

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Gage County,            ) Application No. 911-023.33  
Public Safety Answering Point,        )  
Beatrice, seeking funding            ) ORDER APPROVING FUNDING  
approval for recurring and non-       ) REQUEST  
recurring costs of Enhanced         )  
Wireless 911 implementation.         ) Entered: March 17, 2009

BY THE COMMISSION:

On or about January 21, 2009, Gage County Public Answering Point, Beatrice (Gage County) filed a funding request seeking funding in the amount of \$44,614.39 from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service. A hearing was held on February 25, 2009 to consider the request.

F I N D I N G S     O F     F A C T

On or about June 24, 2008, the Nebraska Public Service Commission (Commission) entered an order approving funding in part for equipment and software requested by Gage County. The approved amount represented 55% of the total amount requested by Gage County.

Despite multiple attempts by Commission staff, Gage County had failed to provide additional financial information to justify 100% funding without application of the wireless/wireline allocation factor. The order further stated that if Gage County wished to be heard by the Commission regarding those portions of the funding request not approved pursuant to the wireless/wireline allocation, the Commission had to be notified in writing within fifteen (15) days of the order and the matter would be set for hearing. No notification was made.

Gage County's current request represents the 45% funding amount previously denied.

Gage County provided supporting documentation for the equipment and associated expenses from its vendor. The Enhanced Wireless 911 Advisory Board considered Gage County's request at its January 26, 2009 meeting and recommended that the request be denied.

At the hearing, representatives from Gage County informed the Commission that the appeal period for the June 24, 2008 order was missed due to the retirement of the person that handled the appeals, and that budget constraints did not allow for hiring this position's replacement. Gage County submitted additional budget information to substantiate financial need pursuant to the Commission's Interim Policy established and amended in Docket No. 911-017/PI-116.

#### 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.

Pursuant to the Interim Policy and the information received from Gage County, the Commission considers this funding request for funding subject to the demonstration of financial need required to approve 100% funding in the Commission's February 17, 2007, order.

The Commission finds, based upon the information submitted and the testimony at the hearing that the request for funding should be granted in the amount of **\$44,614.39** in non-recurring costs. Said amounts are consistent with the pricing set forth in the vendor's response to the RFP.

The Fund shall therefore pay to Gage County the amount of **\$44,614.39** consistent with the terms of this order. Gage County may request that these amounts be paid directly to the vendor.

Gage County is on notice that delays in providing information requested by the Commission may adversely impact future funding requests and the county is strongly encouraged to promptly respond to such requests.

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.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Enhanced Wireless 911 Fund shall pay to Gage County, or its designee, the amount of **\$44,614.39** consistent with the terms of this order for the equipment necessary to provide enhanced wireless 911 service.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of March, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director