

09 NCAC 06C .0105 SERVICE PROVIDER FAILURE TO COMPLY WITH RULES

(a) If the Board determines that a service provider does not appear to have complied with G.S. Chapter 62A, these Rules, or the requirements of the FCC Order, a certified, return receipt letter shall be mailed to the company representative known to the Board. The letter shall request justification or an explanation from the service provider for the apparent non-compliance. The service provider shall have 15 calendar days to respond to the letter.

(b) Board staff shall send a report to the Board. The Board shall review the staff's report. If it appears to the Board that the service provider has failed to comply with applicable law, these Rules, or the FCC Order, the Board shall notify the service provider to that effect and to the consequences arising from such failure, and shall provide an opportunity for the service provider to appear before the Board.

(c) If the non-compliant service provider is a CMRS service provider eligible for reimbursement pursuant to G.S. 62A-45, all reimbursements shall be suspended until compliance with applicable law, these Rules, or the FCC Order has been completed.

(d) If after notice and hearing, the Board determines that the service provider's failure was caused by one or more primary PSAPs, Rule .0106 and procedures regarding PSAP compliance shall be followed.

History Note: Authority G.S .62A-42; 62A-48; Part 20 of Title 47 of the Code of Federal Regulations; Eff. July 1, 2016.