

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Rock County,) Application No. 911-023.60
Public Safety Answering Point,)
Bassett, seeking funding) ORDER APPROVING FUNDING
approval for recurring and non-) REQUEST, IN PART
recurring costs of Enhanced)
Wireless 911 implementation.) Entered: November 24, 2009

BY THE COMMISSION:

By written request for funding dated October 13, 2008, Rock County, Bassett, seeks funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In its application, Rock County seeks approval of additional costs related to equipment maintenance resulting from annual payments rather than making a one-time lump sum payment. Rock County seeks revised maintenance amounts of **\$14,345.78** in Year Two (2010); **\$15,203.52** in Year Three (2011); **\$16,110.91** in Year Four (2012); and **\$17,086.04** in year Five (2013). On December 16, 2008, the Commission previously approved a total of **\$54,135.00** for four (4) years of equipment maintenance commencing after the expiration of the one (1) year warranty period.

Based upon further information received from the vendor, once the Region 24 (KBRC) public safety answering point (PSAP) is fully implemented, maintenance for Rock County will fall within the agreement for the regional PSAP, rather than as a stand-alone PSAP. Therefore, only the payment for Year Two maintenance is necessary.

Rock County provided supporting documentation in support of its request. The Enhanced Wireless 911 Advisory Board considered Rock 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. (2008 Supp.), 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 funding of maintenance costs for Year Two, pursuant to the request in the amount of **\$14,345.78**, should be approved. Should future amounts be necessary, Rock County will have to seek additional approval. This amount is in lieu of amounts for equipment maintenance set forth in the December 16, 2008 order.

The Fund shall therefore pay to Rock County, or its designee, the amount set forth above consistent with the terms of this order and the respective contracts. All amounts for maintenance and software support shall be paid in annual installments consistent with the terms of the order and the contracts with the vendors.

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.

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 during the term of the contract 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 Rock County's request for funding is hereby granted.

IT IS FURTHER ORDERED that the Fund shall pay to Rock County, or its designee, amounts consistent with the terms of this order.

MADE AND ENTERED at Lincoln, Nebraska this 24th day of
November, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director