

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-024.47
Public Service Commission, on)
its own motion, seeking to)
develop policies and process) ORDER DENYING ACCESS
requests for access to GIS data)
and the GIS Repository: HERE)
Global B.V. f/k/a NAVTEQ.) Entered: June 25, 2013

BY THE COMMISSION:

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

On or about August 8, 2006, the Nebraska Public Service Commission (Commission) opened the above-captioned docket, on its own motion, to develop policies and process requests for access to GIS data and the GIS Repository.

In an order entered on August 30, 2005 in Docket No. 911-011/PI-97, the Commission approved the development of proper GIS data and map databases for public safety answering points (PSAPs) or supplementation of existing map databases necessary for Phase II service. The Commission has since approved funding for the development of GIS data for several PSAPs.

On April 4, 2006, the Commission also approved funding for a centralized data repository (Repository) for the GIS data in order to allow for maintenance of the data and access to the data by individual PSAPs and the Commission.

On October 10, 2007, the Commission established a GIS Data Repository Access and Use Policy (Policy) and a procedure for entities to request access to the Repository. The Policy was amended on April 9, 2013.

On or about May 31, 2013, HERE Global B.V. f/k/a NAVTEQ (HERE Global) submitted a request for access to the Repository, specifically seeking the ability to download street centerlines, railways, boundaries, and public areas statewide. The request was made "on behalf of Nebraska residents" who utilize HERE Global's services.

Pursuant to the Policy adopted on April 9, 2013, "Access to the Repository shall be limited to federal or state agencies, counties, municipalities or other political subdivisions or entities or individuals acting on behalf of such agencies, counties, municipalities or other political subdivisions pursuant to a contract."

Commission staff sought additional information from HERE Global regarding whether it was requesting access consistent with the limitations set forth in the policy. HERE Global confirmed that it was not making the request pursuant to a contract with a state or federal agency, county, municipality or other political subdivision.

Therefore, the Commission finds that the request is not consistent with the Commission approved policy and should be denied.

HERE Global is entitled to a hearing on its request. Should HERE Global wish to be heard by the Commission regarding its request denied herein 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 HERE Global B.V. f/k/a NAVTEQ's application for access to the GIS Repository should be denied.

IT IS FURTHER ORDERED that should HERE Global wish to be heard by the Commission regarding its request denied herein 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 25th day of June, 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

Application No. 911-024.47

Page 2

Commission staff sought additional information from HERE Global regarding whether it was requesting access consistent with the limitations set forth in the policy. HERE Global confirmed that it was not making the request pursuant to a contract with a state or federal agency, county, municipality or other political subdivision.

Therefore, the Commission finds that the request is not consistent with the Commission approved policy and should be denied.

HERE Global is entitled to a hearing on its request. Should HERE Global wish to be heard by the Commission regarding its request denied herein 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 HERE Global B.V. f/k/a NAVTEQ's application for access to the GIS Repository should be denied.

IT IS FURTHER ORDERED that should HERE Global wish to be heard by the Commission regarding its request denied herein 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 25th day of June, 2013.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:






Chair

ATTEST:


Executive Director

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