

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                )  
to establish a permanent funding                ) PROGRESSION ORDER NO. 3  
mechanism for wireless enhanced                )  
911 service.                                        )  
  ) Entered: May 24, 2011

BY THE COMMISSION:

On February 23, 2010, the Nebraska Public Service Commission (Commission) entered an order pursuant to Neb. Rev. Stat. § 86-465(1)(e) adopting a permanent funding mechanism and process to provide funding for the implementation and provision of enhanced 911 service.

The February 23, 2010 order stated, "PSAPs may retain up to seventy-five percent (75%) of the amount allocated to that PSAP for the future purchase of equipment and software."<sup>1</sup>

The Commission later stated:

Questions have been asked regarding the use of the funds set aside for future equipment and software upgrades and replacements. If a PSAP has set aside a percentage of its allocation for future equipment and software upgrades, those funds cannot then be used in future years for other purposes. However, if a PSAP intends to set aside a certain percentage during its current funding year and finds that expenses during that year will require use of those funds, the PSAP may utilize the funds intended to be set aside during the current funding year for other eligible costs.<sup>2</sup>

The Commission has received inquiries from public safety answering points (PSAPs) as to whether for the 2010-2011 funding year they are required to set aside the amount stated in their

---

<sup>1</sup> *In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service, Application No. 911-019/PI-118 at 4 (Feb. 23, 2010).*

<sup>2</sup> *In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service, Application No. 911-019/PI-118, Progression Order No. 1 at 4 (Apr. 6, 2010).*

original application or whether they can use some of the funds in the current funding year for other expenses and reduce the amount saved for future purchases and upgrades. We have also received a request that PSAPs do not have to identify a specific percentage in their application. Additionally, PSAPs have asked whether they can amend their applications submitted for the 2011-2012 funding year to change the amount they intend to set aside for future purchases.

The Commission recognizes that the implementation of the permanent funding mechanism application and payment process is new and requires some flexibility. However, identifying the PSAP's plan for the funds to be received in the initial application is appropriate, including an identification of what it intends to set aside. For the 2010-2011 funding year, a PSAP may adjust the amount it intends to retain for future equipment and software purchases and upgrades. PSAPs shall clearly indicate the change in the amount set aside and the reason for the change in its October 15, 2011 filing with the Commission.

With respect to PSAPs wishing to amend their applications for the 2011-2012 to reflect a different amount to be retained for future equipment and software purchases and upgrades, PSAPs shall submit a letter to the Commission indicating the change in the percentage they wish to make. Letters shall be submitted no later than **June 30, 2011**.

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that for the 2010-2011 funding year, a PSAP may adjust the percentage it intends to retain for future equipment and software purchases and upgrades by including the appropriate information with the October 15, 2011 filing.

IT IS FURTHER ORDERED that PSAPs wishing to amend their applications for the 2011-2012 to reflect a different amount to be retained for future equipment and software purchases and upgrades, shall submit a letter to the Commission indicating the change in the percentage they wish to make, no later than **June 30, 2011**.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of May, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

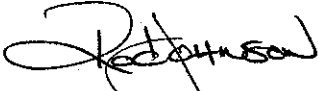
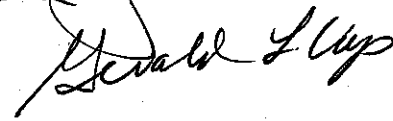
Application No. 911-019/PI-118

Page 3

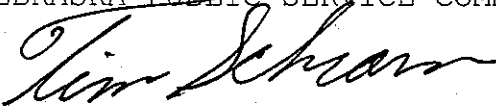
MADE AND ENTERED at Lincoln, Nebraska, this 24th day of May, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

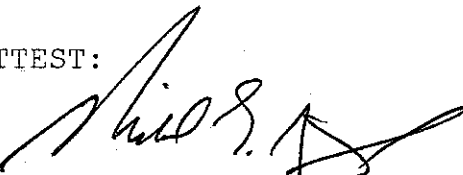
COMMISSIONERS CONCURRING:

//s//Frank E. Landis  
//s//Tim Schram

  
Chairman

ATTEST:

  
Executive Director