

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-019/PI-118  
Public Service Commission, on )  
its own motion, to implement )  
provisions of LB 1222 [2006] and ) FINAL ORDER ADOPTING MODEL  
to establish a permanent funding ) AND APPLICATION PROCESS  
mechanism for wireless enhanced )  
911 service. ) Entered: February 23, 2010

BY THE COMMISSION:

The Nebraska Public Service Commission (Commission) opened the above-captioned docket, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service.

LB 1222 requires that the Commission:

Establish a mechanism for determining the level of funding available to each public safety answering point and wireless service providers for costs determined to be eligible by the commission...

Neb. Rev. Stat. § 86-465(1)(e) (2008).

On July 7, 2009, the Commission released for comment a proposed permanent funding mechanism. Comments on the proposed mechanism were filed by: City of Fremont, Nebraska Association of County Officials (NACO), GeoComm, Nebraska Wireless 911 Advisory Board (Advisory Board), N.E. Colorado Cellular, Inc. dba Viaero Wireless (Viaero), Lincoln-Lancaster County Emergency Communications, and Hall County-Grand Island 911 Mgmt.

On September 22, 2009, in order to implement the funding mechanism, the Commission entered a second order releasing for comment a proposed timeline and application process for the approval and distribution of funding and the verification of the use of the funding. Comments were received regarding both proposals. Comments on the proposed application process were filed by: NACO, Boone County Sheriff's Department, Viaero, and Custer County.

An initial hearing was held on October 7, 2009, during which time, staff provided testimony outlining some changes that it intended to propose to the model and process based upon comments received to date. Staff considered the comments received and the testimony during the initial hearing in addition to the impact of the legislature's decision to transfer approximately \$3.4 million

in interest from the Fund to address state budget shortfalls. As a result, on December 15, 2009, the Commission entered order releasing for comment an amended model and application process. Comments regarding the December 15, 2009 proposal were received from multiple PSAPs, NACO, APCO, Viaero and Sprint/Nextel.

Hearing on the amended proposal was held on February 1, 2010. Tyler Frost, staff economist for the Commission, testified regarding adjustments made to the permanent funding mechanism and responded to comments regarding variables used in the construction of the model. Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (NTIPS), testified regarding the amended model and process and responded to filed comments. Finally, Kara Thielen, 911 Coordinator for Viaero, also testified.

## FINDINGS AND CONCLUSIONS

Funds will be distributed to PSAPs and wireless service providers on a monthly basis. Payments to local exchange carriers on behalf of PSAPs will be made on a quarterly basis in arrears based upon quarterly reports filed by wireless service providers. Details will be discussed more fully below.

### **I. The Wireless 911 Support Allocation Model (911-SAM)**

Based upon the written comments and testimony received, the Commission finds that the 911-SAM as proposed in the December 15, 2009 order is hereby adopted as the permanent funding mechanism for wireless enhanced 911 service effective July 1, 2010 with a funding year of July 1<sup>st</sup> through June 30<sup>th</sup> pursuant to the requirement set forth in § 86-465(1)(e). The 911-SAM forecasts the future status of the Enhanced Wireless 911 Fund (Fund) and assists in the allocation of annual support amounts to eligible Public Safety Answering Points (PSAPs) and Wireless Service Providers (WSPs).

The 911-SAM includes summaries of the Fund status forecast and Fund support amount allocated to eligible PSAPs and WSPs for the current funding year.

The 911-SAM calculates Fund support amounts for each year forecasted based on the existing balance, reserve levels, pre-existing payment commitments, Fund administration costs, LEC costs paid on behalf of the PSAPs by the Commission, and surcharge remittance levels. Fund support amounts are allocated utilizing cost proxies.

The 911-SAM derives cost proxy amounts, representing the costs incurred for the provision of wireless enhanced 911 service, for three cost categories; PSAP, Geographic Information Systems (GIS), and wireless service provider (WSP). Cost proxy amounts are determined as functions of independent variables and predefined cost inputs. More specifically, PSAP and GIS cost proxy amounts are calculated as functions of population and the WSP cost proxy amount is determined as a function of cellular towers. NACO had commented in response to the December 15, 2009 that other variables other than population should be used. However, the Commission has used the most accurate data available. Should the Commission determine, pursuant to observed implementation, changes are needed, the 911-SAM provides for the flexibility needed and gives the Commission the ability to address issues, such as these, in a dynamic environment.

Cost category proxy amounts are calculated at a PSAP or county level and aggregated to a statewide level. Statewide cost category proxy amounts are further aggregated to determine a total proxy amount. The 911-SAM then calculates each cost category's allocation of the Fund support amount, calculated as the cost category's statewide cost proxy amount, relative to the total proxy amount.

The 911-SAM further utilizes cost proxy results, at a PSAP or county level, to allocate cost category support amounts to each eligible PSAP and WSP. Eligible PSAP support amounts include PSAP and GIS. Fund support amounts allocated to eligible PSAPs and WSPs are summarized for the current funding year.

The 911-SAM reflects a fiscal year from July 1 to June 30. Additionally, the LEC cost category will be paid directly by the Commission on a statewide basis rather than being allocated to individual PSAPs. It is therefore treated in the same manner as other amounts previously indentified and included in the calculation of annual Fund support amounts. A discussion of the LEC proposal is set forth more fully herein. The 911-SAM includes an interest calculation and a cap on the WSP Grant Program. Furthermore, amounts attributable to LEC costs have been separated from other PSAP costs. Finally, the PSAP Equipment Program releases funds directly to the PSAPs.

Attached hereto and incorporated herein by this reference as Appendix A, is the E911 Fund Forecast. Also attached hereto and incorporated herein by this reference as Appendix B, is the Summary of E911 Funding Support, which summarizes the allocation of funding support to each cost category. However, amounts

allocated to individual WSPs are not listed at this time. The WSP grant funding available is a function of the number of WSPs requesting funding, further potentially a function of recent changes in the wireless industry. Due to recent changes in the wireless industry including Verizon's acquisition of Alltel Wireless and Pinpoint's decision to exit the market, the Commission will not announce the individual WSP allocation amounts and WSP grant funding available until May 1, 2010 after all requests for WSP funding are submitted. Amounts reflected in Appendix A related to grant funds may also change based upon the requests received. Finally, attached hereto as Appendix C, and incorporated herein by this reference, is a spreadsheet which summarizes the payment to each PSAP after all pre-existing commitments are paid.

#### **A. PSAP Funding**

As mentioned above, the LEC costs have been removed as a cost category and will be paid directly by the Commission on a statewide basis rather than through an allocation to individual PSAPs. Payments for intertandem trunking and the GIS repository will not be allocated to any PSAP but will instead be paid directly by the Commission. Therefore, the remaining PSAP funding will relate to the PSAP and GIS cost categories. PSAPs may retain up to seventy-five percent (75%) of the amount allocated to that PSAP for the future purchase of equipment and software. A more detailed description of the equipment program is included herein.

Additionally, the Commission will continue to pay amounts for intertandem trunking, GIS data development, equipment costs which represent a first request for funding for that PSAP, and equipment and software maintenance contracts approved prior to the implementation of the 911-SAM. These amounts would be paid directly to the appropriate vendor on behalf of the PSAP. Any previously approved amounts being paid on behalf of a PSAP would be deducted from their PSAP allocation. This arrangement would continue until the expiration of any existing contracts. At that time, each PSAP would be responsible for making payments to vendors on their own and the amounts previously deducted by the Commission in order to make the payments would then be paid directly to the PSAP.

After the above listed adjustments are made, any funds remaining from the allocation would be paid to the PSAP in equal installments on a monthly basis commencing July, 2010 after receipt of the required application materials.

The Commission will continue to provide funding for no more than one PSAP per county consistent with Neb. Rev. Stat. § 86-465(1)(e). However, under certain circumstances in which costs are shared, payments may be made to multiple PSAPs in one county so long as expenses are not duplicated between the PSAPs. For example, Norfolk PD is the designated PSAP for Madison County; but Madison County funded GIS development. Therefore, the Commission has provided funding to Madison County strictly for the maintenance of the GIS data. If an inter-local agreement exists between multiple governing bodies which necessitates the payment of funding to more than one governing body, the governing bodies are required to submit that information along with their applications so that the proper payments can be made.

PSAPs receiving funding will be required to attest annually and provide supporting documentation demonstrating that funds received were utilized for permissible purposes under the Act, Commission orders, and Commission guidelines and rules and regulations. Additionally, PSAPs will have to certify that they meet certain eligibility requirements and follow application processes and procedures established by the Commission in this order. Failure to comply may result in suspension or termination of funding.

### **1. Prerequisites for PSAP Funding**

The Commission believes that certain minimum prerequisites should be established for PSAPs in order to ensure a complete and reliable statewide enhanced wireless 911 system. PSAPs will be responsible for meeting the following prerequisites:

- PSAPs must establish a separate account in which to maintain all funds received from the Enhanced Wireless 911 Fund. All account information must be provided to the Commission at the time the original funding application is made as outlined herein on the ACH form provided by the Commission.
- All PSAPs must be connected to the selective router; must make arrangements for the maintenance of the software and equipment necessary for the provision of enhanced wireless 911 service; and must have made arrangements or retained trained personnel to ensure that all GIS data is current and accurate.
- Furthermore, all PSAPs receiving funding shall provide their GIS data to the statewide GIS repository and

provide periodic updates according to policies to be established by the Commission. If a PSAP does not yet have a username and password for the repository, it shall make application to the Commission on or before the time it submits its application for funding. The Commission will, at a future date, investigate the option of a statewide contract for the maintenance of GIS data.

- Also, the Commission will no longer pre-approve equipment and software vendors. PSAPs are required to ensure that the equipment is appropriate for the provision of enhanced 911 service. All PSAPs will be required to certify that they have complied with all applicable state and local bidding requirements for the purchase of goods and services. All requests for equipment funding will continue to be reviewed by the Enhanced Wireless 911 Advisory Board.

A checklist of the PSAP prerequisites to funding is attached hereto as Appendix D. This appendix is intended only to assist in the application process. To the extent any differences between Appendix D and the terms of the order exist, the order controls.

## **2. Eligible PSAP Costs**

Neb. Rev. Stat. § 86-465(2) sets forth general costs that may be eligible for funding as prescribed by the Commission.

The Commission finds that the following shall be eligible costs for PSAP funding. The Commission is aware that funds provided will not provide full cost recovery for all elements listed.

- The purchase and installation of equipment and software necessary for the provision of wireless E911 based upon the Commission's wireline/wireless ratio unless the PSAP can produce call volumes demonstrating a higher volume of wireless calls. Such items shall not include any equipment or software used primarily for the provision of landline 911 service.
- Costs of upgrades to equipment and software necessary for the provision of wireless E911, including CPE equipment and relevant software.
- Maintenance costs for eligible equipment and software.
- Maintenance costs related to GIS data.

- Telecommunications services required for the provision of enhanced wireless 911 service including trunking and connection to the selective router. A dedicated wireless 911 trunk is eligible for funding. However, shared facilities are subject to the Commission's wireline/wireless ratio unless the PSAP can demonstrate a higher volume of wireless calls.
- Training related to the provision of Enhanced Wireless 911 service not to exceed 5% of the funds allocated to the PSAP.

The December 15, 2009 order previously proposed that no funding be permitted for costs related to the following: Computer Aided Dispatch; Logging and Recall Recorder Equipment; Community Notification Systems; Time Synchronization; Radio Equipment; and PBX. Based upon comments received, the Commission will allow funding to be used for Computer Aided Dispatch; Logging, Recall Recorder Equipment, and any other equipment or software used for the provision of enhanced wireless 911 service subject to the wireless/wireline factor or the appropriate call volumes demonstrated by the PSAP consistent with the equipment and software program outlined below. PSAPs must show that the equipment or software is for the provision of enhanced wireless 911 service and not simply for more general emergency response services.

Also, the Commission is aware of the importance of ongoing training as the complexity of providing enhanced 911 services increases. Therefore, based upon comments received from the PSAPs and related entities, the Commission will permit up to 5% of the funds allocated to the PSAP to be used for training purposes. PSAPs must demonstrate that the training was for the provision of enhanced wireless 911 service. The funds are not intended to simply supplement personnel or administrative costs but must be used for training for the provision of enhanced wireless 911 services.

### **3. Equipment and Software Program**

As stated previously, the Commission will permit PSAPs to set aside up to seventy-five percent (75%) of each PSAPs' available funding allocation for equipment and maintenance on an annual basis to be used for future equipment and software purchases and upgrades. This percentage is based upon per occurrence historical data of equipment and software purchases and the costs of maintenance. PSAPs may set aside these funds for no more than ten (10) years. The funds cannot be held by the PSAP for more than 2 years after the ten year period expires or the funds must be paid

back to the fund. An accounting of the funds shall be provided at the time the PSAP verifies use of its allocation at each year end.

PSAPs may utilize these funds solely for upgrades and replacements of PSAP equipment and software. Retained funds can be used for up to fifty-five percent (55%) of the cost of the equipment and software based upon the wireless/wireline allocation previously adopted by the Commission. This allocation factor may be amended by the Commission as needed. If the PSAP can demonstrate that a greater percentage of its call volume is attributable to wireless 911 it can be funded up to the proven call volume percentage. PSAPs must provide a detail of wireless and wireline 911 call volumes for each month of the previous 12 month period.

Prior to expending these funds, PSAPs must submit an application to the Commission for approval and a determination of the allocation factor if the PSAP wishes to use the funds to pay for more than amounts determined utilizing the established wireless/wireline allocation factor. Applications related to equipment purchases may be submitted to the Commission throughout the funding year, but will only be reviewed by the Enhanced Wireless 911 Advisory Board on a quarterly basis. Hearings regarding the applications may be held by the Commission.

All applications must contain the following information:

- The detailed technical specifications, number of call taking positions, individual pieces of equipment and software, any installation costs, and costs of the equipment and software being purchased.
- A certification that the equipment and software meets applicable NENA standards and is IP capable.
- PSAPs must also provide information regarding any other 911 and/or public safety related funds received from other sources (e.g. any stimulus money, other grant funds, etc.) during the twelve (12) months preceding the application.
- PSAPs must provide wireless and wireline 911 call volumes for each month of the previous 12 month period to the date of the application.
- PSAPs must provide the current level of its landline 911 service surcharge.
- PSAPs must also certify that they have complied with all applicable state and local bidding requirements.

PSAPs are not required to wait to apply for funding until they have saved sufficient funds from their monthly allocation to

cover the cost of the equipment and software. To the extent that there is an insufficient balance in the PSAP's equipment and software fund, after an accounting is received of the funds the PSAP has available, the Commission will pay the appropriate percentage of the cost of the equipment and software and a deduction will be made from the future annual allocation to the PSAP until the expense is reimbursed to the Fund. At that point, the PSAP will again begin receiving its full allocation. Any funding requests representing a second request for equipment and software funding received prior to the establishment of the funding mechanism will be treated in this same manner. The amount of funding will be deducted over five (5) years in equal installments. Should the amount attributable to wireless be in excess of that PSAP's equipment and maintenance allocation over five years, the Commission will adjust the amount to be deducted.

#### **4. Funding for LEC Costs**

Currently, the Commission receives invoices for PSAPs from each of the three LECs for wireless 911 charges. The manner by which LECs are compensated for telecommunications services provided to PSAPs is dependent upon data filed with the Commission in quarterly reports. The Commission finds that it would be more efficient for the Commission to continue to pay LEC costs directly, on behalf of PSAPs, on a statewide basis.

LECs will be compensated on a per wireless subscriber rate and paid based upon the number of wireless subscribers reported to the Commission in wireless quarterly reports. Each LEC shall file a tariff outlining a per subscriber rate no later than **October 15, 2010** based upon the costs of providing the service. Total recoverable costs should not exceed total amounts currently billed under contracts. However, the rate established should take into account any Phase II costs and nonrecurring costs incurred for the implementation of enhanced wireless 911 service of future towers that the LEC expects to recover. Until such time as the tariff is filed, the Commission will continue to pay invoices on behalf of PSAPs as previously approved.

#### **B. Wireless Service Provider Funding**

The WSP funding amounts calculated by the 911-SAM will be paid directly to the carriers on a monthly basis commencing July, 2010 after receipt of all required application materials. WSPs receiving funding are required to attest annually and provide supporting documentation demonstrating that funds received were utilized for permissible purposes under the Act, Commission

orders, and Commission guidelines and rules and regulations. Additionally, WSPs are required to certify that they meet certain eligibility requirements and follow application processes and procedures established by the Commission. Failure to comply with all requirements, including the timely submission of accurate quarterly reports and remittances of surcharges, may result in suspension of funding.

## **1. Prerequisites for WSP Funding**

In order to be eligible to receive funding, the Commission believes that certain minimum prerequisites to funding should be established for WSPs in order to ensure a complete and reliable statewide enhanced wireless 911 system. WSPs must satisfy the following prerequisites to funding:

- WSPs must certify compliance with federally established testing and accuracy standards as set forth in 47 CFR Sec. 20.18(h).
- Prior to receiving funding, WSPs shall report and account for any additional funding that may support 911 services including, but not limited to, federal or state universal service funds, federal or state grant funds and revenues generated through surcharges imposed by the carrier or costs billed to consumers for location-based services.
- WSPs must timely file accurate quarterly reports; remittances; and remittance worksheets. Failure to do so may result in a suspension or termination of funding.

## **2. Eligible WSP Costs**

With respect to WSPs, the Act states that eligible costs may include, but not be limited to, the costs for new equipment used for providing enhanced wireless 911 service, costs to lease another vendor's equipment or services to provide enhanced wireless 911 service, costs to create or maintain any database or database elements used solely for enhanced wireless 911 service,<sup>1</sup> and other costs of establishing enhanced wireless 911 service.<sup>1</sup> However, costs for equipment or services used in the WSP's main infrastructure resulting in revenue are not eligible for funding.<sup>2</sup>

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<sup>1</sup> Neb. Rev. Stat. Sec. 86-465(2)(a).

<sup>2</sup> Neb. Rev. Stat. Sec. 86-465(2)(a).

The distinction between whether a particular cost of providing enhanced wireless 911 service is a Phase I or Phase II related expense is no longer pertinent to whether a particular cost is an eligible expense.

The Commission finds that the eligible costs for WSP funding include database management and upgrade costs necessary to provide enhanced 911 service and costs for transportation and facilities to carry wireless E911 calls to the selective router. The recurring monthly funding received by wireless carriers is not intended to cover capital costs. Furthermore it is not intended to be used to fund the construction of towers. Additionally, no administration, personnel or training costs will be considered eligible expenses at this time.

Any capital expenses directly related to the provision of enhanced 911 service, including new equipment and software and upgrades will be addressed in connection with the WSP grant program set forth in more detail herein.

A checklist of the WSP prerequisites to funding and application is attached hereto as Appendix E. This appendix is intended only to assist in the application process. To the extent any differences between Appendix E and the terms of the order exist, the order controls.

### **3. WSP Grant Program**

To date, several WSPs have chosen not to seek funding. Funding not paid to individual WSPs, will be set aside and made available to WSPs via the WSP Grant Program. The WSP Grant program funding would be available to all wireless service providers, eligible to receive funding, for recovery of other potentially eligible costs incurred in the provision of wireless enhanced 911 service. Such costs may include capital expenses or other one-time costs incurred for the provision of enhanced wireless 911 service but not covered by the recurring funding received on a monthly basis. These funds shall not be used for the construction of towers, administrative costs or personnel costs. This grant fund is not intended to reimburse carriers for expenses incurred prior to this order but is instead related to future projects and costs.

The level of grant funding available will be announced by the Commission on or before May 1<sup>st</sup> each year. Carriers seeking grant funding shall submit an application on or before **October 15<sup>th</sup>** for the following funding year. The Grant application shall include:

- A detailed budget and supporting documentation.
- Information regarding vendors to be used including copies of all contracts and disclosures of any affiliations between the vendor and the WSP.
- A statement regarding 911 and/or public safety related funds received from other sources including but not limited to any stimulus money, other state or federal grant funds, 911 or public safety funds from other states used to support costs of providing 911 service.
- A certification that the money requested is to support costs that are solely to support the Nebraska 911 system and information to support any allocation of costs between different states.

All grant applications are subject to Commission approval, subsequent to review by the Enhanced Wireless 911 Advisory Board and hearing before the Commission. No more than twenty-five percent (25%) of the total support amount allocated to WSPs may be spent on grant funding. Any amounts in excess of the 25% will be returned to the total funds available for both PSAPs and WSPs and reallocated for the following funding year. Viaero raised objections to the imposition of the 25% cap. However, such cap is necessary to ensure that no single carrier receives a level of funding that may unduly subsidize its operation to the competitive disadvantage of other carriers.

All grant funds will be paid after completion of project based on invoices paid by the WSP.

Funds not awarded in one year will be rolled into available funds for distribution to PSAPs and WSPs the following funding year.

A checklist for completion of the grant application is attached hereto as Appendix F. This appendix is intended only to assist in the application process. To the extent any differences between Appendix F and the terms of the order exist, the order controls.

## **II. GENERAL PROCESS**

### **A. Requests for General Funding**

All WSPs and Public Safety Answering Points (PSAPs) must file an initial application for funding no later than **April 15, 2010**. Failing to submit an application by the deadline would result in a loss of funding for the 2010-2011 funding year. The Commission

will issue a notice of available funding to each wireless service provider on or before **May 1, 2010**. After this initial year, each WSP and PSAP will be responsible for verifying and updating the information on file with Commission and will not be required to submit an entirely new application. Verification and updates to the information on file will be due no later than April 15th of each year.

### **1. WSP Applications**

WSPs seeking funding would have to identify the eligible costs for which funding would be used during the funding year. Additionally, WSPs are responsible for the accuracy of the quarterly reports on which all payments would be based. Should an error be found in the process of an audit or under other circumstances, a carrier would be required to refund any overpayments made based upon an inaccurate report. However, if it was determined that the number of towers was underreported, a carrier is not entitled to back payment of any additional funds that would have been received had the tower been properly reported.

A WSP's failure to timely file quarterly reports or otherwise fail to comply with Commission orders, rules and regulations or any other statutory requirements, could result in a delay, suspension, termination or refund of funds. WSPs would also be required to submit updated ACH Enrollment and contact information for funding and quarterly reports or verification that information currently on file with the Commission is accurate.

### **2. PSAP Applications**

PSAPs seeking funding must provide information regarding their current equipment and software version including all specifications and number of call-taker positions; dates of installations and a description and the date of any equipment or software upgrades occurring within the previous twelve (12) months; a copy of any maintenance contracts for equipment and software currently in place. The PSAP would also have to verify the current status of the PSAP for both enhanced wireline and wireless 911 services and all areas for which it provides service; the current level of the landline 911 surcharge. Also, the application would include a report of wireless and wireline 911 call volumes for each month for the previous twelve (12) month period.

Included with this order is spreadsheet showing the 2010-2011 allocation for PSAPs. PSAPs would also identify the eligible costs for which funding will be used including what percentage the PSAP intended to set aside for the future purchase of equipment and software. If funds are not used appropriately, future funding may be affected. Additionally, funding may fluctuate from year to year based upon the availability of funds. Also, updated ACH enrollment forms, copies of interlocal agreements for 911 service and updated contact information would be required.

### **B. Annual Verification**

Each year, both WSPs and PSAPs shall submit all invoices and other supporting documentation to the Commission to demonstrate that all funds for the previous funding year were used for eligible costs. This submission by PSAPs must also include an accounting of the funds set aside for future equipment and software purchases. Additionally, the verification would serve as the application for continued funding. All verifications are due no later than **October 15<sup>th</sup>**, following the close of the previous funding year. If the Commission determines that any funds were not used appropriately, funding for the following funding year would be adjusted to recoup any necessary funds. All WSPs and PSAPs are subject to audit.

A list of application deadlines is attached hereto as Appendix G to assist in the application process. To the extent any differences exist between Appendix G and the order, the order controls.

### **III. Workshop**

The Commission further finds that in order to assist in the completion of applications and answer any questions regarding implementation, a workshop should be scheduled for **March 17, 2010 at 1:00 p.m. CST** at the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln and via video conference at the following locations:

**Lincoln:** Nebraska Public Service Commission, 300 The Atrium, 1200 N Street

**Omaha:** Nebraska State Office Building, Room 207, 1313 Farnam on the Mall

**Grand Island:** Grand Island Public Library, 211 North Washington Street

**Kearney:** Kearney Public Library, 2020 1st Avenue.

**McCook:** McMillen Hall, Room 208, 1205 East 3<sup>rd</sup> Street.

**Norfolk:** Northeast Community College, MacLay Building, Room 122,  
801 East Benjamin Avenue.

**Scottsbluff:** Panhandle Research & Extension Center, High Plains Room,  
4502 Avenue I.

**Valentine:** Cherry County Extension Office, 132 South Hall Street.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the permanent funding mechanism and process outlined herein, is adopted.

IT IS FURTHER ORDERED that in order to assist in the completion of applications and answer any questions regarding implementation, a workshop is scheduled for **March 17, 2010 at 1:00 p.m. CST** at the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln and via video conference at the locations set forth herein.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of February, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director