

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Scottsbluff            ) Application No. 911-023.31  
County, Gering, seeking funding        )  
approval for recurring and non-         ) ORDER APPROVING FUNDING  
recurring costs of Enhanced            ) REQUEST, IN PART  
Wireless 911 implementation.            )  
  ) Entered: March 31, 2009

BY THE COMMISSION:

By written request for funding received January 15, 2009, Scottsbluff County, Gering, sought funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In its application, Scottsbluff County sought non-recurring costs in the amount of **\$79,627.73** for an upgrade to its equipment necessary to implement enhanced wireless 911 service. Additionally, Scottsbluff County seeks **\$49,722.84** over three (3) years for maintenance paid in annual installments of **\$16,574.28**.

Scottsbluff County provided supporting documentation for the equipment and associated expenses from its vendor. The Enhanced Wireless 911 Advisory Board considered Scottsbluff County's request at its January 26, 2009 meeting and recommended that the Commission approve payment of fifty-five percent (55%) of the equipment costs and payment in full of the maintenance, consistent with the interim policy.

The costs of some items listed in the supporting documentation relate to "command post", an optional item the Commission does not fund. 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. Additionally, thirty-two percent (32%) of the maintenance costs relate to maintenance of the "command post" option.

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 the costs requested, with the exception of those related to the optional items and 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 subsequent to February 16, 2007. Pursuant to the Interim Policy, the Commission therefore considers this funding request for reimbursement subject to the wireless/landline allocation factor established in the Commission's February 17, 2007 order of fifty-five percent (55%) wireless.

Scottsbluff County's request includes costs associated with a three (3) year maintenance and service plan. 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.

Therefore, the request for funding should be granted in part in the amount of **\$29,835.51** in non-recurring costs which represents fifty-five percent (55%) of the total upgrade cost minus the Command Post options and **\$33,910.98** for maintenance representing sixty-eight percent (68%) of the request excluding that portion of the maintenance related to the Command Post options. Maintenance shall be paid annually in the amount of **\$11,303.66** for a period of up to three (3) years subject to the limitations set forth herein. Said amounts are consistent with the pricing set forth in the vendor's response to the RFP.

The Fund shall therefore pay to Scottsbluff County or its designee the amounts set forth above consistent with the terms of this order and the amounts set forth in Appendix A. Scottsbluff County may request that these amounts be paid directly to the vendor.

Should Scottsbluff County wish to be heard by the Commission regarding those portions of the funding request not approved it shall notify the Commission in writing **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 Scottsbluff County or its designee the amount of **\$29,835.51** consistent with the terms of this order and the amounts set forth in Appendix A for the upgrade necessary to provide enhanced wireless 911 service.

IT IS FURTHER ORDERED that the Fund shall pay **\$33,910.98** for maintenance to Scottsbluff County, in annual installments over a three (3) year period in the amount of **\$11,303.66**, consistent with the terms of this order and the amounts set forth in Appendix A.

IT IS FINALLY ORDERED should Scottsbluff County wish to be heard by the Commission regarding those portions of the funding not approved herein, it shall notify the Commission in writing **within fifteen (15) days** of this order and the matter will be set for hearing.

MADE AND ENTERED at Lincoln, Nebraska this 31st day of March, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director