

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Clay County,) Application No. 911-023.28
Edgar, seeking funding approval)
for recurring and non-recurring) ORDER DENYING FUNDING REQUEST
costs of Enhanced Wireless 911)
implementation.)
) Entered: March 20, 2007

BY THE COMMISSION:

By written requests for funding both dated August 31, 2006, Clay County, Edgar, sought funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In one request, Clay County seeks Phase II LEC costs of \$2,500 for initial implementation and an unspecified amount for hourly testing.

In a second request, Clay County seeks non-recurring costs in the amount of **\$75,876.80** for Maars system upgrade implemented in July 2001, Orion Map Star software implemented in July 2001, ARC View implemented in April 2003, Motorola Digital upgrade implemented in April 2003, training conducted in 2001 and interest from October 2002 to August 2006.

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).

The Commission first addresses Clay County's Phase II funding request. Pursuant to the Interim Policy, the Commission has stated that it will consider funding for Phase II LEC costs on a case by case basis. The Commission finds that Clay County's Phase II LEC costs have not yet been incurred as there is no documentation showing that Windstream, the applicable LEC, has billed Clay County for these costs, and in fact some of the costs are not yet determined. Clay County has not provided any invoice from Windstream. Should Clay County incur these costs, it may resubmit a request for funding at that time with appropriate documentation.

Clay County's second request addresses several items that were implemented between 2001 and 2003. It is the Commission's understanding that these items were the subject of an earlier meeting and determined not to be eligible for funding.

The Commission finds that the request for funding should be and is hereby denied.

Should Clay County wish to be heard by the Commission regarding these funding requests it shall notify the Commission in writing **within fifteen (15) days** of this order and the matter will be set for hearing.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Clay County's requests for funding referenced herein are denied.

IT IS FURTHER ORDERED should Clay County wish to be heard by the Commission regarding the denial of these funding requests, it shall notify the Commission in writing **within fifteen (15) days** of this order and the matter will be set for hearing.

MADE AND ENTERED at Lincoln, Nebraska this 20th day of March, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director