

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.12
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:)
Kimball County.) Entered: March 3, 2020

BY THE COMMISSION:

On or about December 6, 2019, the Kimball County public safety answering point ("Kimball PSAP") filed a request to use set aside funds to purchase new VIPER call handling equipment and connectivity from CenturyLink Business in order to join the regional network of PSAPs known as the South Central Region.

The funding request filed with the Commission, documents eligible costs in the amount of \$107,337.55. However, the Kimball PSAP's current reported set-aside balance is \$42,732.53.

The Enhanced Wireless 911 Advisory Board considered the request at its February 12, 2020, 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 Act¹ (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").² The Fund consists of surcharges collected by wireless carriers from wireless service customers.³ 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.⁴ 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.⁵

¹ Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

² Neb. Rev. Stat. §§ 86-1025(5).

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

⁴ Neb. Rev. Stat. § 86-1025(5)(c).

⁵ *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).

Furthermore, eligible costs incurred by PSAPs to join a regional network of PSAPs, 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.⁶ 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.⁷

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 documented by the Kimball PSAP 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.⁸

As stated above, eligible costs documented in the funding request are excess of the Kimball PSAP's reported set-aside fund balance of \$42,732.53. Therefore, the Commission finds that use of set-aside funds by the Kimball PSAP should be approved in an amount up to **\$42,732.53**.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for the Kimball PSAP is hereby approved in an amount up to **\$42,732.53**.

⁶ *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 (October 16, 2018).*

⁷ 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).*

⁸ Neb. Rev. Stat. § 86-1025(c).

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 3rd day
of March, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Knudsen
Paul Johnson
Don Williams
Tim Schram

Mary Reddy

Chair

ATTEST:

Michael H. S.

Executive Director