

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

## BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cedar County,     ) Application No. 911-023.07  
Hartington, seeking funding     )  
approval for recurring and non-     ) ORDER APPROVING FUNDING  
recurring costs of Enhanced     ) REQUEST  
Wireless 911 implementation.     )  
  ) Entered: May 15, 2007

### BY THE COMMISSION:

By written request for funding dated January 24, 2007, Cedar County, Hartington, sought funding from the Enhanced Wireless 911 Fund for implementing expenses and providing enhanced wireless 911 service.

In its application, Cedar County sought non-recurring costs in the amount of **\$16,100.00** for the purchase and installation of mapping software and training and testing costs.

Cedar County provided supporting documentation for the equipment and associated expenses from its vendor, Bullberry Systems, Inc. (Bullberry). Bullberry was not designated a "Vendor of Choice" as a result of the Commission's RFP process. The Enhanced Wireless 911 Advisory Board considered Cedar County's request at its March 23, 2007 meeting, and recommended that the Commission approve payment in the amount of **\$16,100.00** on the condition that Cedar County provide sufficient information to ensure that the software and services provided complied with the specifications set forth in the RFP. Subsequently, Cedar County and its vendor provided additional documentation.

All costs contained within the request for funding and supporting documentation are set forth in the confidential attachment Appendix A, attached hereto and incorporated herein by this reference.

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

This request for additional funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-470. (Cum. Supp. 2006), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the Interim Policy established in Progression Order No. 1 in Commission Docket No. 911-017/PI-116, entered February 13, 2007 (Interim Policy).

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The costs set forth in Appendix A have been compared to other similar products and services from "Vendors of Choice" and are found to be comparable. Furthermore, the product and services meet the specifications set forth in the RFP.

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 costs requested, subject to the limitations set forth below, are eligible under Neb. Rev. Stat. § 86-465 as all costs have been incurred or will be incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

This funding request was received prior to February 16, 2007. Pursuant to the Interim Policy, the Commission therefore considers this funding request for full reimbursement without being subject to the wireless/landline allocation factor established in the Commission's February 17, 2007 order.

The Commission further finds that the funding request shall be granted only to the extent the pricing complies with the vendor's response to the RFP.

Therefore, the request for funding should be granted, in the amount of **\$16,100.00** for non-recurring costs.

The Fund shall therefore pay to Cedar County the amount of **\$16,100.00** consistent with the terms of this order and the amounts set forth in Appendix A. Payments shall be made in accordance with the progress of payments set forth in the contract.

Cedar County may request that any amounts approved herein be paid directly to the vendor.

Prior to any payment being made to or on behalf of Cedar County, Cedar County shall submit to the Commission a copy of its final contract for the software and services described herein. Said contract shall be consistent with the amounts set forth in the funding request and approved herein.

The Commission reserves the right to modify any recurring costs associated with this funding request, including any approved amounts for maintenance, consistent with amendments to the Interim Policy or the establishment of a permanent funding mechanism.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Enhanced Wireless 911 Fund shall pay to Cedar County the amount of **\$16,100.00** consistent with the terms of this order and the amounts set forth in Appendix A for the mapping software necessary to provide enhanced wireless 911 service.

MADE AND ENTERED at Lincoln, Nebraska this 15th day of May, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Frank E. Landis*  
*Gene C. Boyle*  
*Tim Schram*

//s// Rod Johnson  
//s// Frank E. Landis

Chairman

*Rod Johnson*

ATTEST:

*Andy Pollak*  
Executive Director