

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Sprint Nextel,) Application No. 911-022.05
Overland Park, Kansas, seeking)
funding approval for recurring) ORDER APPROVING COSTS AND
and non-recurring costs of) INCORPORATING PRIOR DOCKETS
Enhanced Wireless 911)
implementation.) Entered: June 19, 2007

BY THE COMMISSION:

The Commission approved written requests for funding received June 7, 2002, December 10, 2002, May 29, 2003, February 11, 2005, and August 9, 2005 wherein Sprint PCS, Overland Park, Kansas, sought funding from the Enhanced Wireless 911 Fund to provide enhanced wireless 911 service to the following public safety answering points (PSAPs): Sarpy County, Douglas County, Colfax County, Dakota County, Buffalo County, Fremont/Dodge County, Norfolk Police Department (including Madison and Stanton Counties), Hamilton County, Grand Island/Hall County, Kearney County, Cuming County, Platte County, Cass County, Lancaster County, and Seward County.

The Commission approved written requests for funding received June 24, 2002, and February 18, 2005, wherein Nextel Partners (Nextel), Kirkland, Washington, sought funding from the Enhanced Wireless 911 Fund to provide enhanced wireless 911 service to the following public safety answering points (PSAPs): Adams, Buffalo, Burt, Cass, Colfax, Cuming, Dakota, Dawson, Dixon, Dodge, Douglas, Gage, Hall, Hamilton, Kearney, Lancaster, Madison, Nemaha, Otoe, Platte, Sarpy, Saline, Seward, Saunders, Thurston, Washington, and York Counties.

Both Sprint PCS and Nextel each sought initial non-recurring costs and recurring costs to implement and provide enhanced wireless 911 service for the above-listed PSAPs. Initial costs were for data circuits, facility charges, engineering labor, database upgrades, project management and other operations costs. Recurring costs were monthly fees for data circuits, facility charges, ongoing engineering labor, database management and project management. Nextel was subsequently acquired by Sprint PCS, forming Sprint Nextel Corporation (Sprint Nextel).

On February 2, 2007, Sprint Nextel filed a supplemental funding request with respect to Adams, Buffalo, Burt, Cass, Colfax, Cuming, Dakota, Dawson, Dodge, Douglas, Gage, Hall, Hamilton, Kearney, Lancaster, Madison, Otoe, Platte, Saline,

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Sarpy, Saunders, Seward, Thurston, Washington and York Counties for its IDEN network; and Adams, Buffalo, Burt, Cass, Colfax, Cuming, Dakota, Dodge, Douglas, Hall, Hamilton, Kearney, Lancaster, Madison (Norfolk/Stanton), Otoe, Platte, Sarpy, Saunders, Seward and York Counties for its CDMA network for any further implementations. After review of the funding request, several questions arose regarding the costs set forth therein. Information was provided in response to questions regarding the supplemental funding request, and an amended supplemental funding request was filed on May 16, 2007. Both previously approved costs and costs associated with the amended supplemental funding request are set forth in Appendix A attached hereto and incorporated herein by this reference.

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

This Order is being processed pursuant to *Neb. Rev. Stat.* §§ 86-444 to 86-456 (2006 Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002.

As an initial matter, the Commission finds consistent with its order entered in Docket 911-022 on July 18, 2006, that all filings and orders entered in Dockets WSP-003, WSP-003.1, WSP-003.2, WSP-003.3, WSP-003.4, WSP-004, WSP-004.1, and WSP-004.2, shall be incorporated into the present docket by this reference.

Costs requested in relation to this Order are eligible under *Neb. Rev. Stat.* § 86-465(2)(a) (2006 Supp.).

All costs have been incurred or will be incurred to implement enhanced wireless 911 service, and may include the following: (a) the portion of the costs for new equipment used for providing enhanced wireless 911 service; (b) costs to lease another vendor's equipment or services to provide enhanced wireless 911 service; (c) costs to create or maintain any database or database elements used solely for enhanced wireless 911 service; and, (d) other costs of establishing enhanced wireless 911 service.

Both Sprint PCS and Nextel each previously submitted implementation plans in compliance with Commission Docket No. 911-001. Sprint Nextel has submitted an implementation plan in compliance with Commission Docket No. 911-001.

Sprint Nextel has already implemented enhanced wireless 911 service in Buffalo, Cass, Colfax, Cuming, Dakota, Dawson, Dodge, Douglas, Gage, Hall, Hamilton, Kearney, Lancaster, Madison, Platte, Saline, Sarpy, Seward, and Washington counties for its IDEN network; and Buffalo, Cass, Colfax, Cuming, Dakota, Dodge, Douglas, Hall, Hamilton, Kearney, Lancaster, Madison, Stanton, Otoe, Platte, Sarpy, Saunders, Seward, and York Counties for its CDMA network. Funding for the above-mentioned counties pursuant to this Order shall continue. The Commission finds that payment to Sprint Nextel for initial implementation charges and recurring monthly charges shall be made once implementation is completed in the remaining counties. Sprint Nextel shall notify the Commission in writing that implementation has been completed.

Attached hereto in Appendix A is a summary of approved funding for Sprint Nextel to be paid from the Fund. All amounts previously approved will be paid according to the amounts set forth in Appendix A. All new approved costs shall be paid consistent with Appendix A effective January 1, 2007. 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. Payment shall be adjusted based upon the number of cell sites reported by Sprint Nextel in its quarterly reports required by Neb. Rev. Stat. § 86-459 (2006 Supp.) Payments to Sprint Nextel will no longer be made upon invoice. The Commission will not approve any increase in Wireless Carrier costs during the effectiveness of the interim policy, which was adopted by the Commission in Application No. 911-017/PI-116, Order Adopting Interim Policy, January 9, 2007. The Commission will continue to consider costs associated with new implementations.

Sprint Nextel shall comply with all reporting requirements set forth in § 86-459. Failure to do so could result in the delay or loss of funding.

The Commission further finds that Sprint Nextel is hereby put on notice that approval of the funding pursuant to this Order is made with the understanding it may be modified in the future consistent with the permanent funding mechanism established pursuant to LB 1222 (2006).

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all filings and orders entered in Dockets WSP-003, WSP-003.1, WSP-003.2, WSP-003.3, WSP-003.4, WSP-004, WSP-004.1, and WSP-004.2 shall be incorporated into the present docket by this reference. All future funding requests filed by Sprint Nextel shall be filed in the present docket.

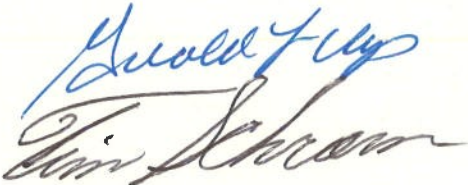
IT IS FURTHER ORDERED that Sprint Nextel's funding should be granted as outlined herein.

IT IS FURTHER ORDERED that all future payments made to Sprint Nextel after the effective date of this order shall be consistent with Appendix A unless otherwise ordered by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 19th day of June, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

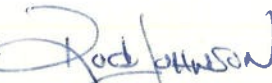


//s// Rod Johnson
//s// Frank E. Landis

COMMISSIONERS DISSENTING:

//s// Anne C. Boyle

Chairman



ATTEST:



Executive Director