

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Docket No. 911-011/PI-79
on its own motion, to establish)
Phase II enhanced wireless 911) ORDER ADOPTING GUIDELINES
service implementation.) FOR GIS FUNDING
)
)
) Entered: October 18, 2005
)

BY THE COMMISSION:

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

Pursuant to the Enhanced Wireless 911 Services Act ¹ (the Act), the Commission and its staff have been actively assisting public safety answering points (PSAPs) and wireless carriers with implementation of wireless E911.

On August 30, 2005, the Commission found that development of proper Geographical Information System (GIS) data and map databases or supplementation of existing map databases is necessary for Phase II services and would not be affected by possible consolidation of public safety answering points (PSAPs). Furthermore, the Commission ordered that the development of GIS mapping databases shall proceed.

PSAPs wishing to begin development of the GIS mapping databases who have chosen a vendor of choice approved in Docket 911-011/PI-79 and seeking funding shall comply with the requirements set forth herein as well as those set forth in 291 Neb. Admin. Code, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket 911-001, entered July 16, 2002. It is the intention of the Commission that all guidelines currently set forth in orders will be incorporated into a future rule and regulation proceeding.

In order to receive funding for GIS development, a PSAP must be Phase I capable, having completed rural addressing, and complied with all guidelines set forth in Progression Order No. 5.

The PSAP shall submit a written request for funding on a form supplied by the Commission and a copy of the contract for services between the PSAP and the vendor of choice for GIS development. Said contract for services shall include the following information:

¹ Neb. Rev. Stat. § 86-442 et seq. (Reissue 2002).

- a) A Statement of Work with a detailed description of the work to be performed consistent with the specifications set forth in the RFP issued by the Commission on May 21, 2004. The statement of work shall include development of all seven (7) mapping layers. Any work beyond that specified in the RFP will not be eligible for funding without prior approval from the Commission.
- b) Detailed cost information.
- c) Statement that payment for services described in the contract will be paid from the Enhanced Wireless 911 Fund (the Fund) consistent with the Enhanced Wireless 911 Services Act, Neb. Rev. Stat. §§ 86-442 et seq. (2004 Cum. Supp.), Commission rules and regulations and orders. The PSAP will be responsible for any amounts due and owing to the vendor and not reimbursed by the Fund. The Fund will not reimburse any amounts due and owing to the vendor for services beyond the scope of those approved by the Commission, set forth in the RFP and specifically outlined in the statement of work.
- d) An acknowledgment that by signing the contract, the PSAP acknowledges that those costs reimbursed by the Fund are part of the PSAPs costs to implement Phase II wireless E911 service and agrees that the vendor will submit invoices for payment of amounts due and owing under the contract for services directly to the Commission for reimbursement from the Fund.
- e) Authorization for payment to be made by the Commission directly to the vendor and that twenty-five percent (25%) of the cost will be paid upon Commission approval with the remainder paid upon completion of the project.
- f) A maintenance agreement for a period of not less than five (5) years requiring that the vendor will maintain the GIS data consistent with the specifications in the RFP with the costs of the maintenance agreement being paid annually to the vendor by the Fund.
- g) Provision that the vendor will provide progress reports regarding the project to the Commission and the PSAP within fifteen (15) days of a written request by either the Commission or the PSAP.

The Commission and its staff shall have access to all data developed. Additionally, agencies and political subdivisions of the state of Nebraska to the extent allowed by law and this agreement shall have access to all data.

If the Nebraska Legislature fails to appropriate or authorize the expenditure of sufficient funds to provide for the payment of costs from the Fund for GIS development or if a lawful order issued in or for any fiscal year during the Term of the contract for services reduces the funds appropriated or authorized in such amounts as to preclude making the payments from the Fund, the PSAP will be responsible for any costs not reimbursed by the Fund.

PSAPs having already expended funds for the development of GIS data may be eligible for reimbursement from the Fund and shall submit the above-mentioned documentation, request for funding to the Commission for approval and verification of payment of invoices for GIS services.

PSAPs choosing to use a vendor other than the vendors of choice approved in the Commission's RFP process, shall receive approval from the Commission prior to entering into any contract with said vendor in order to qualify for funding.

Any amounts reimbursed by grants or other funding sources, shall not be eligible for reimbursement from the Fund. The Commission reserves the right to seek additional information or hold hearings regarding any request for funding.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that PSAPs seeking funding for the development of GIS mapping databases shall follow the procedures set forth herein.

MADE AND ENTERED at Lincoln, Nebraska, this 18th day of
October, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director