

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-042.16  
Public Service Commission, on )  
its own motion, seeking to )  
administer funding for public )  
safety answering points for the ) ORDER APPROVING FUNDING  
implementation and provision of )  
Enhanced Wireless 911 service: )  
Cheyenne County. )  
 ) Entered: July 31, 2018

BY THE COMMISSION:

On or about January 18, 2018, the Cheyenne County public safety answering point ("PSAP") filed a request to use a portion of its set-aside funds to pay GIS Workshop, LLC ("Vendor") for the preparation of a geographic information system ("GIS") site/structure address point data layer for Cheyenne County (the "Project"). At the time of such request, the Vendor had already completed the Project, which had been undertaken pursuant to a contract entered into by the PSAP and the Vendor on or about July 21, 2017. At the time the contract was executed, the Nebraska Public Service Commission ("Commission") did not have a policy in place for approving the use of set-aside funds to pay for GIS address point data. As described below, the Commission subsequently adopted a policy to permit set-aside funding to be used to pay for GIS address point data, subject to certain requirements. Cheyenne County having complied with such requirements, the Commission now considers whether to approve the requested funding.

D I S C U S S I O N

Pursuant to the Enhanced Wireless 911 Services Act<sup>1</sup> (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").<sup>2</sup> The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.<sup>3</sup> The Act provides that in order for PSAP costs to be eligible for payment from the Fund, such costs must be incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the implementation or

<sup>1</sup> Neb. Rev. Stat. §§ 86-442 to 86-471.

<sup>2</sup> The Enhanced Wireless 911 Fund was merged into the 911 Service System Fund as a consequence of LB 993 [2018].

<sup>3</sup> See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-463, and 86-466.

provision of enhanced wireless 911 service.<sup>4</sup> The funding mechanism adopted by the Commission pursuant to the Act includes a provision permitting PSAPs to set aside up to seventy-five percent (75%) of their annually allocated funding for future purchases of equipment and software.<sup>5</sup>

On or about March 30, 2010, the Nebraska Public Service Commission (Commission), on its own motion, opened Docket No. 911-042 to administer PSAP funding pursuant to the Act.<sup>6</sup> On December 18, 2012, the Commission entered an order in such Docket, finding that the development of GIS site/structure address point data is an eligible expense which may be paid entirely with wireless funds, including set aside funds.<sup>7</sup>

On March 21, 2017, the Commission opened Docket No. 911-061/PI-192, on its own motion, to investigate and review funding, standards and policies relating to geographic information system ("GIS") data necessary for the provision of 911 service and to schedule a workshop.<sup>8</sup> On May 1, 2017, the Commission held a workshop on numerous GIS topics, including the prioritization of funding for the development of GIS site/structure address point data.

On September 12, 2017, the Commission issued an Order in Docket No. 911-061/PI-192, which, among other things, adopted the Nebraska Information Technology Commission ("NITC") quality standards for GIS data and directed Commission staff to develop

<sup>4</sup> Neb. Rev. Stat. § 86-465(2).

<sup>5</sup> In the Matter of the Nebraska Public Service Commission, on its own motion, to implement provisions of LB 1222 [2006] and to establish a permanent funding mechanism for wireless enhanced 911 service, Application No. 911-019/PI-118, FINAL ORDER ADOPTING MODEL AND APPLICATION PROCESS (Feb. 23, 2010).

<sup>6</sup> In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service, Application No. 911-042, ORDER OPENING DOCKET (Mar. 30, 2010).

<sup>7</sup> In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Douglas County, Application No. 911-042.49, ORDER APPROVING REQUEST, IN PART (Dec. 18, 2012).

<sup>8</sup> In the Matter of the Commission, on its own motion, seeking to investigate and review funding, standards and policies relating to Geographic Information Systems data necessary for the provision of Next Generation 911 service, Application No. 911-061/PI-192, ORDER OPENING DOCKET, SEEKING COMMENT AND SCHEDULING WORKSHOP (Mar. 21, 2017).

a policy governing funding approval for GIS site/structure address point data.<sup>9</sup>

On October 17, 2017, the Commission issued an Order adopting a 911 GIS Data Policy (the "GIS Policy").<sup>10</sup> Among other things, the GIS Policy provides that GIS site/structure address point data must meet the following requirements in order to be eligible for funding:

1. The Site/Structure Address Points layer is created alongside the creation or update of the related Street Centerline Layer. This will insure accuracy and save time and money.

2. Each proposal submitted by a vendor for the creation or update of the Site/Structure Address Points layer must include a detailed breakdown of the cost per address point.

3. The Site/Structure Address Points layer must comply with the NITC 3-206 Address Standard.<sup>11</sup>

#### OPINION AND FINDINGS

The Cheyenne County PSAP seeks authority to use set aside funds to cover the cost of creating GIS site/structure address point data for Cheyenne County, at a total cost of \$39,800.64. Work on the Project was already completed by the Vendor prior to the PSAP's funding request, and the Vendor has already been paid all or substantially all of the costs incurred.

The cost per point of the project is \$7.16. The Commission's GIS Specialist has confirmed that the GIS site/structure address point data delivered by the vendor meets applicable NITC standards, including NITC 3-206 Address Standards.<sup>12</sup>

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<sup>9</sup> In the Matter of the Commission, on its own motion, seeking to investigate and review funding, standards and policies relating to Geographic Information Systems data necessary for the provision of Next Generation 911 service, Application No. 911-061/PI-192, FINAL REPORT AND ACTION (Sept. 12, 2017).

<sup>10</sup> In the Matter of the Commission, on its own motion, seeking to investigate and review funding, standards and policies relating to Geographic Information Systems data necessary for the provision of Next Generation 911 service, Application No. 911-061/PI-192, ORDER ADOPTING STANDARDS (Oct. 17, 2017).

<sup>11</sup> Id., Appendix A.

<sup>12</sup> <http://nitc.ne.gov/standards/pdf/NITC3-206AddressStandardAdopted3.27.2015.pdf>.

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The Wireless Enhanced 911 Advisory Board considered the Cheyenne County funding request at its July 23, 2018, meeting and recommended that the request be approved.

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 requested are eligible for funding pursuant to the Act as 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.

Based upon the above, the Commission finds that the Cheyenne County funding request should be approved in an amount not to exceed \$39,800.64.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for Cheyenne County is hereby approved in an amount not to exceed \$39,800.64.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 31<sup>st</sup> day of July, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Mary Ridder*

Chair

ATTEST:

*Michael S. H. S.*

Executive Director

*Crystal Woodward*  
*Frank E. Landis*  
*Jim Schuman*

//s//Frank E. Landis

//s//Mary Ridder