

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.52  
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 ) Entered: July 27, 2021  
911 service: Cherry County

BY THE COMMISSION:

On or about June 24, 2021, the Cherry County Public Safety Answering Point ("PSAP") filed a request to use set aside funds for the purchase of a Computer Assisted Dispatch ("CAD") system from Justice Data Solutions. The total amount of eligible non-recurring costs and first year recurring costs documented in Cherry County's funding request is \$23,825.00.

The purchase of a CAD system is an eligible cost that supports both wireless and landline 911 service that is subject to the wireless/wireline ratio.<sup>1</sup> The Cherry County PSAP's wireless/wireline ratio for the current funding year is 84 percent. Therefore, the maximum amount of this project payable from set-aside funds is \$20,013.00.

The Enhanced Wireless 911 Advisory Board considered the Cherry County funding request at its July 14, 2021, 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>2</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").<sup>3</sup> The Fund consists of surcharges collected by wireless carriers from wireless service customers.<sup>4</sup> The Act provides that money in the fund may be used to

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<sup>1</sup> See 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 (February 23, 2010).

<sup>2</sup> Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

<sup>3</sup> Neb. Rev. Stat. §§ 86-1025(5).

<sup>4</sup> See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-466, 86-904 and 86-1028.

## SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Application No. 911-042.52

Page 2

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 recurring costs for multi-year maintenance, service, support or licensing agreements.<sup>7</sup> However, set-aside funds may not be used to pay the cost for future years of multi-year maintenance, service, support or licensing agreements.<sup>8</sup> Any such future costs must be paid from a PSAP's annually allocated funds or other sources.<sup>9</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>10</sup> As a result, Commission finds that use of set-aside funding by Cherry County should be approved in an amount up to **\$20,013.00**.

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

<sup>6</sup> *Supra*, note 1.

<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: Cedar County*, Application No. 911-042.43, ORDER APPROVING FUNDING (June 29, 2021).

<sup>9</sup> *Id.*

<sup>10</sup> Neb. Rev. Stat. § 86-1025(c).

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Application No. 911-042.52

Page 3

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the use of set-aside funds by Cherry County is hereby approved in an amount up to **\$20,013.00**.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 27<sup>th</sup> day of July, 2021.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Rod Johnson*  
*Crystal Brader*  
*Mary Kadden*  
*Tim Schram*

*Don W. Johnson*  
Chair

ATTEST:

*Michael S. Hyatt*  
Executive Director