

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
KEN HECHLER  
**ADMINISTRATIVE LAW DIVISION**

Form #6

Do Not Mark In this Box

**FILED**

MAY 9 9 57 AM '97

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: WEST VIRGINIA PUBLIC SERVICE COMMISSION TITLE NUMBER: 150

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 15

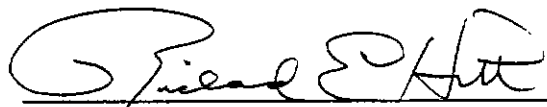
TITLE OF RULE BEING PROPOSED: RULES AND REGULATIONS FOR THE USE  
OF THE NUMBER "911"

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 209

SECTION §64-9-15, PASSED ON April 12, 1997

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON  
THE FOLLOWING DATE: July 11, 1997

  
\_\_\_\_\_  
General Counsel

PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA  
CHARLESTON

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 9th day of May, 1997.

CASE NO. G.O. 187.11  
IN THE MATTER OF Commission  
proposed rules amending the  
Rules and Regulations for the  
Government of Telephone  
Utilities: Series 15.

COMMISSION ORDER ADOPTING LEGISLATIVE RULE  
AS AUTHORIZED BY WEST VIRGINIA LEGISLATURE

On March 9, 1996, the West Virginia Legislature passed H.B. 4171 to be in effect 90 days from passage. The legislation adds a new section to the W.Va. Code §24-6-10. The legislation prohibits the use of the number "911" in the name or title of a person or organization except for certain specific purposes.

The legislation directs the Public Service Commission to propose rules for legislative promulgation in accordance with Code, Chapter 29a, Article 3, regarding the acceptable use of "911".

By order issued July 1, 1996, the Commission proposed rules to implement the legislative intent expressed in H.B. 4171. In that order, the Commission established a thirty (30) day comment period and directed that any comments be filed no later than July 31, 1996 by 4:00 p.m. The Acting Executive Secretary was instructed to provide public notice in newspapers of various locations in the State. By Order issued August 26, 1996, the Commission adopted final rules subject to Legislative rulemaking review.

On April 12, 1997, the Legislature passed S.B. 209, specifically §64-9-15, which approved the legislative rule as modified by the Commission to meet the concerns of the legislative rulemaking review committee.

DISCUSSION

The rule as approved by S.B. 209 differs from the rule adopted by Commission Order dated August 26, 1996. The differences relate to the concerns expressed by the legislative rulemaking review committee in the following respects: the rule has been assigned its own series number, series 15, as opposed to being part of series 6; and, rule 2.5. has been added which relates to the modification or discontinuance of "911" educational materials.

The rule attached hereto is the rule authorized by S.B. 209. It is appropriate to proceed with the final filing and adoption of this legislative rule as authorized by the West Virginia Legislature.

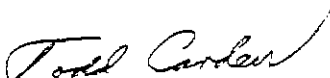
ORDER

IT IS, THEREFORE, ORDERED that the attached rules be, and they hereby are, adopted as final Commission rules as authorized by the West Virginia Legislature.

IT IS FURTHER ORDERED that the Commission's Executive Secretary serve a copy of this order and attached rule, together with the required forms, and computer diskette with the Office of the Secretary of State.

IT IS FURTHER ORDERED that the Commission's Executive Secretary serve a copy of this order upon all local exchange telephone utilities in West Virginia as well as the Consumer Advocate Division and Staff.

A True Copy, Teste:

  
Todd Carden  
Executive Secretary

6018711

FILED

150CSR15

15final  
5/9/97

TITLE 150  
LEGISLATIVE RULE  
PUBLIC SERVICE COMMISSION

MAY 9 9 57 AM '97

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 15  
RULES AND REGULATIONS FOR THE USE  
OF THE NUMBER "911"

§150-15-1. General.

1.1. Scope

This rule deals with the use of the number "911".

1.2. Authority

This rule is issued pursuant to legislation passed on March 9, 1996, H.B. 4171 codified at West Virginia Code §24-6-10.

1.3. Filing Date May 9, 1997

1.4. Effective Date July 11, 1997

§150-15-2. Prohibition regarding the use of the number "911".

2.1. No person or organization of any kind may use the number "911" in their title or name unless the person or organization is authorized to provide emergency telephone services for firefighting, law enforcement and/or medical personnel by means of the operation of or oversight over one or more local emergency telephone systems as the same are defined in Article 6, Chapter 24 of the West Virginia Code.

2.2. Except as specified below, no person or organization may use the designation "911" for any purpose other than to promote the education of the public regarding "911" service or to otherwise provide information pertaining to local emergency telephone systems as the same are defined in Article 6, Chapter 24 of the West Virginia Code.

2.3. No person or organization may use such numbers which are similar to "911" to deceive the public regarding the user's affiliation with the provision of emergency telephone services for firefighting, law enforcement and/or medical personnel.

2.4. These rules shall not affect motor vehicle license plate numbers issued by the Division of Motor Vehicles, nor shall it affect race cars that use a "911" logo when the number is not used for purpose of deceiving the public that the operator or owner operates "911" services.

150CSR15

2.5. The Public Service Commission may require the modification or discontinuance of distribution of materials which use "911" for the purposes of education of the public, when the Commission determines the educational materials do not accurately reflect the appropriate use of "911" services.

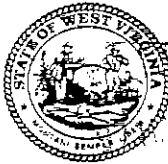
KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

JAN CASTO  
Deputy Secretary of State

CATHERINE FREROTTE  
Executive Assistant

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PUBLIC SERVICE COMMISSION

STATE OF WEST VIRGINIA  
SECRETARY OF STATE

Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

WILLIAM H. HARRINGTON  
Chief of Staff

JUDY COOPER  
Director, Administrative Law

PENNEY BARKER  
Supervisor, Corporations

(Plus all the volunteer  
help we can get)

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE  
MAY 21 1 13 PM '97  
FILED

TO: RICHARD HITT

AGENCY: PUBLIC SERVICE COMMISSION

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: May 16, 1997

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 15 TITLE: 150 PUBLIC SERVICE COMMISSION

\* THE ATTACHED ~~RULE~~ HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: [Signature]

TITLE OF PERSON SIGNING: General Counsel

DATE: 5-20-97

\*\*\*\*\*

\* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: \_\_\_\_\_

TITLE OF PERSON SIGNING: \_\_\_\_\_

DATE: \_\_\_\_\_

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.