

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, ) Application No. 911-001/PI-52  
on its own motion, seeking to )  
establish guidelines for the ) Progression Order No. 6  
administration of the Enhanced )  
Wireless 911 Fund. ) Entered: March 4, 2003

BY THE COMMISSION:

The Commission is responsible for administration of the Enhanced Wireless 911 Fund (Fund) pursuant to Neb. Rev. Stat. 86-442 to 86-469 (Cum. Supp. 2002). In Progression Order No. 5 in the above-captioned docket, the Commission set forth guidelines for administration of the Fund. Those guidelines primarily address procedures and eligible costs associated with Phase I wireless enhanced 911 service, but are largely silent regarding procedures and eligible costs for Phase II.

### O P I N I O N      A N D      F I N D I N G S

The Commission finds that it should announce a policy regarding requests for funding for Phase II.

Section 86-464 of the Enhanced Wireless 911 Services Act (Act) provides, "[t]he commission shall determine the most efficient method for providing enhanced wireless 911 service." Neb. Rev. Stat. § 86-464 (Cum. Supp. 2002). Furthermore, "[t]he commission shall have any powers necessary to carry out the intent and purposes of the act." Neb. Rev. Stat. § 86-465(3) (Cum. Supp. 2002).

In carrying out the Act, the Commission finds that it must collect additional information regarding Phase II equipment and costs before considering any funding requests related to Phase II implementation. The Commission anticipates issuing a request for information, and later, a request for proposals, to identify the most cost effective vendors of Phase II equipment and services. Based upon information collected, the Commission will determine the most efficient method for providing Phase II wireless enhanced 911 service, which will include determining eligible costs and/or vendors and timing of implementation of public safety answering points (PSAPs).

Furthermore, the Commission, not individual PSAPs, must issue all Phase II requests to wireless carriers in order to effectively coordinate implementation. The Commission may ultimately determine that efficiency requires implementation of PSAPs in groups or waves as determined by the Commission, therefore, the Commission must coordinate implementation of Nebraska's PSAPs. **PSAPs are hereby advised that they should**

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**not make Phase II requests directly to wireless carriers, but should coordinate with the Commission.**

The Commission finds that it should not accept funding requests for Phase II until otherwise ordered. In the interim, any PSAP or wireless carrier that implements Phase II will be responsible for the recurring and non-recurring costs. It is possible that portions of such expenditures may be reimbursed from the Enhanced Wireless 911 Fund at a later date, but PSAPs and wireless carriers are advised that they should not rely upon reimbursement from the Fund if they elect to proceed with implementation of Phase II without prior funding approval from the Commission. **Wireless carriers are hereby advised that if they receive a Phase II request directly from a Nebraska PSAP, that PSAP will be responsible for the costs associated with the request.**

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding requests for Phase II wireless enhanced 911 service will not be accepted by the Commission until otherwise ordered.

IT IS FURTHER ORDERED that any public safety answering point or wireless carrier that proceeds with implementation of Phase II wireless enhanced 911 service must do so at its own expense, as described above.

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of March, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Anne C. Boyle  
//s//Rod Johnson  
//s//Frank E. Landis

  
Chair

ATTEST:

  
Executive Director