

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.48
Public Service Commission, on)
its own motion, seeking to) ORDER APPROVING FUNDING, IN
administer funding for public) PART, AND AMENDING FUNDING,
safety answering points for the) IN PART
implementation and provision of)
Enhanced Wireless 911 service:)
Garden County.) Entered: June 4, 2019

BY THE COMMISSION:

On or about March 28, 2019, the Garden County Public Safety Answering Point ("PSAP") filed a request to use set aside funds for the purchase of a Computer Assisted Dispatch ("CAD") system from Justice Data Solutions, Inc. ("JDS"). Although Garden County is purchasing an entire suite of law enforcement software from JDS, only the CAD system is eligible for funding from the Enhanced Wireless 911 Fund pursuant to the permanent funding mechanism.¹ Based on a review of the information provided with Garden County's funding request, the eligible cost of the CAD system, including interface with their GIS system and first year maintenance, is \$10,050.00.

Garden County is also requesting to use set-aside funds to pay the cost of joining the aggregated regional Geographic Information Systems (GIS) data hub previously approved for funding in the South Central Region of PSAPs (the "Data Hub"), plus three years of annual maintenance and quality control/quality assurance services. According to the documentation provided, Garden County's cost to join the Data Hub is a one-time charge of \$736.00 and an annual recurring maintenance cost of \$360.00.

Finally, Garden County is requesting to amend the amount of set-aside funds previously approved for hiring GeoComm to develop GIS site/structure address point data for the county. Via an Order entered on January 23, 2019, the Public Service Commission approved an expenditure of set-aside funds for this purpose in the amount of \$7,661.00.² However, based on information provided to

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 *In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the*

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the Commission as part of Garden County's March 28, 2019, funding request, the GeoComm price quotation for the address point data submitted on December 18, 2018, as part of the County's previous funding request, had expired several months earlier and was no longer valid. Although Garden County had already received a revised price quotation on December 12, 2018, the updated pricing was not provided to the Commission prior to the approval of the requested funding on January 23, 2109. The revised cost of creating GIS site/structure address point data for the county is \$10,366.00.³ In any event, it should go without saying that PSAPs are encouraged to provide timely and accurate cost information to the Commission with any funding request.

All of the above referenced costs will be incurred to permit Garden County to join the South Central Region of PSAPs. The Enhanced Wireless 911 Advisory Board considered the funding request at its April 17, 2019, meeting and recommended that the request be approved.

D I S C U S S I O N

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 systems and data, are also eligible for funding.⁸

implementation and provision of Enhanced Wireless 911 service: Garden County, Application No. 991-042.48, ORDER APPROVING FUNDING (Jan. 23, 2019).

³ According to documentation provided with the current funding request, this amount equates to a cost of \$6.91 per point. The cost per point in the previous expired bid, dated January 17, 2018, was \$5.67 per point.

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).

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

Eligible costs incurred by PSAPs to join a region, such as equipment costs and the first year of multi-year maintenance, support or service agreements, may be fully paid from monies in the 911 Service System Fund, including set-aside funds, without applying the wireless/wireline ratio.¹² However, future years of multi-year maintenance, support, service or licensing agreements remain subject to the wireless/wireline ratio and must be paid from sources other than set-aside funds, such as a PSAP's annual funding allocation.¹³

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.¹⁴ The 911 GIS Data Policy¹⁵ provides that

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).

¹² 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).

¹³ 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: Boone County, Application No. 911-042.44, ORDER OPENING DOCKET (Jan. 8, 2019).

¹⁴ 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).

¹⁵ In the Matter of the Commission, on its own motion, seeking to investigate and review funding, standards and policies relating to Geographic Information

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.¹⁶

OPINION AND FINDINGS

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 costs and license fees, and/or the acquisition, installation, maintenance, and operation of telecommunications equipment and telecommunications service required for the provision of 911 service.¹⁷ In addition, the costs requested for the purchase and maintenance of software, including GIS data, are eligible for funding.¹⁸ Moreover, all such costs will be incurred by Garden County to join the South Central Region and are eligible to be paid from set-aside funds, without applying the wireless/wireline ratio.

Based on the information provided with Garden County's funding request, the amount eligible for funding using set-aside funds with respect to the CAD system is \$10,050.00. In addition, the amount eligible for funding using set-aside funds with respect to the Data Hub is \$1,096.00, representing \$736.00 for one-time costs plus \$360.00 for the first year of recurring maintenance costs. Finally, the amount eligible for funding with respect to the development of site/structure address point data for Garden

Systems data necessary for the provision of Next Generation 911 service,
Application No. 911-061/PI-192, ORDER ADOPTING STANDARDS (Oct. 17, 2017).

¹⁶ *Id.*, Appendix A.

¹⁷ Neb. Rev. Stat. § 86-1025(c).

¹⁸ 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).

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County is \$10,366.00, which is \$2,705.00 more than the amount of \$7,661.00 previously approved for such purpose.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the use of set-aside funds by Garden County for the purchase of a CAD system as described herein is hereby approved in an amount up to **\$10,050.00**.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the use of set-aside funds by Garden County to join the Data Hub as described herein is hereby approved in an amount up to **\$1,096.00**.

IT IS FURTHER ORDERED by the Nebraska Public Service Commission that the previously approved request for the use of set-aside funds by Garden County for the development of GIS site/structure address data is hereby amended as set forth herein from an amount to not exceed \$7,661.00, to an amount not to exceed **\$10,366.00**, an increase of \$2,705.00, and the Order entered by the Commission on January 23, 2019 is hereby amended, in part, to such effect.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 4th day of June, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Mary Riddle
Chair

Crystal Knudsen
Patience
Donna
Kim Schuman

ATTEST:

Michelle H. SO
Executive Director

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