

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.16
Public Service Commission, on)
its own motion, seeking to)
administer funding for public)
safety answering points for) ORDER APPROVING FUNDING
the implementation and)
provision of Enhanced Wireless)
911 service: Cheyenne County) Entered: May 7, 2019

BY THE COMMISSION:

On or about February 12, 2019, the Cheyenne County ("Cheyenne") public safety answering point ("PSAP") filed a request to use set-aside funds toward the purchase of VIPER call handling equipment from CenturyLink Business, which will enable Cheyenne to join the regional network of PSAPs known as the South Central Region. The total cost requested for the call handling equipment, including first year of monthly maintenance and service, is in the amount of \$93,890.08.

The Wireless Enhanced 911 Advisory Board considered the combined request at its April 17, 2019 meeting and recommended that the requested funding be approved.

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

Pursuant to the 911 Service system Act¹ (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").² The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.³ The Act provides that money in the fund may be used to pay for costs that are determined by the Public Service Commission ("Commission") to be eligible for funding, including costs incurred by PSAPs for acquisition, installation, maintenance, and operation of telecommunications equipment and

¹ Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

² Neb. Rev. Stat. §§ 86-1025(5).

³ See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-466, 86-904 and 86-1028.

services required for the provision of 911 service.⁴ The funding mechanism adopted by the Commission permits PSAPs to set aside up to seventy-five percent (75%) of their annual funding allocation for future purchases of equipment and software.⁵

On October 16, 2018, the Commission issued an Order determining that eligible costs incurred by PSAPs to join a region, including equipment costs and the first year of multi-year maintenance, support, service or licensing agreements, may be fully paid from monies in the 911 Service System Fund, including set-aside funds, without applying the wireless/wireline ratio.⁶ However, subsequent PSAP expenses, such as future years of multi-year maintenance, support, service or licensing agreements, and equipment costs incurred after joining a region remain subject to the wireless/wireline ratio.⁷ Any such future costs must be paid from a PSAP's annually allocated funds or other sources.⁸

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 the costs requested are eligible for funding as costs that have been incurred or will be incurred for the acquisition of new equipment and related maintenance and service fees, and/or the acquisition, installation, maintenance, and operation of telecommunications equipment and telecommunications service required for the provision of 911 service.⁹ Moreover, all such costs will be

⁴ Neb. Rev. Stat. § 86-1025(5)(c).

⁵ *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, FINAL ORDER ADOPTING MODEL AND APPLICATION PROCESS (Feb. 23, 2010).

⁶ *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Chase County*, Application No. 911-042.50, ORDER APPROVING FUNDING (October 16, 2018).

⁷ See, e.g., *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Keith County*, Application No. 911-042.25 ORDER APPROVING FUNDING (Nov. 27, 2018).

⁸ *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service*, Application No. 911-042, ORDER OPENING DOCKET (March 30, 2010).

⁹ Neb. Rev. Stat. § 86-1025(c).

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incurred by Cheyenne in order to join the South Central Region and are eligible to be paid from set-aside funds, without applying the wireless/wireline ratio.

Based upon the above, the Commission finds that use of set-aside funds by Cheyenne should be approved in an amount up to \$93,890.08.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for the Cheyenne County PSAP is hereby approved in the amount of up to \$93,890.08.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 7th day of May, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Cystal Swades
Paul Over
Don Hatterman
Jim Schum

Mary Riddle
Chair

ATTEST:

Michael H. H. H.
Executive Director