

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Dundy County,) Application No. 911-023.73
Benkelman, seeking funding)
approval for recurring and non-)
recurring costs associated with) ORDER APPROVING FUNDING
Enhanced Wireless 911)
implementation.)
) Entered: April 13, 2010

BY THE COMMISSION:

By written request for funding received January 26, 2010, Dundy County, Benkelman (Dundy County) seeks funding from the Enhanced Wireless 911 Fund for expenses of implementing and providing Phase I and Phase II enhanced wireless 911 service. The local exchange carrier serving Dundy County's PSAP is Qwest.

Dundy County entered into a service agreement with Qwest for enhanced wireless 911 equipment and services, including costs for the implementation and provision of Phase I and Phase II service. A copy of the agreement has been provided. In the agreement, Dundy County authorized the Commission to remit all payments for Phase II enhanced wireless 911 service to Qwest.

Dundy County now seeks initial costs and recurring costs to implement and provide Phase I and Phase II enhanced wireless 911 service as outlined in Appendix A attached hereto for Verizon, US Cellular, and Viaero. Phase I initial costs are for database upgrades, trunking infrastructure and purchase, installation, and testing of circuits for enhanced wireless 911. Recurring Phase I costs are monthly fees for database management and for operation and maintenance of trunks and circuits.

Initial costs for Phase II implementation are to activate E2 interface, test link and upgrade database to allow location coordinates to pass through to the public safety answering point (PSAP.) Monthly Phase II fees are to provide the 30W format to the PSAP, which includes X,Y coordinates, allows data to be pushed back and forth from the mobile switch, and gives PSAP the ability to rebid for updated coordinates as necessary.

The Enhanced Wireless 911 Advisory Board recommended at its March 23, 2007 meeting, that the Commission pay from the Fund Phase II LEC costs.

O P I N I O N A N D F I N D I N G S

This request for funding is being processed pursuant to *Neb. Rev. Stat.* §§ 86-444 to 86-456 (2008 Cum. Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the Interim Policy established in Commission Docket No. 911-017/PI-116.

Costs requested in the present funding request are eligible under *Neb. Rev. Stat.* § 86-86-465(2)(a) (2008 Cum. Supp.). All costs have been incurred or will be incurred for the purchase, installation, maintenance and operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted.

Because Dundy County authorized Qwest to receive all future payments on its behalf for wireless enhanced 911, the Commission finds that payment should be made to Qwest consistent with the amounts set forth in Appendix A as each implementation is complete. Dundy County shall notify the Commission in writing that an implementation has been completed and payments shall be adjusted accordingly based on the rates set forth in Appendix A.

Information set forth in Appendix A shall be treated as proprietary and confidential.

Payment of all recurring charges shall be made in arrears on a quarterly basis. Any adjustments to rates must be approved by the Commission. Payments will continue until such time as the terms of Docket 911-019/PI-118 Order Adopting Permanent Funding Mechanism and Process dated February 23, 2010 are implemented.

The Commission further finds that Dundy County is on notice and is aware that approval of this funding request is made with the understanding that it will be modified, consistent with the permanent funding mechanism established pursuant to Docket 911-019/PI-118.

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 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 Dundy County's request for funding shall be granted consistent with the terms set forth herein.

IT IS FURTHER ORDERED that the Commission shall remit to Qwest amounts that comport with Appendix A attached hereto once each implementation is complete.

IT IS FINALLY ORDERED that Dundy County is on notice and aware that approval of this funding request is made with the understanding that it will be modified in the future, consistent with the permanent funding mechanism established pursuant to Docket 911-019/PI-118.

MADE AND ENTERED at Lincoln, Nebraska this 13th day of April, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director