

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska	)	Application No. 911-042.33
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:	)	
City of Lincoln.	)	Entered: February 19, 2020

BY THE COMMISSION:

On or about December 6, 2019, the City of Lincoln Public Safety Answering Point ("Lincoln PSAP"), which serves Lancaster County, filed a request to use set aside funds for the purchase of a Computer Assisted Dispatch ("CAD") system from Tritech Software Systems.

According to the funding request filed with the Commission, the eligible cost of the project, including software license fees, service fees, and first year support and maintenance, is \$1,548,111.11. This purchase is subject to the wireless/wireline ratio. The Lincoln PSAP's wireless/wireline ratio for the 2019-2020 funding year is 82 percent. Therefore, the maximum amount of this project that is payable from set-aside funds would be \$1,269,451.11. However, the Lincoln PSAP's current reported set-aside balance is \$704,148.07.

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

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<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).

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> Set-aside funds may also be used to pay the first year of multi-year maintenance, service, support or licensing agreements.<sup>6</sup> 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.<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 meet the statutory requirement for funding eligibility as costs 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>8</sup>

As stated above, after application of the wireless/wireline ratio, the maximum amount eligible to be paid for by using set-aside funds would be in excess of the Lincoln PSAP's reported set-aside fund balance of \$704,148.07. Therefore, the Commission finds that use of set-aside funds by the City of Lincoln should be approved in an amount up to **\$704,148.07**.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for the City of Lincoln PSAP is hereby approved in an amount up to **\$704,148.07**.

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

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




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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 19<sup>th</sup> day  
of February, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Executive Director