

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska       ) Application No. 911-042.20  
Public Service Commission, on       )  
its own motion, seeking to       )  
administer funding for public       )  
safety answering points for the    ) ORDER APPROVING FUNDING  
implementation and provision of    )  
Enhanced Wireless 911 service:    )  
Dawes County                         ) Entered: May 24, 2022

BY THE COMMISSION:

On or about May 5, 2022, the Dawes County public safety answering point ("PSAP") filed a request to use set-aside funds to purchase upgraded call handling equipment, connectivity, and networking from Lumen in order to join the regional network of PSAPs known as the South Central/Panhandle Region. The total amount of eligible non-recurring costs and first year recurring costs documented in Dawes County's funding request is \$68,057.67.

The wireless Enhanced 911 Advisory Board considered the request at its May 18, 2022, meeting and recommended that 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>1</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").<sup>2</sup> The Act provides that 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 equipment and software.<sup>4</sup> Set-aside funds may also be used to pay

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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).

<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*, Application No. 911-

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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 such costs, which must be paid from a PSAP's annually allocated funds or other sources.<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, all such costs will be incurred to join the South Central/Panhandle Region, and, therefore, may 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 Dawes County PSAP should be approved in an amount up to **\$68,057.67**.

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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*, Application No. 911-042.18 ORDER APPROVING FUNDING (August 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: Dundy County*, Application No. 911-042.45, ORDER APPROVING APPLICATION (Dec. 4, 2018).

<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(c).

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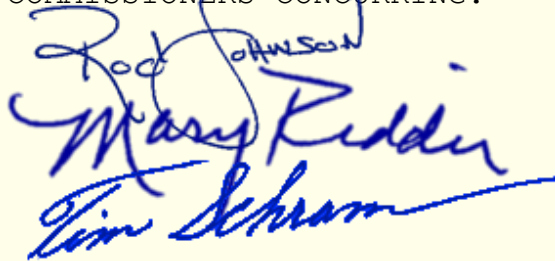
## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request of Dawes County to use set-aside funds is hereby approved in an amount up to **\$68.057.67.**

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 24<sup>th</sup> day of May, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



Chair

ATTEST:

  
Executive Director