

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Butler County,     ) Application No. 911-023.67  
David City, seeking funding         )  
approval for recurring and non-     )  
recurring costs of Enhanced         ) ORDER APPROVING FUNDING  
Wireless 911 implementation.        )  
  ) Entered: August 5, 2008

BY THE COMMISSION:

By written request for funding dated October 25, 2007, Butler County seeks funding from the Enhanced Wireless 911 Fund for expenses of implementing and providing Phase I enhanced wireless 911 service related to Alltel Wireless. Butler County has one public safety answering point (PSAP), which will provide enhanced wireless 911 service throughout Butler County. The local exchange carrier serving Butler County's PSAP is Windstream.

Butler County entered into a service agreement with Windstream for enhanced wireless 911 equipment and services. A copy of the agreement has been provided. In the agreement, Butler County authorized the Commission to remit all payments for enhanced wireless 911 service to Windstream.

Butler County seeks initial costs and recurring costs to implement and provide enhanced wireless 911 service for Alltel Wireless as outlined in Appendix A attached hereto. Initial costs are for database upgrades, trunking infrastructure and purchase, installation, and testing of circuits for enhanced wireless 911. Recurring costs are monthly fees for database management and for operation and maintenance of trunks and circuits.

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

This request for funding is being processed pursuant to *Neb. Rev. Stat.* §§ 86-444 to 86-456 (2006 Cum. Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002.

Costs requested in the present funding request are eligible under *Neb. Rev. Stat.* § 86-86-465(2)(a) (2006 Cum. Supp.). All costs have been incurred or will be incurred for the purchase, installation, maintenance and operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

Butler County has submitted a PSAP registration in compliance with Commission Docket 911-001.

Because Butler County authorized Windstream to receive all payments on its behalf for wireless enhanced 911, the Commission finds that payment should be made to Windstream consistent with the amounts set forth in Appendix A effective November 12, 2007, the date implementation was complete.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted.

Information set forth in Appendix A shall be treated as proprietary and confidential.

Payment of all recurring charges shall be made in arrears on a quarterly basis. Payment shall be adjusted based upon the number of subscribers and wireless towers reported quarterly as required by Neb. Rev. Stat. § 86-459 (2006 Cum. Supp.). Any adjustments to costs must be approved by the Commission. Additionally, the Commission shall be notified prior to any testing for new tower implementations.

The Commission further finds that Butler County is on notice and is aware that approval of this funding request is made with the understanding that it may be modified in the future, consistent with the permanent funding mechanism established pursuant to LB 1222 [2006].

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Butler County's request for funding shall be granted consistent with the terms set forth herein.

IT IS FURTHER ORDERED that the Commission shall remit to Windstream amounts due consistent with Appendix A with respect to Alltel Wireless effective November 12, 2007, as implementation is already complete.

IT IS FINALLY ORDERED that Butler County is on notice and aware that approval of this funding request is made with the understanding that it may be modified in the future, consistent with the permanent funding mechanism established pursuant to LB 1222 [2006].

MADE AND ENTERED at Lincoln, Nebraska this 5th day of August,  
2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director