



SUPREME COURT OF GEORGIA
Case No. S17C2011

Atlanta, April 16, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

BELLSOUTH TELECOMMUNICATIONS LLC d/b/a AT&T GEORGIA et al. v. COBB COUNTY et al.

Court of Appeals Case No. A17A0265

The Supreme Court today granted the writ of certiorari in this case. All the Justices concur, except Grant, J., not participating.

This case will be assigned to the August 2018 oral argument calendar automatically under Supreme Court Rule 50 (2), as amended September 13, 1996. Oral argument is mandatory in granted certiorari cases.

This Court is particularly concerned with the following issue or issues:

1. Are the 911 charges imposed by the counties in this case under the Georgia Emergency Telephone 911 Service Act, OCGA § 46-5-120 et seq., more properly characterized as taxes or fees? See *Fulton County v. T-Mobile South, LLC*, 305 Ga. App. 466 (699 SE2d 802) (2010).
2. To what extent, if any, can a county government be an “injured party” for purposes of OCGA § 51-1-6?
3. Is the collection of 911 charges due a county government under the Act a “private duty” for purposes of OCGA § 51-1-8?
4. Can a county government use OCGA § 51-1-6, OCGA § 5-1-8, or the common law as a vehicle for the recovery of unbilled 911 charges under the Act from telephone service providers?

Briefs should be submitted only on these points. See Supreme Court Rule 45.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

A handwritten signature in black ink, reading "Thrice A Barnes". The signature is written in a cursive style with a large, prominent initial "T".

, Clerk