

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.43  
Public Service Commission, on )  
its own motion, seeking to )  
administer funding for public ) ORDER AMENDING FUNDING  
safety answering points for )  
the implementation and )  
provision of Enhanced Wireless )  
911 service: Cedar County ) Entered: November 16, 2021

BY THE COMMISSION:

On or about March 16, 2021, the Cedar County ("Cedar County") public safety answering point ("PSAP") filed a request to use set-aside funds to pay \$26,125.99 of costs necessary to join the regional network of PSAPs known as the Northeast Region. The \$51,192.73 of costs documented in the funding request included call handling equipment, fiber connectivity, GIS data services, and Cedar County's share of the cost to support of the Northeast Region's host sites.

On June 29, 2021, the Public Service Commission ("Commission") approved Cedar County's funding request and entered an Order approving the use of set-aside funds in the amount requested.<sup>1</sup>

On or about October 6, 2021, Cedar County submitted a request to the Commission to revise the April 13, 2021 Funding Order, due to the need to purchase more equipment and services in order to join the region than originally expected. Based on Cedar County's revised funding request, the total eligible cost will now be \$82,425.78, an increase of \$31,233.05.

The Wireless Enhanced 911 Advisory Board considered the Cedar County funding request at its October 18, 2021 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>2</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the

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

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

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911 Service System Fund (the "Fund").<sup>3</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>4</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>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.

PSAP expenses that are incurred in order to join a regional network of PSAPs are not subject to the wireless/wireline ratio and may be fully paid using set-aside funds.<sup>7</sup>

Based upon the requests 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>8</sup> In addition, the

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

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

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

<sup>8</sup> Neb. Rev. Stat. § 86-1025(5)(c).

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funding requested for GIS data services are eligible for funding.<sup>9</sup> Moreover, the funding requested by the Cedar PSAP is for the purpose of joining a new PSAP Region and is eligible to be paid from set aside funds, without applying the wireless/wireline ratio.

Based upon the above, the Commission finds that the Order previously approved for Cedar County requesting to use set-aside funds for the purchase of equipment and services to join the Northeast Region should be revised to reflect a total amount not to exceed \$82,425.78.





### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for the use of set-aside funds previously approved for Cedar County is hereby amended as set forth herein from an amount to not exceed \$51,192.73, to an amount not to exceed **\$82,425.78**, an increase of \$31,233.05.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 16<sup>th</sup> day of November 2021.


NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:

  
Deputy Director

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<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: Clay County Application No. 911-042.03, ORDER APPROVING FUNDING (October 31, 2017).