

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

The Commission, on its own	)	Application No. 911-002
motion, to determine the	)	
surcharge for the Enhanced	)	ORDER SETTING SURCHARGE
Wireless 911 Fund.	)	
	)	Entered: October 6, 2004

BY THE COMMISSION:

This hearing was scheduled pursuant to an order entered on August 31, 2004, in order for the Commission to determine the annual surcharge for the Enhanced Wireless 911 Fund (Fund), pursuant to *Neb. Rev. Stat. § 86-458*. Notice of the hearing was sent to all Public Safety Answering Points and Wireless Service Providers on September 3, 2004. The Commission held a hearing in this matter on September 21, 2004, in the Commission Hearing Room, Lincoln, Nebraska.

Ms. Kara Thielen, Director of the Enhanced Wireless 911 Department, testified regarding the surcharge level and the status of the Fund. Ms. Thielen stated the current fund balance was approximately \$7.8 million as of the date of the hearing. The Fund currently receives an approximate annual income of \$4.5 million. As of the date of the hearing, 43 counties have implemented Phase I. The Department has received approximately eight new Phase I requests, including one from the City of Lincoln. The remaining 42 counties have not yet implemented Phase I.

Ms. Thielen also testified that implementation of Phase II will begin approximately six months from the date of the hearing. She estimates that the projected costs for the statewide implementation of Phase II will likely exceed \$15 million.

Ms. Thielen stated that the surcharge, currently set at 50 cents per wireless access line per month, should remain at 50 cents.

Ms. Thielen further testified that going forward, the current rate will not be sufficient to meet the on-going costs for the implementation of Phase I and Phase II, or to support the continuing fixed-costs for those counties which have not yet implemented Phase I and those related to Phase II. As a result, legislation may be necessary to increase the allowable amount of the surcharge. The necessary increase is still undetermined; however the Department is in the process of pulling all of the necessary information that we need in order to make a recommendation.

The advisory board also provided a resolution to the Commission with their recommendation to increase the surcharge. A copy of that resolution was entered into the record.

O P I N I O N     A N D     F I N D I N G S

The Commission finds that the surcharge should be set at fifty cents per wireless access line per month. Given the projected costs of Phase II, the surcharge should remain at its current level, which is the maximum amount permitted under the Enhanced Wireless 911 Services Act.

The Commission further finds that Commission staff should investigate the need for an increase of the statutory cap on the surcharge.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the surcharge for the Enhanced Wireless 911 Fund should be set at 50 cents per wireless access line, per month.

IT IS FURTHER ORDERED that Commission staff shall investigate the need for an increase of the statutory cap on the surcharge.

MADE AND ENTERED at Lincoln, Nebraska, this 6th day of October, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director