

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 GRANTING
recurring costs of Enhanced) RECONSIDERATION AND APPROVING
Wireless 911 implementation.) ADDITIONAL FUNDING, IN PART
)
) Entered: May 27, 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 to implement and provide 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**.

The Commission entered an order on March 31, 2009, granting funding in part for fifty-five percent (55%) of the equipment costs exclusive of the optional equipment consistent with the Interim Policy and sixty-eight percent (68%) of the maintenance representing the portion of the maintenance not related to the optional equipment.

Consistent with the March 31, 2009 order, Scottsbluff County requested a hearing on those portions of the funding request that were denied by the Commission and requested reconsideration. The county presented a revised bid which excluded the optional equipment and stated a cost in the amount of **\$63,686.19**. The revised bid includes a reporting package at a cost of **\$8,653.20**. Removal of the optional equipment from the bid did not affect the cost of maintenance which remained **\$49,722.84** over three (3) years in annual installments of **\$16,574.28**.

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 revised request for funding, supporting documentation, evidence at the hearing, and in consideration of the recommendation of the Advisory Board, the Commission is of the opinion and finds that the request for reconsideration should be granted, in part. The costs requested, with the exception of those related to the reporting package 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 has provided testimony regarding their financial need and budget in support of its request for one hundred percent funding.

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 **\$55,032.99** in non-recurring costs which represents one hundred percent (100%) of the revised funding request excluding costs related to the reporting package. Furthermore, funding is approved in the amount of **\$49,722.84** over three (3) years in annual installments of **\$16,574.28** for maintenance representing one hundred percent (100%) of the revised request. Maintenance shall be paid annually in the amount of **\$16,574.28**. Said amounts are consistent with the pricing set forth in the vendor's response to the RFP.

This order supersedes the March 31, 2009 order. The Fund shall therefore pay to Scottsbluff County or its designee, the amounts set forth above consistent with the terms of this order. Scottsbluff County may request that these amounts be paid directly to the vendor.

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 Scottsbluff County's request for reconsideration be granted in part and, the Enhanced Wireless 911 Fund pay to Scottsbluff County or its designee, the amount of **\$55,032.99** consistent with the terms of this order for the upgrade necessary to provide enhanced wireless 911 service.

IT IS FURTHER ORDERED that the Fund shall pay to Scottsbluff County or its designee **\$49,722.84** over three (3) years in annual installments of **\$16,574.28**, consistent with the terms of this order.

MADE AND ENTERED at Lincoln, Nebraska this 27th day of May, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director