

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cedar County,) Application No. 911-023.07
Hartington, seeking funding)
approval for recurring and non-) ORDER APPROVING FUNDING
recurring costs of Enhanced)
Wireless 911 implementation.)
) Entered: November 24, 2009

BY THE COMMISSION:

By written request for funding dated October 9, 2009, Cedar County, Hartington, (Cedar County) seeks funding from the Enhanced Wireless 911 Fund (Fund) for implementing and providing enhanced wireless 911 service.

In its application, Cedar County seeks non-recurring costs in the amount of **\$1,500.00** for the maintenance and support of software necessary for enhanced wireless 911 service from September 5, 2009 through September 5, 2010. Cedar County has entered into a contract with BullBerry Systems, Inc. (BullBerry) for the purchase, installation, training, and one-year maintenance of mapping software and has provided a copy of the contract with its request for funding. Although BullBerry was not designated a "Vendor of Choice" as a result of the Commission's RFP process, the Commission approved funding for the software in an order entered on May 15, 2007.

The Enhanced Wireless 911 Advisory Board considered Cedar County's request at its November 2, 2009 meeting and recommended that the Commission approve payment. All amounts requested are consistent with the pricing originally filed by BullBerry. Cedar County authorizes the Nebraska Public Service Commission to remit payments directly to the vendor.

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

This request for additional funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-470. (Cum. Supp. 2008), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the Interim Policy established in Progression Order No. 1 in Commission Docket No. 911-017/PI-116, entered February 13, 2007 (Interim Policy).

Costs requested are eligible under Neb. Rev. Stat. § 86-465 (2006 Supp.). All costs have been incurred or will be incurred for the provision of Phase II wireless enhanced 911 service.

The Commission finds that payment should be made to BullBerry in the amount of **\$1,500.00** pursuant to the terms of the contract for non-recurring costs.

The Commission reserves the right to modify any costs associated with this funding request consistent with amendments to the Interim Policy or the establishment of a permanent funding mechanism. Nothing herein guarantees that future requests for funding for the maintenance of the software at issue will be granted.

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

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for funding of Cedar County shall be granted.

IT IS FURTHER ORDERED that the Commission shall remit to BullBerry from the Enhanced Wireless 911 Fund **\$1,500.00** for non-recurring costs as described herein.

MADE AND ENTERED at Lincoln, Nebraska this 24th day of November, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director