

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.47
Public Service Commission, on)
its own motion, seeking to)
administer funding for public) ORDER APPROVING APPLICATION
safety answering points for the)
implementation and provision of)
Enhanced Wireless 911 service:) Entered: March 15, 2022
Custer County.

BY THE COMMISSION:

On or about February 4, 2022, the Custer County public safety answering point ("PSAP") filed a request to use set-aside funds to purchase upgraded call handling equipment and connectivity from Motorola CallWorks ("Motorola") in order to join the regional network of PSAPs known as the East Central Region. The total amount of eligible non-recurring costs and first year recurring costs documented in Custer County's funding request is \$51,267.99.

The Wireless Enhanced 911 Advisory Board considered the request at its February 10, 2022, 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 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.³

PSAPs are permitted to set aside up to seventy-five percent (75%) of their annual funding allocation for future purchases of equipment and software.⁴ Set-aside funds may also be used to pay

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

² Neb. Rev. Stat. §§ 86-1025(5).

³ Neb. Rev. Stat. § 86-1025(5)(c).

⁴ *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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the first year of recurring costs, such as multi-year maintenance, service, support, or licensing agreements.⁵ However, set-aside funds may not be used to pay future years of multi-year maintenance, service, support, or licensing agreements.⁶

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.⁷

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.⁸ Moreover, the funding requested by the Custer County 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 on the above, the Commission finds that use of set-aside funding by the Custer County PSAP should be approved in an amount up to **\$51,267.99**.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for Custer County is hereby approved in an amount up to **\$51,267.99**.

⁵ 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).

⁶ 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).

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

⁸ Neb. Rev. Stat. § 86-1025(5)(c).

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ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 15th day of March, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Rod Johnson
Crystal Brader
Mary Keddin
Tim Schram

Don Watson

Chair

ATTEST:

Thomas W. Golden
Executive Director