

EMERGENCY RULE CHANGE

FINDING OF IMMINENT PERIL
TO THE PUBLIC SAFETY
EMERGENCY CHANGE

The Commercial Mobile Radio Service Board, an Instrumentality of the State of Mississippi, created pursuant to Section 19-5-333 of the Mississippi Code of 1972, as amended, held its regularly scheduled monthly meeting on January 19, 2000. At that meeting the Board was made aware of the need to rectify the original Rules as identified during an audit. The formula which the Board officially adopted has been followed; although, the Rule misstated the formula. This Emergency Rule Change is to reflect the correct formula and to change the disbursement time from five (5) business days to ten (10) business days as approved by the Board at its regularly scheduled monthly meeting on December 15, 1999. It was likewise determined that it was a matter of imminent public safety to make both of these changes, since these Districts depend upon the correct distribution and timely receipt of those funds. Therefore, finding that this matter should be addressed by an Emergency Rule Change promulgated by the Board, the Board adopts the following Emergency Rule Change pursuant to Section 25-43-7(2) of the Mississippi Code of 1972, as amended:

EMERGENCY RULE CHANGE TO SECTION VI

SECTION VI:

- A. The CMRS service charge shall be \$1.00 as established by state law.
- 1) From the \$1.00 service charge collected by each provider as contemplated by Section 19-5-331 of the Mississippi Code of 1972 as amended:
 - a) 1 cent shall be retained by the provider to cover their cost of collecting,

handling and processing the service charge.

- b) 99 cents shall be forwarded by the provider to the CMRS Board.
 - c) Thirty percent (30%), of the 99 cents, or 29.70 cents, shall be identified for use to reimburse service suppliers for expenses as specified in the applicable sections of state law to meet FCC mandates and to pay Board expenses. Board expenses shall not exceed two percent (2%) of the thirty percent (30%) of the 99 cents or .594 cents. Thus the remaining 29.106 cents will be available to reimburse service suppliers.
 - d) Seventy percent (70%) of the 99 cents, or 69.3 cents, shall be identified to be distributed to the respective county Emergency Communications Districts (ECDs) from which the service charge was imposed.
- 2) All funds due to the respective ECD as their proportionate share of the funds received and on deposit in the Commercial Mobile Radio Service Fund (CMRS Fund), shall be disbursed, no later than (10) business days after the date those are due to the Board from various commercial mobile radio service providers.

COMMERCIAL MOBILE RADIO SERVICE BOARD

BY: Bennie McDow
BENNIE McDOW, CHAIRMAN