

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.21  
Public Service Commission, on )  
its own motion, seeking to )  
administer funding for public )  
safety answering points for the ) ORDER DENYING FUNDING  
implementation and provision of )  
Enhanced Wireless 911 service: )  
Cuming County. )  
 ) Entered: January 12, 2016

BY THE COMMISSION:

On or about October 8, 2015, Cuming County filed a request to use enhanced wireless 911 set-aside funds toward the upgrade of call taking equipment to Zetron Max in the amount of \$141,561.

The costs sought are shared costs subject to the wireless/wireline ratio. Cuming County has a wireless ratio for the 2015-2016 funding year of 69% wireless.

The Wireless Enhanced 911 Advisory Board considered the request at its December 14, 2015 meeting and recommended that the request be approved.

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

The Nebraska Public Service Commission (Commission) adopted the permanent cost model to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service under Docket No. 911-019/PI-118.<sup>1</sup> The costs requested are eligible under NEB. REV. STAT. § 86-465 as costs incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

However, the Commission in Docket No. 911-019/PI-118 stated that PSAPS must submit their application for the approval of the use of set-aside funds prior to expending the funds.<sup>2</sup> Although the Advisory Board recommended approving the funding request, the project could not be reviewed for appropriateness because Cuming County had already purchased the new equipment and was installing the equipment at the time of the Advisory Board meeting. Because Cuming County did not file its funding request for approval prior

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<sup>1</sup> See *In the Matter of the Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service*, Application No. 911-019/PI-118 Final Order Adopting Model and Application Process (Feb. 23, 2010).

<sup>2</sup> *Id.* at 8.

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to the expending of set-aside funds, the Commission finds that the funding request by Cuming County should be denied.

Cuming County may request a one-time waiver for good cause. Should Cuming County wish to be heard by the Commission regarding a waiver request, it shall notify the Commission in writing within **fifteen (15) days** of this Order and the matter will be set for hearing.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for Cuming County is hereby denied.

IT IS FURTHER ORDERED that should Cuming County wish to be heard by the Commission regarding a waiver request, it shall notify the Commission in writing within **fifteen (15) days** of this Order and the matter will be set for hearing.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 12<sup>th</sup> day of January, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*David W. ...*  
*Crystal ...*  
*Dee ...*

*Tim Schram*

Chairman

ATTEST:

*Sebb ...*

Executive Director

//s//Frank E. Landis

//s//Tim Schram