EXHIBIT: 2
2012 SESSION S VETERANS' & MILITARY AFFAIRS
DATE: 2/7 PAGES: 4
SUBMITTED BY: Arthur A. Butler

ATER WYNNE LLP
ATTORNEYS AT LAW

Suite 1501
601 Union Street
eattle, WA 98101-3981
206-623-4711
Fax: 206-467-8406
www.aterwynne.com

Arthur A. Butler
Direct Dial: 206-753-3011
E-Mail: aab@aterwynne.com

February 6, 2012

Senator Brian J. Boquist
Chairman
Veterans & Military Affairs Committee
Oregon State Senate

Re: Testimony of Oregon TRACER regarding SB 1559

Dear Mr. Chairman and Members of the Committee:

My name is Arthur A. Butler. I am an attorney with the law firm of Ater Wynne LLP. I am testifying today for Oregon TRACER, which is an association representing the interests of large communications users. On behalf of TRACER I want to thank you for the opportunity to share our concerns about SB 1559. TRACER believes that SB 1559 has significant problems and therefore is opposed to its passage in its present form.

Last year TRACER reached an agreement with the Emergency Management Division (representing the 911 emergency response community) and with representatives of the cable and telephone companies, hospitals, and hotels and motels on an acceptable bill that would impose an obligation on end-users who are operators of multiline telephone systems (MLTS) to configure their systems so that the local PSAP is provided with information that will enable it to query the automatic location identification database and obtain the building name and street address for persons calling 911. Updates to the ALI database would have to be made as soon as practicable. That agreement was reflected in HB 2076-11. The agreed-upon bill would address the biggest problem facing emergency assistance providers: getting to the correct building. Under the present system when a 911 call is placed the serving telephone company provides the PSAP with the address of the MLTS. If the caller is actually located in an off-premise satellite facility served by the MLTS, the emergency responders will be sent to the location of the switch, not the location of the caller. In other words, they will go to the wrong building, perhaps even the wrong city. This problem would be solved under a bill like HB 2076-11, and emergency responders will be sent to the correct building.

SB 1559 is inconsistent with the agreement reached among the interested parties last year and doesn't specifically address the major location problem addressed by the agreed upon HB 2076-11. Furthermore, at best it would impose on MLTS operators obligations that could be very expensive and difficult to meet, particularly for entities that have "open office" space

arrangements or experience a high level of moves and changes.[1] At worst, many MLTS operators could not meet the obligations at all through no fault of their own. This is because solutions are not available from their service providers. This is particularly true in the case of users of new services such as VoIP[2] or wireless PBX services. For those new services, particularly those used by enterprises, there is no technical solution available that will enable the precision of location identification of a 911 caller that is required by the bill.[3] Adoption of SB 1559 in its present form would be tantamount to telling Oregon enterprises, educational, and governmental entities that they cannot use new services. And those that have already invested in them, and made expensive changes to their cabling and other systems, will have to undo those changes if they have to upgrade or change their switching systems again.

Also, the obligation in SB 1559 to update the ALI database within one business day is too rigid and too short. The standard should be "as soon as practicable" as agreed to in HB 2076-11.

Again, thank you for the heads-up on this bill and the opportunity to share our concerns.

Very truly yours,

ATER WYNNE LLP

Arthur A. Butler

Enclosure

---

[1] For example, one entity we consulted reported that if it was required to identify room and floor for every caller it would have to procure and install a new network and telecommunications management system to replace its existing service request/work order, repair, cable management and network device tracking/inventory systems. The total installed price for such a new system would be in the $175-$200K range for year 1 (various software modules plus installation/training costs) and about $20K per year for 2nd and 3rd year software maintenance support. This includes the E911 module but does not include any "people resource" costs associated with initially setting up the data base, which would be somewhat of a moving target due to ongoing moves-and-changes activity.

[2] VoIP services utilize an enterprise's data network, not traditional telephone cabling. Among the efficiencies available from implementing VoIP is the opportunity to eliminate telephone cabling. Changes can be accomplished by the user simply plugging into a different data port; it is not necessary to send a tech to facilitate the move.

[3] The best E911 solution available for enterprise level VoIP applications will only permit location of the local area network (LAN) switch serving the data port, but the LAN switch may be several floors away from the data port from which a 911 call is made. Thus, what is available to emergency responders is the location of the wiring closet where the LAN switch is located, not the location of the caller. Moreover, we are aware of no business or other enterprise that has a database with the location of each data drop, and the enterprise cannot control people who can literally plug into any LAN drop from moving their phones. Further, most large data networks, over which VoIP services operate, are not entirely managed by a single department. Adoption of the specific location requirements called for in SB 1559 would require significant changes in the way these entities operate, with resulting increased cost and loss of efficiencies.

ATERWYNNE LLP
ATTORNEYS AT LAW

Suite 1501
601 Union Street
Seattle, WA 98101-3981
206-623-4711
Fax: 206-467-8406
www.aterwynne.com

TRACER recommends the following changes be made to SB1559:

Page 1, lines 8 through 12: Section 1(2) shall be changed as follows:

(2) "Automatic location identification" means a component or capability of enhanced 9-1-1 telephone service that provides automatic display in the designated public safety answering point of **geographic information about the location** ~~the telephone number from which the incoming 9-1-1 call originates, the address~~ of the telephone used to originate the incoming call ~~and one or more specific building unit identifiers.~~

Page 1, lines 17 through 20. Section 1(4) shall be changed as follows:

(4) **"Emergency response location identifier" means a component or capability of enhanced 9-1-1 telephone service that identifies a specific emergency response location.** ~~"Building unit identifier" means supplemental information about the specific location from which a 9-1-1 call originates, including an identifying name, room number or other description of a floor, room or other portion of a building, that is useful in the delivery of emergency services.~~

Page 3, line 45 through page 4 line 8. Section 4(2) and (3) shall be changed as follows:

(2) The operator of a multiline telephone system installed at least 12 months after the effective date of this 2012 Act shall ~~transmit to~~ **provide information so that** the appropriate primary public safety answering point ~~automatic location identification that includes the building unit identifier for the specific~~ **is able to query the automatic location identification database and obtain an emergency response location identifier that includes at least the street address and building name for the** location from which the 9-1-1 call originates.

(3) **Subsection (2) of this section does not apply to the operator of:** ~~Notwithstanding subsection (2) of this section, a multiline telephone system is not required to provide more than one building unit identifier if the system is:~~
(a) A key telephone system; or
(b) Any other multiline telephone system that serves a workspace that is less than 10,000 square feet on a single level and that is located on one tract, as defined in ORS 215.010.

Page 4, lines 19 through 24. Section 4(5)(b) shall be changed as follows:

(b) Update the automatic location identification database, or otherwise make the valid address and call back number available to the database provider:
(A) For a newly installed multiline telephone system, as soon as practicable; or
(B) For an existing system, **as soon as practicable** ~~within one business day~~ after **record** completion of ~~the actual~~ changes.
~~(c) Audit, annually or more often, the accuracy of information in the database.~~

Page 4, lines 25 through 28. Section 4(6)(a) shall be changed as follows:

(6) An update to the automatic location identification database must:
(a) Match the direct inward dialing number~~'s~~ automatic location identification database record indicator ~~building unit identifier~~, to the extent that the operator of a multiline telephone system assigns the **direct inward dialing number of the station or the emergency response location as** ~~building unit identifier, to~~ the automatic location identification database record **indicator.**