

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Mid Rivers) Application No. 911-023.81
911, Public Safety Answering)
Point, Campbell, seeking) ORDER APPROVING FUNDING
funding approval for recurring) REQUEST
and non-recurring costs)
associated with Enhanced)
Wireless 911 implementation.) Entered: May 5, 2009

BY THE COMMISSION:

By written request for funding received January 19, 2009, Mid Rivers 911, Public Safety Answering Point, Campbell (Mid Rivers 911), sought funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In its application, Mid Rivers seeks non-recurring costs in the amount of **\$140,852.00** for the purchase and installation of equipment necessary for enhanced wireless 911 service and costs in the amount of **\$16,826.00** paid in equal annual installments for four years equipment maintenance commencing after the one year warranty period. Additionally, Mid Rivers seeks non recurring costs of **\$15,500.00** for the purchase and installation of software and an additional **\$14,604.00** paid in equal annual installments for five (5) years software support. Mid Rivers has requested 100% funding for the above listed costs.

Mid Rivers 911 provided supporting documentation for the equipment and associated expenses from its vendor. The costs are consistent with the vendor's response to the Commission's request for proposal (RFP). The Enhanced Wireless 911 Advisory Board considered Mid Rivers 911's request at its April 6, 2009 meeting and recommended that the Commission deny the request as Mid Rivers had not yet implemented enhanced landline 911 service pursuant to Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002.

Based upon the Advisory Board's recommendation, hearing was held on this matter. Steven Skupa, chairman of the village board for Campbell, testified in support of the funding request. Mr. Skupa explained that although they are not connected to a selective router or tandem, Mid Rivers 911 is able to offer enhanced landline 911 services using an in-house data base and specialized software. Mr. Skupa further stated that once the equipment requested is installed, Mid Rivers would be capable to

fully implement enhanced wireless and landline 911 service and without the funding they cannot proceed any further.

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 evidence presented at the hearing, the Commission is of the opinion and finds that the costs requested 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, this funding request would be subject to the wireless/landline allocation factor established in the Commission's February 17, 2007 order of fifty-five percent (55%) wireless. However, Mid Rivers 911 has requested that it be funded 100% due to their financial situation and that they serve multiple areas.

The Commission finds that the requirement that Mid Rivers be connected to a tandem prior to receiving funding be waived. Waiver of this particular requirement is justified under the circumstances and will not adversely affect others. The Commission further finds that this funding request should be granted in full based upon the financial situation of the PSAP.

Mid Rivers 911's request includes costs associated with maintenance. 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 full in the amount of **\$140,852.00** in non-recurring costs for equipment and an additional **\$15,500.00** for software; **\$16,826.00** for maintenance of the equipment for a four (4) year period commencing

after the one-year warranty period and **\$14,604.00** in software maintenance over a five year period. Maintenance shall be paid annually pursuant to the terms of the contract subject to the limitations set forth herein. Said amounts are consistent with the pricing set forth in the vendor's response to the RFP.

The Fund shall therefore pay to Mid Rivers 911 or its designee the amounts set forth above consistent with the terms of this order. Mid Rivers 911 may request that these amounts be paid directly to the vendor.

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. Any amounts not funded are the responsibility of the PSAP.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the requirement that Mid Rivers 911 be connected to a tandem prior to receiving any wireless funding is waived.

IT IS FURTHER ORDERED that the Enhanced Wireless 911 Fund shall pay to Mid Rivers 911 or its designee the amount of **\$140,852.00** in non-recurring costs for equipment and an additional **\$15,500.00** for software necessary to provide enhanced wireless 911 service.

IT IS FINALLY ORDERED that the Fund shall pay **\$16,826.00** for maintenance of the equipment for a four (4) year period commencing after the one-year warranty period and **\$14,604.00** in software maintenance over a five year period consistent with the terms of this order and the contract.

MADE AND ENTERED at Lincoln, Nebraska this 5th day of May, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director