



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC

September 3, 2019

Mike O’Rielly
Commissioner

The Honorable Donna Frett-Gregory
Chair
Education and Workforce Development Committee
Legislature of the Virgin Islands
Capitol Building, Charlotte Amalie
P.O. Box 1690
St. Thomas, Virgin Islands 00804

Dear Senator Frett-Gregory:

Thank you for your engagement in response to my recent letter to Governor Bryan and for the opportunity to discuss the structure of 9-1-1 fee collection and distribution in the U.S. Virgin Islands (USVI). I also appreciate your willingness, and that of your colleagues, to consider legislative changes to address any perceived problems or relevant practices.

It is critical that everyone involved in the provision of 9-1-1 service — from policymakers, to technologists, to those on the receiving end of emergency calls — is firmly committed to ensuring that 9-1-1 systems are sufficiently funded and functional, fully equipped to meet the demands of Americans facing emergency situations. A key part of this, from my perspective and that of many others, is ensuring that 9-1-1 fees collected from consumers are not diverted by a state or territory to other spending priorities, no matter how meritorious. Simply put, 9-1-1 fees should only go to the corresponding 9-1-1 emergency system.

In terms of the USVI, FCC staff have had an opportunity to examine more closely the underlying USVI statute governing collection of “Emergency Services” fees and the manner in which such fees are allocated for 9-1-1 and other public safety purposes specified in the statute. Based on that review, staff have found that the USVI’s 9-1-1 fee filing in 2018 did not provide the full picture of how fees dedicated to 9-1-1 were collected and allocated pursuant to the statute. While the current consumer fee is far from ideal in terms of consumer notification and transparency, taking all the facts into consideration, it does not appear that 9-1-1 fees collected by the USVI were diverted for calendar year 2017.

I appreciate the opportunity to clear-up this situation. Please note that I expect that the USVI will remain in compliance with the non-diversionary provisions contained in U.S. federal law and will provide full disclosure of its fee collection and expenditures in response to our data collection for future 9-1-1 fee reports.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Rielly".

Michael O’Rielly