

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska                    ) Application No. 911-043.03  
Public Service Commission, on                    )  
its own motion, seeking to                    )  
administer funding for wireless                )  
service providers for the                        ) ORDER APPROVING FUNDING  
implementation and provision of                )  
Enhanced Wireless 911 service:                )  
Sprint/Nextel.                                    ) Entered: July 17, 2012

BY THE COMMISSION:

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

On or about March 30, 2010, the Nebraska Public Service Commission (Commission) opened the above-captioned docket, on its own motion, seeking to administer funding for wireless service providers for the implementation and provision of Enhanced Wireless 911 service pursuant to the permanent funding mechanism approved under Docket No. 911-019/PI-118.

On April 10, 2012, Sprint/Nextel (Sprint) filed an application for funding pursuant to Neb. Admin. Code Title 291, Ch. 15 § 007.01. Sprint serves multiple counties within Nebraska and states that the funds will be used for recurring monthly costs for Intrado, administration, and LEC facilities costs.

Pending resolution of the issues currently being considered in Docket No. 911-019/PI-118<sup>1</sup>, Sprint is eligible for interim funding up to \$206,972.64 paid in monthly installments of \$18,815.69 for funding year 2012-2013. However, Sprint has submitted estimates of the costs it expects to incur during the funding year in the amount of only \$185,904.00. These costs are significantly less than Sprint's allocation,

Therefore, in order to avoid substantial overpayments, the Commission finds that the funding request for Sprint in the amount of \$185,904.00 should be approved, paid in monthly installments of \$16,900.36 until issues currently pending in Application No. 911-019/PI-118 are resolved and the allocations are recalculated.

---

<sup>1</sup> *In the Matter of the Nebraska Public Service 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, Order Making Findings, Establishing a Schedule and Setting a Hearing (June 26, 2012).*

Once a final decision is made regarding modifications to the model and allocations for the 2012-13 funding year, the Commission will true-up funding amounts for PSAPs including but not limited to making any adjustments for any adjustments necessary based upon the audit for the 2010-11 funding year, deductions from funding for any late filed applications, and for any change in allocation resulting from the addition of the personnel cost module. All true-ups will be made retroactively to July 1, 2012.

Sprint is required to submit documentation to justify expenditures, and update contact and other information no later than October 15 following the close of the funding year consistent with Neb. Admin. Code, Title 291, Ch. 15 § 008.

If the Commission determines that any funds were not used appropriately, funding for the following funding year will be adjusted to recoup any necessary funds. All wireless service providers are subject to audit.

Any wireless service provider failing to file timely and accurate quarterly reports may be subject to delays or loss of funding in addition to any other administrative penalties.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for Sprint is hereby approved as set forth herein.

IT IS FURTHER ORDERED that Sprint must submit required documentation to justify all expenditures with approved funds no later than October 15 following the close of the funding year consistent with Neb. Admin. Code, Title 291, Ch. 15 § 008.

MADE AND ENTERED at Lincoln, Nebraska this 17<sup>th</sup> day of July, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

Application No. 911-043.03

Page 2

Once a final decision is made regarding modifications to the model and allocations for the 2012-13 funding year, the Commission will true-up funding amounts for PSAPs including but not limited to making any adjustments for any adjustments necessary based upon the audit for the 2010-11 funding year, deductions from funding for any late filed applications, and for any change in allocation resulting from the addition of the personnel cost module. All true-ups will be made retroactively to July 1, 2012.

Sprint is required to submit documentation to justify expenditures, and update contact and other information no later than October 15 following the close of the funding year consistent with Neb. Admin. Code, Title 291, Ch. 15 § 008.

If the Commission determines that any funds were not used appropriately, funding for the following funding year will be adjusted to recoup any necessary funds. All wireless service providers are subject to audit.

Any wireless service provider failing to file timely and accurate quarterly reports may be subject to delays or loss of funding in addition to any other administrative penalties.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for Sprint is hereby approved as set forth herein.

IT IS FURTHER ORDERED that Sprint must submit required documentation to justify all expenditures with approved funds no later than October 15 following the close of the funding year consistent with Neb. Admin. Code, Title 291, Ch. 15 § 008.

MADE AND ENTERED at Lincoln, Nebraska this 17<sup>th</sup> day of July, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Tim Schram*  
*Rene Boyle*  
*Gerald Lipp*

//s// Rod Johnson

Chairman *Rod Johnson*

ATTEST: *Phil S. H.*

Executive Director