

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.17  
 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: )  
 Hitchcock County ) Entered: February 4, 2020

BY THE COMMISSION:

On or about December 10, 2019, the Hitchcock County ("Hitchcock County") public safety answering point ("PSAP"), which provides 911 Service to Hitchcock and Hayes Counties, filed a request to use set-aside funds to purchase a new MiVo Office IP telephone system, from CenturyLink Business ("CenturyLink"). The telephone system will be integrated with Hitchcock County's newly purchased call handling equipment and relates directly to Hitchcock County joining the regional network of PSAPs known as the South Central Region. According to the CenturyLink quote included with the funding request, the total purchase price is in the amount of \$9,843.23, which includes \$1,737.60 for 3 years of support.

The Wireless Enhanced 911 Advisory Board considered the request at its December 18, 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, 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

<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.

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

(75%) of their annual funding allocation for future purchases of equipment and software.<sup>5</sup>

On October 16, 2018, the Commission issued an Order determining that eligible costs incurred by PSAPs to join a region may be fully paid from monies in the 911 Service System Fund, including set-aside funds, without applying the wireless/wireline ratio.<sup>6</sup> Set aside funds may also be used to pay the first year of multi-year maintenance, service, support or licensing agreements.<sup>7</sup> However, future years of multi-year license, 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.<sup>8</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 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.<sup>9</sup> Moreover, such costs will be incurred by the Hitchcock County PSAP to join the South Central Region and are eligible to be paid from set-aside funds, without applying the wireless/wireline ratio.

The total purchase price requested by Hitchcock County is \$9,843.23. This amount includes \$1,737.60 for three years of support, only one year of which is eligible for the use of set-aside funds, as stated above. Therefore the amount eligible for

<sup>5</sup> In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB1222 [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: Chase County, Application No. 911-042.50, ORDER APPROVING FUNDING (Oct. 16, 2018).

<sup>7</sup> 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).

<sup>8</sup> 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).

<sup>9</sup> Neb. Rev. Stat. § 86-1025(c).

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funding using set-aside funds is \$8,684.83, representing \$8,105.63 for the cost of the equipment, plus \$579.20 for first year support costs.

Based upon the above, the Commission finds that use of set-aside funds by Hitchcock County should be approved in an amount up to **\$8,684.83**

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for Hitchcock County is hereby approved in the amount of up to **\$8,684.83**

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 4<sup>th</sup> day of February, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Riddle*

Chair

ATTEST:

*Phil S. Hall*

Executive Director

*Uptal Kucader*  
*Red Johnson*  
*Jim Schram*  
*Don Williams*