

INDIANA STATEWIDE 911 BOARD

RESOLUTION NO. 2014-3

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
INDIANA STATEWIDE 911 BOARD
AUTHORIZING ITS EXECUTIVE DIRECTOR TO
INITIATE LITIGATION FOR ACTIONS BY PROVIDERS
DELINQUENT IN DUTY TO REMIT FEES AND CHARGES**

WHEREAS, the Indiana Statewide 911 Board (the "Board") is a separate public body corporate and politic of the State of Indiana (the "State") created and existing under the authority of IND. CODE § 36-8-16.7-24;

WHEREAS, the Board is responsible for overseeing the statewide 911 system and the statewide 911 fund;

WHEREAS, Communications Service Providers, as defined by IND. CODE § 36-8-16.7-19 ("Providers"), are required to collect and remit certain fees and charges under IND. CODE § 36-8-16.6 and IND. CODE § 36-8-16.7 for deposit into the statewide 911 fund;

WHEREAS, the Board has been advised by its Executive Director and legal counsel that certain Providers, designated by the Indiana Utility Regulatory Commission (the "IURC") as eligible telecommunications carriers, may not be remitting fees and charges; and

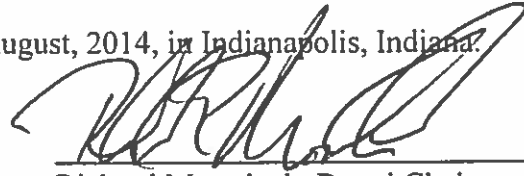
WHEREAS, under the authority of IND. CODE § 36-8-16.7-27(a)(1), the Board may sue, in its own corporate capacity, to implement its duties as enumerated in IND. CODE § 36-8-16.7.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA STATEWIDE 911 BOARD, THAT:

Section 1. Authorization to Initiate Litigation. The Executive Director of the Board is authorized to initiate or intervene in one or more civil actions in a court of competent jurisdiction to seek any appropriate relief regarding the failure of Providers, either currently or previously designated as eligible telecommunications carriers by the IURC, to collect or remit fees to the appropriate authorities for deposit into the statewide 911 fund.

Section 2. Board Notification. The Executive Director shall notify the Board of a decision to initiate or intervene in any civil action pursuant to this resolution and shall keep the Board apprised of such proceedings.

Approved and adopted this 28th day of August, 2014, in Indianapolis, Indiana.



Richard Mourdock, Board Chairperson

ATTEST:



Barry Ritter, Executive Director