

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.46  
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 Wayne ) Entered: November 16, 2021

BY THE COMMISSION:

On or about October 6, 2021, the City of Wayne ("Wayne") public safety answering point ("PSAP"), which serves Wayne County, filed a request to use set-aside funds to pay costs necessary to join the new regional network of PSAPs in northeastern Nebraska, known as the Northeast Region. The requested funds would be used to pay for upgrades to the PSAP's Motorola CallWorks call handling equipment, fiber connectivity from OPTK Networks (NebraskaLink), GIS mapping and data aggregation from GeoComm, and Wayne's share of the cost to move CAMA trunks. The total amount of eligible non-recurring costs and first year recurring costs documented in Wayne's funding request is \$70,730.73.

The Wireless Enhanced 911 Advisory Board considered the Wayne 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>1</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").<sup>2</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>3</sup>

PSAPs are permitted to set aside up to seventy-five percent (75%) of their annual funding allocation for future purchases of

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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> Neb. Rev. Stat. § 86-1025(5)(c).

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equipment and software.<sup>4</sup> Set-aside funds may also be used to pay the first year of recurring costs, such as multi-year maintenance, service, support, or licensing agreements.<sup>5</sup> However, set-aside funds may not be used to pay future years of multi-year maintenance, service, support or licensing agreements.<sup>6</sup>

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 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 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 funding requested for GIS data services are eligible for funding.<sup>9</sup> Moreover, the funding requested by the Wayne 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 use of set-aside funding by the Wayne PSAP should be approved in an amount up to **\$70,730.73**.

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<sup>4</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*, App. No. 911-019/PI-118, FINAL ORDER ADOPTING MODEL AND APPLICATION PROCESS (Feb. 23, 2010).

<sup>5</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*, App. No. 911-042.18 ORDER APPROVING FUNDING (Aug. 29, 2017).

<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: Cedar County*, Application No. 911-043.17 ORDER APPROVING FUNDING (June 29, 2021).

<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*, App. No. 911-042.17 ORDER APPROVING FUNDING (May 14, 2019).

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

<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*, App. No. 911-042.03, ORDER APPROVING FUNDING (Oct. 31, 2017).

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for Wayne is hereby approved in the amount of up to **\$70,730.73**.

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

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Bob Johnson*  
*Crystal Broadus*  
*Mary Kiddy*  
*Tim Schram*

*Don Watson*  
Chair

ATTEST:

*Shanice Knutson*  
Deputy Director