

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.59  
Public Service Commission, on )  
its own motion, seeking to )  
administer funding for public )  
safety answering points for ) ORDER APPROVING FUNDING  
the implementation and )  
provision of Enhanced Wireless )  
911 service: City of Norfolk ) Entered: June 28, 2022

BY THE COMMISSION:

The City of Norfolk ("Norfolk") public safety answering point ("PSAP"), which serves Madison County, has filed a request to use set-aside funds to pay OPTK Networks to establish a regional fiber optic network, and pay Lumen to relocate and diversify existing 911 CAMA trunks, in order to become one of two host locations for a new regional network of PSAPs to be known as the Northeast Region. The total amount of eligible non-recurring costs and monthly recurring costs documented with the funding request is \$16,346.15.

The Norfolk PSAP also submitted a second funding request to use a further \$6,009.81 of set-aside funds to purchase and install an additional router to provide a redundant connection to the region's other host, which is the South Sioux City PSAP, serving Dakota County. The total amount requested by the Norfolk PSAP under both funding requests is \$22,355.96.

Because both funding requests seek costs to be incurred to join the new PSAP Region, the requests have been combined for purposes considering funding approval. The Wireless Enhanced 911 Advisory Board considered the Norfolk PSAP funding requests at its February 10, 2022, meeting and recommended that the funding requests 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

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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).

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>

The Norfolk PSAP has not yet connected to the next generation 911 emergency services IP network or core services, and therefore operates under the legacy funding system.<sup>4</sup> Legacy PSAPs may set aside up to seventy-five percent (75%) of their annual funding allocation for future purchases of equipment and software.<sup>5</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>6</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>7</sup> In addition, the funding requested 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.

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<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 consider recommendations of the Service System Advisory Committee for creation of a new funding system for Next Generation 911, App. No. 911-073/PI-232, ORDER ADOPTING NEXT GENERATION 911 FUNDING MODEL IMPLEMENTATION PLAN (Dec. 7, 2021).*

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

<sup>7</sup> Neb. Rev. Stat. § 86-1025(5) (c).

Based upon the above, the Commission finds that use of set-aside funding by the Norfolk PSAP should be approved in an amount up to **\$22,355.96**.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for the City of Norfolk is hereby approved in the amount of up to **\$22,355.96**.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 28<sup>th</sup> day of June, 2022.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Gooden*  
*Mary Kidden*  
*Tim Schram*

*Don Waterhouse*  
Chair

ATTEST:

*Thomas W. Golden*  
Executive Director