



## KENAI PENINSULA BOROUGH

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

### MEMORANDUM

**TO:** Kelly Cooper, Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *MN*

**FROM:** Colette Thompson, Borough Attorney *CT*  
Craig Chapman, Finance Director *CC*

**DATE:** March 9, 2017

**SUBJECT:** Ordinance 2016-19-30, Appropriating Supplemental Funding In The Amount Of \$65,000 for Legal Costs Relating To Defending the Borough against a Complaint Filed With the Regulatory Commission of Alaska (Mayor)

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In 1984, the borough assembly authorized the mayor to establish a non-area-wide 911 emergency communications system in the borough. Since then the borough's 911 emergency communications system has significantly evolved. The borough implemented a new enhanced 911 ("E911") system in 2008 to improve the existing landline services, include wireless 911 capabilities in accordance with Federal Communications Commission requirements, and acquire and administer the technical infrastructure required for E911 systems. The assembly also enacted ordinance 2008-21, which designated two selective router demarcation points for E911 call delivery by telecommunications carriers.

In 2012, Matanuska Telephone Association and Interior Telephone Company contacted the borough claiming the borough should bear the cost of delivering their customers' E911 calls from their networks to the borough's demarcation points. The borough disagreed and the parties have unsuccessfully attempted to resolve this dispute. Both carriers recently filed formal complaints against the borough with the Regulatory Commission of Alaska asking for rulings requiring the borough to pay these past and future costs. Outside counsel is needed to represent the borough in this dispute as telecommunications law is a niche area requiring significant expertise at both the federal and state levels. This ordinance would appropriate funds necessary to enable the borough to retain such outside counsel. Any funds not used for this purpose would lapse to the general fund.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	100.27910 FB
Amount	\$65,000.00
By: <i>BT</i>	Date: 3/9/17