

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.01
Public Service Commission, on)
its own motion, seeking to)
administer funding for public) ORDER APPROVING USE OF SET
safety answering points for the) ASIDE FUNDS
implementation and provision of)
Enhanced Wireless 911 service:)
Nemaha County.) Entered: June 24, 2014

BY THE COMMISSION:

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

On April 1, 2014, Nemaha County (Applicant) filed an application to use set aside funds to hire a consultant to write a request for proposal (RFP) for equipment, and to assist in evaluating proposals and oversee equipment installation as part of a joint project for fourteen (14) PSAPs in Southeast Nebraska at a total cost of up to \$50,000. The fourteen PSAPs include Cass, Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Saline, Seward, Thayer, and York.

The Applicant submitted a request to use set aside funds; however, the request was for a use not explicitly listed as an eligible use of set aside funds. Therefore, the Commission opened Docket No. 911-059/PI-190 to investigate the use of set aside funds for consultants. On May 28th, 2014, the Commission held a joint hearing on the general use of set aside funds and Nemaha County's application and produced a consolidated record.

Attorney Joselyn Luedtke appeared on behalf of Commission staff. No other attorneys entered an appearance.

E V I D E N C E

The Applicant and thirteen (13) other PSAPs are entering into an inter-local cooperation agreement creating the Southeast 911 governing committee to study the possibility of sharing backroom equipment for 911 communications. Southeast 911 has issued a request for proposals to hire a consultant to assist in the selection, purchase, and installation of equipment. A copy of the inter-local agreement and request for proposal was part of Nemaha County's application.

Sue Vanicek, Director of the Nebraska Telecommunications Infrastructure and Safety department, testified recommending the use of set aside funds for the purpose of paying consulting costs related to the selection and purchase of equipment and software.

Ms. Vanicek testified that the sharing of backroom equipment by a regional PSAP venture should be encouraged, and consultants could help a PSAP achieve greater efficiencies.

Sheriff Brent Lottman testified for Nemaha County and PSAPs in the Southeast 911 Governing Committee, requesting the use of its set aside funds to pay for a consultant and shared equipment for use by a regional PSAP. Sheriff Lottman testified that the use of a consultant would provide subject matter expertise to enable Southeast 911 to select the right technology and reduce costs by preventing bad decisions in equipment and software purchases. He further stated that at this time, the PSAPs do not know the total costs associated with the consultants, depending on which proposal is selected. Late filed testimony from Sheriff Lottman reiterated the cost would be at or under \$50,000 for Nemaha County.

The Enhanced Wireless 911 Advisory Board considered the request at its April 14, 2014 meeting and recommended that the Commission approve the use of set aside funds.

On June 17, 2014, the Commission entered an order in Application No. 911-059/PI 190 expanding the permissible use of set aside funds to include consulting costs related to the selection and purchase of equipment and software.

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

The Nebraska Public Service Commission (Commission) adopted the permanent cost model to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service under Docket No. 911-019/PI-118.

Pursuant to the permanent funding mechanism, Nemaha County is receiving a monthly payment in the amount of **\$4,173.32**. PSAPs are permitted to retain up to seventy-five percent (75%) of the amount allocated to that PSAP for the future purchase of equipment and software.

Costs for equipment, software and maintenance are clearly eligible uses for enhanced wireless 911 funding, however, the Commission has not previously approved the use of set aside funds for the cost of consultants.

The Next Generation Telephone Communications Study submitted to the Commission in March 2014, indicated a lack of technical expertise necessary to plan for and implement next generation 911, both at the Commission and in many PSAPs across Nebraska. The study recommended hiring or contracting for additional assistance to ensure PSAPs are advised by individuals who understand the complexity of PSAP operations.

The Commission finds the use of consultants to provide technical and operational expertise may be necessary for the provision of enhanced wireless 911 service, and allow more efficient use of the fund.

The Commission understands any PSAP requesting to use set aside funds for the use of a consultant for selection and purchase of equipment and software will first need to receive approval from the Wireless 911 Advisory Board and the Commission consistent with the requirements set forth in the February 23, 2010 order in Docket No. 911-019/PI-118.

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 the costs associated with the request to use funding are eligible under Neb. Rev. Stat. § 86-465 as costs that 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.

The Commission further finds Applicant's request to use set aside funds for consulting costs in the selection and purchase of equipment and software is consistent with the June 17, 2014 order in Docket No. 911-059/PI-190 amending permissible use of set aside funds.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request to use set aside funds for consulting costs in the selection and purchase of equipment and software is hereby approved, as set forth herein in an amount up to **\$50,000**.

MADE AND ENTERED at Lincoln, Nebraska this 24th day of June, 2014.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Aune Boyle
Tim Schram
Jack Jensen
Budd York

Alan J. Smith
Chairman

ATTEST:

Irene Meredith
Executive Director

//s//Frank E. Landis