

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. 911-042.38
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: Washington County)	Entered: December 10, 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 July 19, 2019, the Washington County ("Washington County") public safety answering point ("PSAP") filed a request to use set-aside funds to purchase upgraded microwave network equipment from Nokia of North America. According to Washington County, the equipment proposed for purchase will be used, in part, to provide communications among the members of the regional network of PSAPs known as the Metro Region, which includes Washington, Sarpy and Douglas Counties. Washington County has agreed to purchase this equipment for the Metro Region as part of its cost to join the region. According to the funding request, Washington County's cost for the requested equipment is \$151,135.00. In addition, Washington County reported that a pending application for a State Homeland Security Grant could further reduce the need to use set-aside funds.

Washington County also reported that approximately 67 percent of the usage of the microwave network equipment will be for 911 purposes, while the remaining 33 percent of usage will be for other than 911 purposes. 911 funds may only be used to pay the

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).

911 portion of mixed use equipment.² Therefore, 67 percent of Washington County's cost of the microwave network equipment, after application of any State Homeland Security Grant funds, is the amount eligible to be paid for using set-aside funds.

The Wireless Enhanced 911 Advisory Board considered the combined request at its July 31, 2019 meeting and recommended that the requested funding be approved. On October 25, 2019, Washington County reported that the State Homeland Security Grant had been awarded, in an amount sufficient to cover all but \$74,844.54 of the County's cost for the microwave network equipment.

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

Pursuant to the 911 Service System Act³ (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").⁴ The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.⁵ 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, maintenance, and operation of telecommunications equipment and services required for the provision of 911 service.⁶ 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.⁷

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 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).*

³ Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

⁴ Neb. Rev. Stat. §§ 86-1025(5).

⁵ See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-466, 86-904 and 86-1028.

⁶ Neb. Rev. Stat. § 86-1025(5)(c).

⁷ *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-*

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.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, the requested costs will be incurred by Washington 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.

Based upon the above, the Commission finds that use of set-aside funds by Washington County should be approved in an amount up to 67 percent of \$74,844.54, which is **\$50,145.84**.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for Washington County is hereby approved in the amount of up to **\$50,145.84**.

019/PI-118, FINAL ORDER ADOPTING MODEL AND APPLICATION PROCESS (Feb. 23, 2010).

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: Chase County, Application No. 911-042.50, ORDER APPROVING FUNDING (Oct. 16, 2018).*

⁹ Neb. Rev. Stat. § 86-1025(5)(c).

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 10th day
of December, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Cynthia Lucades
Ed Janda
Tim Schram
Dan Anderson

Mary Riddle
Chair

ATTEST:

Mike R. Hyatt
Executive Director