

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska	)	Application No. 911-042.64
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: Sarpy County	)	
	)	Entered: September 10, 2019

BY THE COMMISSION:

On or about July 16, 2019, the Sarpy County ("Sarpy County") public safety answering point ("PSAP") filed a request to use set-aside funds to purchase upgraded call handling equipment from CenturyLink Business. According to Sarpy County, the equipment proposed for purchase will be used in the backup center for the regional network of PSAPs known as the Metro Region, which includes Sarpy, Washington and Douglas Counties. Sarpy County has agreed to purchase this equipment for the Metro Region backup center as part of its cost to join the region. The total cost of the requested equipment \$71,208.72.

The Wireless Enhanced 911 Advisory Board considered the combined request at its July 31, 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 Act<sup>1</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").<sup>2</sup> The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.<sup>3</sup> 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 the acquisition, installation,

<sup>1</sup> Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

<sup>2</sup> Neb. Rev. Stat. §§ 86-1025(5).

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

maintenance, and operation of telecommunications equipment and services required for the provision of 911 service.<sup>4</sup> 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.<sup>5</sup> The Commission has previously determined that backup center equipment costs are eligible for funding.<sup>6</sup>

On October 16, 2018, the Commission issued an Order determining that 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.<sup>7</sup>

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.<sup>8</sup> Moreover, the requested costs will be incurred by Sarpy County in order to join the Metro Region. Therefore, such costs are eligible to be paid entirely from set-aside funds, without applying the wireless/wireline ratio.

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<sup>4</sup> Neb. Rev. Stat. § 86-1025(5)(c).

<sup>5</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, FINAL ORDER ADOPTING MODEL AND APPLICATION PROCESS (Feb. 23, 2010).

<sup>6</sup> *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: Lincoln Emergency Communications Center*, Application No. 911-042.33, ORDER APPROVING FUNDING (Dec. 15, 2015).

<sup>7</sup> *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 (Oct. 16, 2018).

<sup>8</sup> Neb. Rev. Stat. § 86-1025(5)(c).

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Based upon the above, the Commission finds that use of set-aside funds by Sarpy County should be approved in an amount up to \$71,208.72.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for Sarpy County is hereby approved in the amount of up to \$71,208.72.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 10<sup>th</sup> day of September, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Knudsen*  
*Lee Hansen*  
*Jim Schram*

*Mary Riddis*  
Chair

ATTEST:

*Michael G. H. J.*  
Executive Director

