

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.66  
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: ) Entered: September 1, 2020  
Antelope County

BY THE COMMISSION:

On or about August 4, 2020, the Antelope County ("Antelope") public safety answering point ("PSAP") filed a request to use set-aside funds to make a number of purchases in order to join the North Central Region of PSAPs and to purchase a new logging recorder.

In order to join the North Central Region, the Antelope PSAP needs to purchase new call handling equipment from Solacom at a cost of \$85,732.85, which includes the first year of hardware and software support. They also seek permission to use set-aside funds to purchase one year of connectivity from NebraskaLink at a cost \$9,124.00, consisting of \$400.00 in non-recurring costs and \$727.00 in monthly recurring costs.

The Antelope PSAP also requests the use of set-aside funds to pay GeoComm to install and configure its Standard Dispatch Map product on the new call handling equipment, plus provide staff training, at a cost of \$1,182.00. Set-aside funds in the amount of \$2,163.00 would also be used to pay Applied Connective for computer equipment needed for this installation. The Antelope PSAP also seeks to use \$2,047.00 of set-aside funds to purchase GIS data aggregation and edge mapping services from GeoComm in order to integrate the Antelope County data with the rest of the North Central Region's GIS data.

The total amount of costs listed above to be incurred by the Antelope PSAP to join the North Central Region is \$100,248.85.

In a purchase not directly related to joining the North Central Region, the Antelope PSAP also seeks authority to use set-aside funds to purchase a new logging recorder server ("Logger") from Northland Business Systems. The total cost of the logger is \$15,573.00.

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A Logger is mixed use equipment that may be used for other purposes in addition to recording 911 calls.<sup>1</sup> 911 funds may only be used to pay the 911 portion of mixed use equipment.<sup>2</sup> The Antelope PSAP reports that approximately 36 percent of the logger's use will be devoted to 911 purposes, while the remaining 64 percent of use will be for non-911 purposes. Therefore, 36 percent of \$15,573.00, or \$5,606.28, is the amount eligible for funding using 911 funds.

The Wireless Enhanced 911 Advisory Board considered the request at its August 19, 2020 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>3</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").<sup>4</sup> 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>5</sup>

PSAPs are permitted to set aside up to seventy-five percent (75%) of their annual funding allocation for future purchases of equipment and software.<sup>6</sup> Set aside funds may also be used to pay the first year of multi-year maintenance, service, support or

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<sup>1</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: City of Norfolk*, Application No. 911-042.59, ORDER APPROVING FUNDING (December 3, 2019).

<sup>2</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: Saline County*, Application No. 911-042.19, ORDER APPROVING USE OF FUNDING, IN PART (May 7, 2013).

<sup>3</sup> Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

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

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

<sup>6</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).

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licensing agreements.<sup>7</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>8</sup>

PSAP expenses that are incurred in order to join a regional network of PSAPs, such as the North Central Region, are not subject to the wireless/wireline ratio, and may be fully paid using set-aside funds.<sup>9</sup> Other costs are shared costs that are subject to the wireless/wireline ratio.<sup>10</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 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>11</sup>

The \$100,248.85 in requested costs that will be incurred by the Antelope PSAP to join the North Central Region may be paid from set-aside funds, without applying the wireless/wireline ratio. However, the \$5,606.28 of eligible 911-related costs for the logger are subject to the 75 percent wireless/wireline ratio applicable to the Antelope PSAP for the 2020/2021 funding year. Therefore, the

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

<sup>9</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: Hitchcock County*, Application No. 911-042.17 ORDER APPROVING FUNDING (May 14, 2019).

<sup>10</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: Colfax County*, Application No. 911-042.62, ORDER APPROVING FUNDING (January 8, 2019).

<sup>11</sup> Neb. Rev. Stat. § 86-1025(c).

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amount of set-aside funds that may be applied to the purchase of the Logger is 75 percent of \$5,606.28, or \$4,204.71.

Based on the foregoing, the Commission finds that use of set-aside funds by Antelope should be approved in an amount not to exceed the sum of \$100,248.85 plus \$4,204.71, which is \$104,453.56.

### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for Antelope County is hereby approved in the amount of up to **\$104,453.56**.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 1<sup>st</sup> day of September, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rock Johnson*  
*Crystal Hunder*  
*Tim Schram*  
*Don Watson*

*Mary Kadden*  
Chair

ATTEST:

*Michael S. Hyatt*  
Executive Director