

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Dawes County,        ) Application No. 911-023.23  
Chadron, seeking funding                )  
approval for recurring and non-        ) ORDER APPROVING FUNDING  
recurring costs of Enhanced            ) REQUEST IN PART  
Wireless 911 implementation.            )  
  ) Entered: March 13, 2007  
  )

BY THE COMMISSION:

By written request for funding dated December 8, 2006, Dawes County, Chadron, sought funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In its application, Dawes County sought non-recurring costs in the amount of \$171,712.89 for the purchase and installation of equipment necessary to implement enhanced wireless 911 service. Dawes County currently uses Motorola Centralink equipment which will no longer be supported by the manufacturer, therefore crippling the county's ability to maintain and upgrade the equipment.

Dawes County provided supporting documentation for the equipment and associated expenses from its vendor, Positron. The Enhanced Wireless 911 Advisory Board considered Dawes County's request at its December 11, 2006 meeting and recommended that the Commission approve payment in the amount of \$117,657.20, with the addition of two IP phones which were not included in the county's funding request.

The costs of several items listed in the supporting documentation exceed the prices contained in Positron's response to the Commission's Request for Proposal (RFP). All costs contained within the request for funding and supporting documentation are set forth in the confidential attachment Appendix A, attached hereto and incorporated herein by this reference. Those items listed in bold print are priced above the RFP pricing including \$504.64 for PowerMAP and \$1,482.00 for training.

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. 2006), 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.

This funding request was received prior to February 16, 2007. Pursuant to the Interim Policy, the Commission therefore considers this funding request for full reimbursement without being subject to the wireless/landline allocation factor established in the Commission's February 17, 2007 order.

Dawes County's request includes costs associated with the first year of maintenance and service. The Commission finds that maintenance of the equipment 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. However, the Commission denies the funding request with respect to costs associated with the reporting software. The Commission will not consider costs associated with IP phones as they were not included in the county's request for funding.

The Commission further finds that the funding request shall be granted only to the extent the pricing complies with Positron's response to RFP.

Therefore, the request for funding should be granted in part in the amount of **\$114,809.63**. Said amount includes maintenance expenses and amounts up to the pricing set forth in the vendor's response to the RFP. However, this amount does not include costs associated with IP phones and the reporting software or any amounts requested in excess of the prices offered in response to the RFP as outlined in Appendix A.

The Fund shall therefore pay to Dawes County the amount of **\$114,809.63** consistent with the terms of this order and the amounts set forth in Appendix A. Dawes County may request that the Commission pay this amount directly to the vendor.

Should Dawes County wish to be heard by the Commission regarding those portions of the funding request related to the reporting software and in excess of the prices offered in the response to the RFP it shall notify the Commission **within fifteen (15) days** of this order and the matter will be set for hearing.

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

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Enhanced Wireless 911 Fund shall pay to Dawes County the amount of **\$114,809.63** consistent with the terms of this order and Appendix A for the equipment necessary to provide enhanced wireless 911 service.

IT IS FURTHER ORDERED that should Dawes County wish to be heard by the Commission regarding those portions of the funding request related to the reporting software and in excess of the prices offered in the response to the RFP it shall notify the Commission **within fifteen (15) days** of this order and the matter will be set for hearing.

MADE AND ENTERED at Lincoln, Nebraska this 13th day of March, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director