

LAW AND PUBLIC SAFETY

(a)

STATE POLICE

Notice of Action on Petition for Rulemaking Security Officers and Security Officer Companies

N.J.A.C. 13:55A

Petitioner: Josh Ulman, Executive Director, National Armored Car Association (NACA).

Take notice that on December 19, 2014, the Division of State Police received a petition for rulemaking from the petitioner seeking amendments to N.J.A.C. 13:55A concerning applicability of the rules on security officer companies and security officers to armored car companies and their employees in New Jersey. The petitioner recites that the Division of State Police Private Detective Unit issued a notice on July 17, 2014, that the Security Officer Registration Act (SORA) and rules are deemed to apply to armored car companies maintaining a full-time office in New Jersey as well as to armored car company employees who are primarily employed in New Jersey and set forth compliance deadlines. The petitioner argues that the agency must first engage in rulemaking to apply the SORA to armored car companies, which had not previously been subject to it. In addition, the petitioner requests that the rules be amended to provide that required training is consistent with recognized safe practices in the armored car industry. Petitioner submitted copies of NACA's Armored Car Security Employee Safe Driver Training Program Trainer's Guide and Armored Car Security Employee Firearms Training Program Trainer's Guide. See 47 N.J.R. 301(c).

Take further notice that the Division has considered the petition for rulemaking on February 10, 2015, and has determined that further review and analysis of the issues raised by the petitioner are warranted in order to determine whether amendments to N.J.A.C. 13:55A-1.3 and 4 are necessary and reasonable. Consistent with the requirements of N.J.A.C. 1:30-4.2, the Superintendent referred this matter for further deliberation and development of information.

A copy of this notice will be mailed to the petitioner, posted for public viewing on the NJSP Internet website, and filed with the Office of Administrative Law, consistent with the requirements of N.J.A.C. 1:30-4.2.

PUBLIC UTILITIES

(b)

BOARD OF PUBLIC UTILITIES

Notice of Action on Petition for Rulemaking Telecommunications

Proposed Amendments: Just and Reasonable Rates for Intrastate Inmate Calling Service (ICS)

Petitioners: Garden State Bar Association, Crystal Gibson, Sherin Makar, Lori Monteiro, the Prison Initiative Project of the Center for Action Research, the New Jersey Advocates for Immigrant Detainees, the New Jersey Institute for Social Justice, Pauline Ndzie, Jean Ross, and Rhonda Williams Whetsone.

Take notice that on April 30, 2014, the Board of Public Utilities (Board) received a petition from the Garden State Bar Association, Crystal Gibson, Sherin Makar, Lori Monteiro, the Prison Initiative Project of the Center for Action Research, the New Jersey Advocates for Immigrant Detainees, the New Jersey Institute for Social Justice, Pauline Ndzie, Jean Ross, and Rhonda Williams Whetsone, requesting that the Board "limit the rates, terms, and conditions imposed by intrastate ICS providers to 'just and reasonable rates', not to exceed \$0.05 per minute, for incarcerated people, detainees, and their families in both state and county prisons and jails." The petitioners also request that the Board hold regional public hearings to gather further public input.

The petitioners state that the Board should take into account the existence of technology and the rates available in other states when setting just and reasonable rates that reflect the costs of providing phone services in New Jersey prisons and jails.

On May 2, 2014, Board staff contacted the petitioners by electronic mail seeking clarification on the relief being sought. On May 15, 2014, the petitioners filed an amendment clarifying that the petition should be considered a petition for rulemaking pursuant to N.J.A.C. 1:30-4 et seq.

In accordance with the provisions of N.J.A.C. 1:30-4.2, the Board mailed to the petitioners and filed with the Office of Administrative Law a notice of action on the petition. Notice of the Board's receipt of the petition was published in the June 16, 2014, issue of the New Jersey Register at 46 N.J.R. 1490(b).

Take further notice that the Board has considered this petition and the merits of the petitioners' requested new rules. Pursuant to N.J.A.C. 1:30-4.2, the Board determined the matter required further deliberation.

Take further notice that, on June 12, 2014, the petitioners consented by letter to extend the period for Board deliberation on the petition for rulemaking until October 31, 2014. On June 18, 2014, the Board agreed to the petitioners' request. See 46 N.J.R. 1722(a).

Take further notice that, on October 2, 2014, the petitioners consented by letter to extend the period for Board deliberation on the petition for rulemaking to January 31, 2015. On October 22, 2014, the Board agreed to the petitioners' request. See 46 N.J.R. 2288(c).

Take further notice that on January 14, 2015, the petitioners consented by letter to extend the period for Board deliberation on the petition for rulemaking for 30 days to March 2, 2015. On January 21, 2015, the Board agreed to the petitioners' request. See 47 N.J.R. 503(a).

On February 11, 2015, the Board, at its open public session, determined that it could not support a finding in favor of a rulemaking establishing a rate of \$.05 per minute for intrastate ICS providers based upon the submissions of the petitioners and, therefore, denied the request for rulemaking, considering the Public Utilities Act, N.J.S.A. 48:2-1 et seq., and the Board rules regarding operator service providers and public pay telephone service, N.J.A.C. 14:10-6. The rate proposed by the petitioners was established in New York through a competitive process which resulted in a contract negotiated by the New York Department of Corrections. The Board is aware that the New Jersey Department of the Treasury has issued a Request for Proposal (RFP) for ICS in New Jersey. The RFP remains open to date and will impact rates for services that are the subject of the petition. Finally, the Board is cognizant of ongoing proceedings at the Federal Communications Commission regarding ICS rates.

A copy of this public notice has been mailed to the petitioners consistent with the requirements set forth in N.J.A.C. 1:30-4.2.

(c)

BOARD OF PUBLIC UTILITIES

Underground Facilities: One-Call Damage Prevention System

New Jersey One-Call Damage Prevention System - Issuance of Request for Proposals for One-Call Center Operator N.J.A.C. 14:2

Authorized By: The Board of Public Utilities, Richard S. Mroz, President, Joseph L. Fiordaliso, Mary-Anna Holden, Dianne Solomon, Upendra J. Chivukula, Commissioners.

Public Notice

Take notice that, pursuant to N.J.A.C. 14:2-2.2, the New Jersey Board of Public Utilities (Board) has issued a request for proposals (RFP) seeking proposals from vendors to operate the One-Call Damage Prevention System's One-Call Center in accordance with a tariff approved by the Board for a five-year period starting on March 1, 2016.

The One-Call Center is a single, Statewide, 24-hour, seven-day-a-week notification/call center. The One-Call Center's operation shall be located in New Jersey. Specifications for the operation of the One-Call