

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Kearney County,        ) Application No. 911-023.19  
Minden, seeking funding approval        )  
for recurring and non-recurring         )  
costs associated with Enhanced         ) ORDER APPROVING FUNDING  
Wireless 911 implementation.            )  
  ) Entered: November 24, 2009

BY THE COMMISSION:

By written request for funding received September 17, 2009, Kearney County, Minden, (Kearney County) seeks funding from the Enhanced Wireless 911 Fund (Fund) for implementing and providing enhanced wireless 911 service.

In its application, Kearney County seeks non-recurring costs in the amount of **\$5,700.00**, for one-year of maintenance covering the period of July, 2009 through June, 2010 for its TCI equipment. Kearney County has provided supporting documentation for the request.

The Enhanced Wireless 911 Advisory Board considered Kearney County's request at its November 2, 2009 meeting, and recommended that the Commission approve payment in full.

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).

Based upon the request for funding, supporting documentation, and in consideration of the recommendation of the Advisory Board, the Commission is of the opinion and finds that costs requested, subject to the limitations set forth below, are eligible under Neb. Rev. Stat. § 86-465 as all costs have been incurred or will be incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

The Commission finds that maintenance of the equipment and software is essential to ensure the proper operation of the statewide 911 system and should be funded to the extent funds are

available during this interim period, subject to change based upon the availability of funds and the permanent funding mechanism.

The Commission finds that payment should be made to Kearney County, or its designee, in the amount of **\$5,700.00** for non-recurring costs.

Approval of all amounts is subject to the limitations set forth herein.

The Commission reserves the right to modify any payments associated with this funding request consistent with amendments to the Interim Policy or the establishment of a permanent funding mechanism.

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 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 Kearney County shall be granted.

IT IS FURTHER ORDERED that the Commission shall remit to Kearney County, or its designee, from the Enhanced Wireless 911 Fund **\$5,700.00**, 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