

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Pierce County,        ) Application No. 911-023.80  
Public Safety Answering Point,        )  
Pierce, seeking funding approval        )  
for recurring and non-recurring        ) ORDER  
costs of Enhanced wireless 911        )  
implementation.                         )  
  ) Entered: November 24, 2009

BY THE COMMISSION:

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

On October 14, 2009, the Commission entered an order approving funding Pierce County in the amount of **\$152,819.00** for the purchase and installation of equipment and software necessary for enhanced wireless 911 service. Additionally, the Commission approved funding for five (5) years maintenance on both the equipment and software totaling **\$63,682.00** paid in annual installments to each vendor.

Subsequently, on October 22, 2009, Pierce County filed a funding request for an additional **\$11,991.00** in costs for the equipment and to modify the costs related to five (5) years of maintenance for the equipment in the amount of **\$29,688.00** paid in four (4) annual installments of **\$7,422.00** per year commencing year two. This is an annual reduction in equipment maintenance of **\$4,850.00**.

The Wireless Enhanced 911 Advisory Board (Advisory Board) considered the request at its November 2, 2009 meeting and recommended approval.

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.

The Commission finds that the funding request shall be granted and the October 14, 2009 order amended as set forth herein. Previously approved amounts for mapping software and software maintenance shall remain unchanged.

This project was submitted as part of the Commission's application for federal grant funds through the ENHANCE 911 Act and grant program. To the extent permissible, costs should be paid from the federal funds with the appropriate match from the state wireless fund.

The Fund shall therefore pay to Pierce County or the vendor in amounts set forth herein consistent with the terms of this order and the October 14, 2009 order and the requirements of the ENHANCE 911 Act grant program. By accepting these funds Pierce County agrees to comply with all grant rules and regulation and requirements of the ENHANCE 911 Act and to cooperate with the Commission in ensuring compliance. Additionally, Pierce County will be subject to audits as required by the federal grant.

All recurring amounts approved are subject to change based upon the availability of funding and the permanent funding mechanism. Pierce County may request that these amounts be paid directly to the vendor or may receive reimbursement for amounts it has expended.

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.

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 the funding request from Pierce County, Public Safety Answering Point, Pierce, for additional non-recurring costs in the amount of **\$11,991.00** for the purchase and installation of equipment and software necessary for enhanced wireless 911 service be granted.

IT IF FURTHER ORDERED that funding be approved for five (5) years maintenance on the equipment totaling **\$29,688.00**, paid in annual installments to the vendor commencing year two.

IT IS FINALLY ORDERED that previously approved amounts for mapping software and software maintenance shall remain unchanged.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director