ii) entering into an intergovernmental agreement with the corporate authorities that have created an existing Joint Emergency Telephone System Board. 50 ILCS 750/15.4a(a)(7). The regulations promulgated pursuant to the ETSA specify the procedures and requirements of such a consolidation plan, 83 Ill. Adm. Code 1324.200, *et. seq.* (the “Regulations”).

On February 25, 2022, the Department of State Police (“Department”) staff, Stacy Ross, completed a Department Review of Consolidation reporting on a technical review of the Consolidation Plan, as required by Section 1324.200(f)(1) of the Regulations, 83 Ill. Adm. Code 1324.200(f)(1).

An administrative hearing was held before a duly authorized Administrative Law Judge, Katy L. Straub, on April 13, 2022.² David Tuttle, Chairperson for the Peoria County Emergency Telephone System Board, appeared in support of the Consolidation Plan. Also present on behalf of

¹ The initial Recommended Decision of the Administrative Law Judge, issued May 12, 2022, is amended and reissued solely to clarify the date the Applicant submitted its Application for 9-1-1 Consolidation Plan. Though the Applicant’s verification is dated December 13, 2021, the Application was submitted and received by the Department of State Police on February 14, 2022.

² The transcript of the administrative hearing consists of an audio and video recording of the proceeding, duration 10 minutes, 56 seconds, currently in possession of the Bureau of Administrative Hearings.

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Peoria County was Jodi Noe, its 9-1-1 Coordinator. Attorney Suzanne L.Y. Bond appeared for the Illinois Department of State Police, accompanied by Stacy Ross.

Ms. Ross testified that she prepared the Department Review of Consolidation, and that no comments had been received by the Department regarding the Consolidation Plan. Neither the Illinois Commerce Commission nor the public had concerns or objections to the Consolidation Plan. Ms. Bond indicated the Department recommends approval of the Consolidation Plan without any alterations and without delay.

II. EVIDENCE

The evidence adduced at the Hearing is:

1. The Consolidation Application submitted to the Department on February 14, 2022;
2. The Department Review of Consolidation dated February 25, 2022, authored by Stacy Ross, and the testimony of Ms. Ross at hearing; and
3. The presentation and explanation of the Consolidation Plan presented by David Tuttle.

III. CONSOLIDATION PLAN

The Consolidation Plan and the testimony of the witnesses at the hearing established the following facts:

1. Peoria County eliminated its individual ETSB and entered into an intergovernmental agreement with Stark County to create a Joint ETSB, known as the Peoria-Stark Joint ETSB.
2. The Peoria-Stark Joint ETSB will provide a coordinated public safety dispatching system.³

IV. TECHNICAL REVIEW

The technical review performed by Stacy Ross concludes that the Applicant's Consolidation Plan meets the requirements for a consolidation plan as prescribed by Section 1324.200(c) of the Consolidation of 9-1-1 Emergency Systems and Standards of Service Applicable to 9-1-1 Emergency Systems Regulations. Cost Projections, Network Costs, Back-up PSAP Agreement or Call-Handling and Aid Agreements have been supplied to the Statewide 9-1-1

³ In addition to this Consolidation Plan, the Peoria-Stark Joint ETSB is requesting a networking change to transition to the statewide AT&T Next Generation 9-1-1 network.

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Administrator. The Technical Review indicates that the proposed Peoria-Stark Joint ETSB complies with necessary requirements for approval of the Consolidation Plan.

V. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION

HAVING REVIEWED the entire record herein and being fully advised in the premises, the undersigned Administrative Law Judge hereby:

A. FINDS that:

1. The Consolidation Plan furthers the statutory goal of ETSA to establish 9-1-1 as the primary emergency telephone number for use in the State of Illinois. ETSA further states the statutory goal that “it is in the public interest to shorten the time required for a citizen to request and receive emergency aid.” 50 ILCS 750/1. This goal will be furthered with the approval of this Consolidation Plan.
2. The Consolidation Plan meets the requirements for a consolidation plan as required by Section 200(c) of Part 1324 of the Regulations.
3. In particular, the Consolidation Plan includes a completed application consisting of the following documents:
 - a. Contact and 9-1-1 system information;
 - b. Sworn statement attesting to the truth of the information provided in the Plan;
 - c. Letter that is sent to the 9-1-1 system provider with a copy of the Plan; and
 - d. Summary of the proposed system’s operation, including information as to how the plan will assist with achieving the statutory goals enumerated in ETSA Section 5.4b(a). 83 Ill. Adm. Code 1324.200(c)(1).
4. In addition, the Consolidation Plan provides the following in compliance with Section 200(c)(1)(F) - (I) of Part 1324 of the Regulations:
 - a. List of all communities that are served by the 9-1-1 system;
 - b. List of public safety agencies that are dispatched by the 9-1-1 system;
 - c. List of the public safety agencies that are adjacent to the 9-1-1 system’s geographic boundaries; and
 - d. List of the carriers and Interconnected VoIP providers that are known by the Applicant to provide service within the jurisdiction of the 9-1-1 system.

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5. The Applicant has attached to the Consolidation Plan the following documents as required by Section 200(c)(1)(J) and (K) of Part 1324:
- a. A local ordinance that dissolves an existing ETSB;
 - b. An intergovernmental agreement creating a Joint ETSB or any other agreements pertinent to the 9-1-1 system consolidation;
 - c. The network diagram that is provided by the 9-1-1 system provider;
 - d. The Call Handling and Aid Outside Jurisdictional Boundaries Agreements; and
 - e. The Test Plan, 83 Ill. Adm. Code 1324.200(c)(1)(J) and (K).

B. DETERMINES that:

1. The Peoria-Stark Joint ETSB has filed a 9-1-1 Consolidation Plan pursuant to 50 ILCS 750/15.4a of the Emergency Telephone System Act;
2. The Peoria-Stark Joint ETSB Consolidation Plan furthers the statutory goals of the Emergency Telephone System Act;
3. The Peoria-Stark Joint ETSB Consolidation Plan meets the requirements of 83 Ill. Adm. Code 1324.200(c); and
4. The Peoria-Stark Joint ETSB Consolidation Plan should be approved.

IT IS THEREFORE RECOMMENDED that the Peoria-Stark Joint ETSB Consolidation Plan be approved.

This Recommended Decision of the Administrative Law Judge is issued this 13th day of May 2022.

BUREAU OF ADMINISTRATIVE HEARINGS

Dated: May 13, 2022



Katy L. Straub
Administrative Law Judge

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing RECOMMENDED DECISION was served upon the parties of record to the above cause by electronic mail on May 13, 2022, addressed to such parties as shown below. The original was filed with the Bureau of Administrative Hearings as a part of the permanent case file, currently in the possession of the Administrative Law Judge and to be delivered to the Department of State Police upon the conclusion of this matter.

BUREAU OF ADMINISTRATIVE HEARINGS



Dated: May 13, 2022

Katy L. Straub
Administrative Law Judge

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