

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. 911-002
on its own motion, seeking to)
determine the surcharge for the)
Enhanced Wireless 911 Fund.) ORDER SETTING SURCHARGE
)
)
) Entered: October 29, 2012

BY THE COMMISSION:

The Commission, on its own motion, scheduled a hearing on this matter pursuant to an order entered August 13, 2013, to determine the annual surcharge for the Enhanced Wireless 911 Fund (Fund), pursuant to Neb. Rev. Stat. § 86-458 (2008).

Notice of hearing was sent to all interested parties including all wireless service providers and public safety answering points on or about August 15, 2013. Further notice was published in the Omaha World Herald, the Lincoln Journal Star, and The Daily Record, Omaha, on October 3 and 10, 2013.

The hearing was held on October 22, 2013. Angela Melton appeared on behalf of the Commission staff. Loel Brooks appeared on behalf of N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless (Viaero).

E V I D E N C E

Tyler Frost, staff economist, testified on behalf of Commission staff. Mr. Frost testified that changes in the collection and remittance of prepaid wireless surcharges effective January 1, 2013 resulted in a downward shift to the forecasted remittance curve. He further stated that in order to recover the forecasted decrease in remittances, the surcharge would need to be increased by \$0.02 per line, per month. However, in light of the current Next Generation 911 study and the current Fund balance, he recommended maintaining the current surcharge of \$0.45.

Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department, next testified on behalf of Commission staff. Ms. Vanicek provided an overview of the current status of the Fund and the total approved expenditures of \$8.6 million for the 2013-2014 funding year. Ms. Vanicek recommended that at least a six-month operating reserve be maintained in the Fund and that the current balance represents roughly a two-year operating reserve. Ms. Vanicek stated that in light of the Next Generation 911 study and the current balance, the surcharge should remain at \$0.45.

Kara Thielen provided written testimony on behalf of Viaero in support of maintaining the current surcharge.

The Enhanced Wireless 911 Advisory Board recommended that the Commission maintain the current surcharge with the understanding that the Commission should open a docket to evaluate the need for and funding of the development of an address point data layer outside of the 911-SAM for the next surcharge recommendation.

F I N D I N G S A N D C O N C L U S I O N S

Pursuant to Neb. Rev. Stat. § 86-457, the surcharge may be increased by the Commission up to \$.70 per active telephone number or functional equivalent for all counties but Douglas County, which remains capped at \$.50.

The Commission finds that based upon testimony provided by staff, the current fund balance, and the pending Next Generation 911 study, the surcharge should be maintained forty-five cents (\$.45) per active telephone number or functional equivalent, per month. The Commission will have the opportunity to revisit the surcharge level annually. We will continue to monitor funding needs, revenue projections and the fund balance and will make adjustments in the future should it be necessary.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the surcharge for the Enhanced Wireless 911 Fund should remain at forty-five cents (\$.45) per active telephone number or functional equivalent, per month effective January 1, 2014.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of October, 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:







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


Chair

ATTEST:


Executive Director