

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.45
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:)
Dundy County) Entered: December 4, 2018

BY THE COMMISSION:

On or about October 15, 2018, the Dundy County ("Dundy County") public safety answering point ("PSAP") filed a request to use set-aside funds to purchase new call handling equipment from CenturyLink Business, mapping software from GeoComm and computer server equipment from BWTelcom. Dundy County also requested to use set-aside funds to hire GeoComm to develop a geographic information system ("GIS") site/structure address point data layer for the county. Together, these purchases will enable Dundy County to join the regional network of PSAPs known as the South Central Region. The total amount supported by documentation provided with the request, including the first year of multi-year maintenance, support or service agreements, is in the amount of \$93,893.96.

The Wireless Enhanced 911 Advisory Board considered the combined request at its October 29, 2018 meeting and recommended that the requested funding be approved.

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

Pursuant to the 911 Service system Act¹ (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").² The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.³ The Act provides that money in the fund may be used to pay for costs that are determined by the Public Service Commission ("Commission") to be eligible for funding, including costs incurred by PSAPs for acquisition, installation, maintenance, and operation of telecommunications equipment and services required for the provision of 911 service.⁴ The funding mechanism adopted by the

¹ Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

² Neb. Rev. Stat. §§ 86-1025(5).

³ See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-466, 86-904 and 86-1028.

⁴ Neb. Rev. Stat. § 86-1025(5)(c).

Commission permits PSAPs to set aside up to seventy-five percent (75%) of their annual funding allocation for future purchases of equipment and software.⁵

On October 16, 2018, the Commission issued an Order determining that eligible costs incurred by PSAPs to join a region, such as equipment costs and the first year of multi-year maintenance, support or service agreements, may be fully paid from monies in the 911 Service System Fund, including set-aside funds, without applying the wireless/wireline ratio.⁶ However, subsequent PSAP expenses, such as future years of multi-year maintenance, support or service agreements, and equipment costs incurred after joining a region remain subject to the wireless/wireline ratio.⁷ Any such future costs must be paid from a PSAP's annually allocated funds or other sources.⁸

On December 18, 2012, the Commission issued an Order determining 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.⁹

On October 17, 2017, the Commission issued an Order adopting a 911 GIS Data Policy¹⁰ which provides that GIS site/structure

⁵ 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).

⁶ 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: Chase County, Application No. 911-042.50, ORDER APPROVING FUNDING (October 16, 2018).

⁷ See, e.g., 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: Keith County, Application No. 911-042.25 ORDER APPROVING FUNDING (Nov. 27, 2018).

⁸ 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 (March 30, 2010).

⁹ 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).

¹⁰ 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).

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.¹¹

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 as costs that have been incurred or will be incurred for the acquisition of new equipment and related maintenance costs and license fees, and/or the acquisition, installation, maintenance, and operation of telecommunications equipment and telecommunications service required for the provision of 911 service.¹² In addition, the costs requested for the purchase and maintenance of software, including GIS data, are eligible for funding.¹³ Moreover, all such costs will be incurred by Dundy County to join the South Central Region and are eligible to be paid from set-aside funds, without applying the wireless/wireline ratio.

Pursuant to the foregoing, the amount eligible for funding using set-aside funds with respect to call handling equipment, computer server equipment and mapping software is \$74,225.64, plus \$10,710.32 for the first year of multi-year maintenance, support or service agreements. In addition, the amount eligible for funding using set-aside funds for the development of a site/structure address point layer is \$8,958.00.¹⁴ Therefore, the total amount eligible for funding hereunder using set-aside funds is \$93,893.96.

¹¹ *Id.*, Appendix A.

¹² Neb. Rev. Stat. § 86-1025(c).

¹³ See, e.g., *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: Clay County, Application No. 911-042.03, ORDER APPROVING FUNDING (October 31, 2017).*

¹⁴ According to documentation provided with the funding request, this amount equates to a cost per point of \$5.27.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. 911-042.45

Page 4

Based upon the above, the Commission finds that use of set-aside funds by Dundy County should be approved in an amount up to **\$93,893.96, provided, however,** that pursuant to the GIS Policy, payment for the development of the site/structure address point layer shall not be made to the vendor until written confirmation by the Commission's GIS Specialist that the GIS site/structure address point data delivered by the vendor meets applicable NITC standards, including NITC 3-206 Address Standards.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that funding for Dundy County is hereby approved in the amount of up to **\$93,893.96, provided, however,** that pursuant to the GIS Policy, payment for the development of the site/structure address point layer shall not be made to the vendor until written confirmation by the Commission's GIS Specialist that the GIS site/structure address point data delivered by the vendor meets applicable NITC standards, including NITC 3-206 Address Standards..

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 4th day of December, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Cystal Lucades Chair
Mary Ridder

ATTEST:

Michael H. [Signature]
Executive Director

Frank E. Landis
//s//Frank E. Landis
//s//Mary Ridder