

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska	)	Application No. 911-042.21
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	)	REQUEST WAIVER
Enhanced Wireless 911 service:	)	
Cuming County.	)	
	)	Entered: March 15, 2016

BY THE COMMISSION:

On or about October 8, 2015, Cuming County filed a request to use enhanced wireless 911 set-aside funds toward the upgrade of call taking equipment to Zetron Max in the amount of \$141,561. The Wireless Enhanced 911 Advisory Board considered the request at its December 14, 2015 meeting and recommended that the request be approved. On January 12, 2016, the Commission entered an order denying Cuming County's funding request because the funding request had not been submitted prior to contracting for the equipment purchase.<sup>1</sup> In the order, the Commission stated that Cuming County could request a one-time waiver for good cause. On January 16, 2016, Cuming County submitted its waiver request via email.

A hearing was held on February 23, 2016 to consider Cuming County's waiver request. Ms. Jamie Reyes appeared on behalf of Commission staff.

E V I D E N C E

Ms. Nicole Lund of Cuming County Dispatch made a statement before the Commission regarding the circumstances surrounding Cuming County's funding request. Ms. Lund stated that she was unaware of the requirement that she seek approval of her funding request prior to purchasing eligible equipment, which was installed in December. According to Ms. Lund, Cuming County decided to replace its Viper system with Zetron Max after experiencing issues with CenturyLink and its technicians. Cuming County's Viper equipment had been due for software upgrades, and Ms. Lund stated that Cuming County had become frustrated after losing their account representative and having a technician assigned to their area that had not had Viper training.

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<sup>1</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: Cuming County, Application No. 911-042.21, Order Denying Funding (Jan. 12, 2016).

Cuming County has not yet received an invoice for the Zetron Max purchase. Ms. Lund also stated that Cuming County has enough set aside funds to cover the cost of the equipment. Finally, Ms. Lund stated that she has been working with Commission staff in order to ensure that future funding requests are timely filed.

#### 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.<sup>2</sup> Based upon the funding request and supporting documentation, the Commission is of the opinion and finds that the costs requested by Cuming County are eligible under NEB. REV. STAT. § 86-465 as costs incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

The costs sought are shared costs subject to the wireless/wireline ratio. Cuming County has a wireless ratio for the 2015-2016 funding year of 68% wireless. Therefore, the project amount eligible for funding would be up to **\$96,261.48** if purchased during the current fiscal year. Cuming County submitted all required documentation to support its funding request.

Based upon the statement presented, the Commission finds that Cuming County's request for a one-time waiver of the denial of its funding request is hereby approved. In the future, Cuming County should ensure that any funding requests be submitted to the Commission for consideration and approval prior to any expenditure of set aside funds.

Additionally, the Commission finds that Cuming County's request to use set aside funds should be approved, up to \$96,261.48 representing 68% of the total costs based upon the wireless ratio on file with the Commission.

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the one-time waiver requested by Cuming County is hereby granted.

<sup>2</sup> See *In the Matter of the 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).

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. 911-042.21

Page 3

IT IS FURTHER ORDERED that the funding request for Cuming County is hereby approved in the amount of up to **\$96,261.48**.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 15<sup>th</sup> day of March, 2016.

COMMISSIONERS CONCURRING:



//s//Frank E. Landis  
//s//Tim Schram

NEBRASKA PUBLIC SERVICE COMMISSION



Chairman

ATTEST:



Executive Director