

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.59
Public Service Commission, on)
its own motion, seeking to)
administer funding for public)
safety answering points for the) ORDER APPROVING FUNDING
implementation and provision of)
Enhanced Wireless 911 service:)
City of Norfolk.) Entered: December 3, 2019

BY THE COMMISSION:

On March 30, 2010, the Nebraska Public Service Commission ("Commission") opened the above-referenced docket on its own motion, seeking to administer funding for public safety answering points ("PSAPs").¹

On or about September 10, 2019, the City of Norfolk PSAP, which serves Madison and Stanton Counties, filed a request to use set-aside funds for the purchase of an Eventide IP logger from Motorola Solutions, Inc. The total price quoted by the vendor was \$148,029.96, however, this amount included \$27,152.10 for purchase of an archiving interface server ("AIS"), to connect the logger to the City of Norfolk's new radio system in order to log radio traffic in addition to 911 calls. Loggers are an eligible use of 911 funds, but radio equipment is not.² The purchase price of the logger, excluding the AIS radio interface, is \$120,877.86.

In addition, 911 funds may only be used to pay the 911 portion of mixed use equipment.³ The City of Norfolk reports that approximately 45 percent of the logger's use will be devoted to 911 purposes, while the remaining 55 percent of use will be for non-911 purposes. Therefore, 45 percent of \$120,877.86, or \$54,395.04, is the amount eligible for funding using 911 funds.

¹ 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).

² 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).

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: Saline County, Application No. 911-042.19, ORDER APPROVING USE OF FUNDING, IN PART (May 7, 2013).

Such costs are also shared costs subject to the wireless/wireline ratio. The wireless ratio for the City of Norfolk for the 2019-2020 funding year is 83 percent wireless.

The Wireless Enhanced 911 Advisory Board considered the request at its October 21, 2019 meeting and recommended the request 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 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

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.⁸ Set aside funds may also be used to pay the first year of multi-year maintenance, service, support or licensing agreements.⁹ 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.¹⁰

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 *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).

⁹ 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).

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

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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.

Based on the wireless/wireline ratio of 83 percent in effect for the City of Norfolk, the amount eligible for funding using set-aside funds is \$45,147.88.

Based upon the above, the Commission finds that use of set-aside funds by the City of Norfolk should be approved in the amount of up to **\$45,147.88.**

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for the City of Norfolk is hereby approved in the amount of up to **\$45,147.88.**

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 3rd day of December, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Knorr
Bob Johnson
Don Weisner
Jim Schram

Mary Redder
Chair

ATTEST:

Michelle H. &
Executive Director