



WIRELESS E-911 SURCHARGE REMITTANCE PROCEDURES

REVISION 6 – JULY 20, 2011

WIRELESS E-911 SURCHARGE REMITTANCE PROCEDURES

Pennsylvania Act 56 of 2003 amended the Public Safety Emergency Telephone Act by authorizing a wireless surcharge of \$1.00 per month for each activated wireless service device. Effective July 1, 2004, all wireless providers, including resellers, providing service as defined in §5302 of Chapter 53, Emergency Telephone Service, of Title 35 of the Pennsylvania Consolidated Statutes (Chapter 53) in the Commonwealth of Pennsylvania are required to collect and remit the wireless E-911 surcharge to the Department of Treasury. The surcharge shall be collected in addition to any other fee(s) assessed to wireless subscribers.

Section 5311.4(c) of Chapter 53, requires wireless providers, including affiliate re-sellers, to remit the wireless surcharge to the State Treasurer at least quarterly. Funds remitted to the State Treasurer are deposited into a non-lapsing, restricted, interest-bearing account known as the Wireless E-911 Emergency Services Fund.

Essential to the remittance process is compliance by wireless providers, and enforcement of the provisions for instances of non-compliance. Section 5311.13 provides that:

“In addition to any powers expressly enumerated in this Chapter, the Agency has the power and duty to enforce and execute, by its regulations or otherwise, this Chapter. The Agency may institute injunction, mandamus or other appropriate legal proceedings to enforce this Chapter and regulations promulgated under this Chapter.”

Along with the “**Wireless E-911 Surcharge Remittance Report**” forms for providers to submit with each wireless remittance, the Pennsylvania Emergency Management Agency (PEMA) has established this Wireless 9-1-1 surcharge remittance procedures with which providers must comply.

Every wireless provider that provides Wireless service in the Commonwealth of Pennsylvania is expected to comply with these procedures. Section 5311.4(d)(1) of Chapter 53 authorizes wireless providers to retain up to two percent (or two cents per dollar collected) of the gross receipts **collected** as reimbursement for the administrative costs associated with billing, collecting, and remitting the surcharge. Section 5311.4(e) requires wireless providers to provide certain information with each remittance. Failure to submit such information to PEMA shall constitute a violation of the Laws of the Commonwealth of Pennsylvania.

A. General Procedures

1. Every wireless provider shall provide to PEMA and every county that they provide service in with a 24-hour, seven-days-a-week emergency contact name and number to be used by PSAP’s in emergency and exigent situations.
2. The following procedures provide wireless providers, including affiliate re-sellers, with the process established by the Pennsylvania Emergency Management Agency (PEMA) governing the remittance of the wireless E-911 surcharge. These procedures are effective March 1, 2005, as revised July 20, 2011.

B. Procedures for Wireless Providers Remitting to the State Treasurer

1. Every wireless provider shall submit, on official corporate letterhead, a letter requesting banking information from the Commonwealth for transmittal of remittances. This letter shall also clarify whether transmittal will be done via wire transfer or ACH transfer. Correspondence shall be mailed to:

David O. Wightman
PEMA
Bureau of 9-1-1
2605 Interstate Drive
Harrisburg, PA 17110

2. All wireless providers offering wireless service (as defined in 35 Pa. C.S. § 5302) must remit. Wireless providers are requested to remit funds to the State Treasurer monthly. The statutory requirement is to remit quarterly. Funds must be received in the form of wire transfers, ACH transfers or checks. Checks must be made payable to "Commonwealth of Pennsylvania". No cash transmittals will be accepted under any circumstance. All remittances done via wire transfer must be routed to the Department of Treasury. Correspondence accompanying remittance information shall indicate that the funds are "Wireless 911 Surcharges" and **must** contain the **date of funds transfer**, the **period of time the surcharges cover** and the provider's **PA Customer Number**.

3. Funds remitted by check shall be mailed to:

Comptroller Operations
Accounts Receivable
P.O. Box 2833
Harrisburg, PA 17101

4. Wireless providers shall remit to the State the entire wireless surcharge and accrued interest less the actual uncollectible and less the approved administrative fee on a quarterly basis. The quarterly payment shall be made within 15 days of the end of each calendar quarter.

Quarterly payments are due according to the following schedule:

<u>Payment Due Date</u>	<u>Remittance Period</u>
April 15	January, February, March
July 15	April, May, June
October 15	July, August, September
January 15	October, November, December

5. For wireless providers remitting monthly, payments are due not later than 15 days from the end of the calendar month.

Monthly payments are due according to the following schedule:

<u>Payment Due Date</u>	<u>Remittance Period</u>
January 15	December
February 15	January
March 15	February
April 15	March
May 15	April
June 15	May
July 15	June
August 15	July
September 15	August
October 15	September
November 15	October
December 15	November

6. Every wireless provider remitting to the State Treasurer shall complete and submit via email to PEMA the **"Wireless E-911 Surcharge State Remittance Report,"** which is a separate Excel spreadsheet, and attached to these procedures (Appendix A). In addition, the **"Wireless E-911 Surcharge State Remittance Report"** is available on the PEMA Web site at www.pema.state.pa.us. Each wireless provider must indicate the **"Date of Funds Transfer"** and the provider's **PA Customer Number** on the remittance report. Providers shall email the **"Wireless E-911 Surcharge State Remittance Report"** to PEMA as follows:

Email to: PABureau911Remittance@pa.gov

7. Wireless providers shall email the **"Wireless E-911 Surcharge State Remittance Report"** to PEMA at least two days prior to the date the funds are to be transferred. **The provider's PA Customer Number must be included on the Wireless E-911 Surcharge State Remittance Report.**
 - a. For wireless providers remitting monthly, the **"Wireless E-911 State Remittance Report"** shall be due not later than the 13th of each month, immediately following the monthly collection period, in accordance with the schedule below:

<u>Remittance Due Date</u>	<u>Remittance Period</u>	<u>Transmittal Due</u>
January 15	December	January 13
February 15	January	February 13
March 15	February	March 13
April 15	March	April 13
May 15	April	May 13
June 15	May	June 13
July 15	June	July 13
August 15	July	August 13
September 15	August	September 13
October 15	September	October 13
November 15	October	November 13
December 15	November	December 13

- b. For wireless providers remitting quarterly, the **“Wireless E-911 State Remittance Report”** is due not later than the 13th day of the month immediately following the quarterly remittance period in accordance with the following schedule:

<u>Remittance Due Date</u>	<u>Remittance Period</u>	<u>Transmittal Due</u>
April 15	January, February, March	April 13
July 15	April, May, June	July 13
October 15	July, August, September	October 13
January 15	October, November, December	January 13

8. In the event a holiday or weekend precludes the wireless provider from transferring funds according to the remittance schedule outlined above, the wireless provider shall take the necessary steps to ensure the funds transfer and email communication are accomplished not later than the last business day preceding the holiday or weekend.
9. If the entire Wireless E-911 surcharge and accrued interest are not received by the due date of the remittance period, PEMA reserves the right to pursue collection efforts under §5307(e) of Chapter 53, on any funds not remitted pursuant to the procedures listed above and in Chapter 53.