

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.60
Public Service Commission, on)
its own motion, seeking to)
administer funding for public) ORDER APPROVING FUNDING
safety answering points for the)
implementation and provision of)
Enhanced Wireless 911 service:)
Thayer County.) Entered: May 21, 2019

BY THE COMMISSION:

On or about April 3, 2019, the Thayer County ("Thayer County") public safety answering point ("PSAP") filed a request to use set-aside funds to purchase a GeoLynx Server Dispatch Mapping system from GeoComm. Although Thayer County is purchasing an entire suite of public safety mapping software from GeoComm, only the GeoLynx Server Dispatch Mapping system is eligible for funding from the 911 Service System Fund pursuant to the permanent funding mechanism.¹ According to the information provided with Thayer County's funding request, the eligible cost of the GeoLynx Server Dispatch Mapping system, including the first year of support and maintenance, is \$24,942.00.

Thayer County is also requesting to use set-aside funds to hire GeoComm to develop county-wide geographic information system ("GIS") site/structure address point data for Thayer County. The total eligible cost documented in the request is \$23,409.00.²

The costs for mapping software and computer server equipment are shared costs subject to the wireless/wireline ratio. The Thayer County ratio for the 2018-2019 funding year is 64 percent. The development of GIS site/structure address point data, however, is not subject to the wireless/wireline ratio and is payable entirely with wireless funds, including set-aside funds.³

¹ See 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 (February 23, 2010).

² According to documentation provided with the funding request, this amount equates to a cost of \$6.30 per point.

³ 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: Douglas County, Application No. 911-042.49, ORDER APPROVING REQUEST, IN PART (Dec. 18, 2012).

The Enhanced Wireless 911 Advisory Board considered the Thayer County request at its April 17, 2019 meeting and recommended the request be approved.

OPINION AND FINDINGS

Pursuant to the 911 Service system Act⁴ (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").⁵ The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.⁶ 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 services required for the provision of 911 service.⁷ PSAP costs for the purchase and maintenance of software, including GIS data sets, are also eligible for funding.⁸

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.⁹ Set-aside funds may also be used to pay the first year of multi-year maintenance, service, support or licensing agreements.¹⁰ However, set-aside funds may not be used to pay future years of multi-year maintenance, service, support or licensing agreements. Any such future costs must be paid from a PSAP's annually allocated funds or other sources.¹¹

⁴ Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

⁵ Neb. Rev. Stat. §§ 86-1025(5).

⁶ See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-466, 86-904 and 86-1028.

⁷ Neb. Rev. Stat. § 86-1025(5)(c).

⁸ 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: Clay County*, Application No. 911-042.03, ORDER APPROVING FUNDING (October 31, 2017).

⁹ *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).

¹⁰ 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: City of North Platte*, Application No. 911-042.18 ORDER APPROVING FUNDING (August 29, 2017).

¹¹ 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: Dundy County*, Application No. 911-042.45, ORDER APPROVING APPLICATION (Dec. 4, 2018).

Although PSAP expenditures for eligible expenses are generally subject to the wireless/wireline ratio, the development of GIS site/structure address point data is an eligible expense, which may be paid entirely with wireless funds, including set-aside funds.¹² On October 17, 2017, the Commission issued an Order adopting a 911 GIS Data Policy¹³ which provides that GIS site/structure address point data must meet the following requirements in order to be eligible for funding:

1. The Site/Structure Address Points layer is created alongside the creation or update of the related Street Centerline Layer. This will insure accuracy and save time and money.
2. Each proposal submitted by a vendor for the creation or update of the Site/Structure Address Points layer must include a detailed breakdown of the cost per address point.
3. The Site/Structure Address Points layer must comply with the NITC 3-206 Address Standard.¹⁴

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 incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of 911 service.

After applying the wireless ratio on file with the Commission for Thayer County, the amount eligible for funding using set-aside funds for the purchase of GeoLynx Server Dispatch Mapping (including the first year of a multi-year licensing agreement) is \$15,962.88. The cost to develop GIS site/structure address point data for Thayer County, which is not subject to the wireless/wireline ratio, is \$23,409.00. Therefore, the total amount eligible for funding is **\$39,371.88.**

¹² *Supra*, note 2.

¹³ *In the Matter of the Commission, on its own motion, seeking to investigate and review funding, standards and policies relating to Geographic Information Systems data necessary for the provision of Next Generation 911 service*, Application No. 911-061/PI-192, ORDER ADOPTING STANDARDS (Oct. 17, 2017).

¹⁴ *Id.*, Appendix A.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission, that the use of set-aside funds by Thayer County is hereby approved as stated herein in an amount up to **\$39,371.88, provided, however,** that pursuant to the GIS Policy, payment for the development of the site/structure address point layer shall not be made to the vendor until written confirmation by the Commission's GIS Specialist that the GIS site/structure address point data delivered by the vendor meets the NITC 3-206 Address Standards.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 21st day of May, 2019.

COMMISSIONERS CONCURRING:

Crystal Lucader
Paul Jensen
Don Wassenaar
Tim Schram

NEBRASKA PUBLIC SERVICE COMMISSION

Mary Riddis
Chair

ATTEST:

Michael H. De
Executive Director