

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.48
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:)
Garden County) Entered: January 23, 2019

BY THE COMMISSION:

On or about December 18, 2018, the Garden County ("Garden County") public safety answering point ("PSAP") filed a request to use set-aside funds to purchase new VIPER call handling equipment and connectivity from CenturyLink Business, Dispatch Map software from GeoComm and computer equipment from E-Logic. Garden 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 Garden 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 \$128,515.99.

The Wireless Enhanced 911 Advisory Board considered the combined request at its January 16, 2019, 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 the acquisition, installation, maintenance, and operation of telecommunications equipment and services required for the provision of 911 service.⁴ The funding mechanism adopted by

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).

the 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, future years of multi-year maintenance, support, service or licensing agreements remain subject to the wireless/wireline ratio and must be paid from sources other than set-aside funds, such as a PSAP's annual funding allocation.⁷

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.⁸

On October 17, 2017, the Commission issued an Order adopting a 911 GIS Data Policy⁹ which provides that GIS site/structure address point data must meet the following requirements in order to be eligible for funding:

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: Boone County, Application No. 911-042.44, ORDER OPENING DOCKET (Jan. 8, 2019).

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: Douglas County, Application No. 911-042.49, ORDER APPROVING REQUEST, IN PART (Dec. 18, 2012).

⁹ 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).

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.¹⁰

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.¹¹ In addition, the costs requested for the purchase and maintenance of software, including GIS data, are eligible for funding.¹² Moreover, all such costs will be incurred by Garden 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 equipment and mapping software is \$101,195.55, plus \$19,659.44 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 \$7,661.00.¹³ Therefore, the total amount eligible for funding hereunder using set-aside funds is \$128,515.99.

Based upon the above, the Commission finds that use of set-aside funds by Garden County should be approved in an amount up to **\$128,515.99, provided, however,** that pursuant to the GIS Policy, payment for the development of the site/structure address point

¹⁰ *Id.*, Appendix A.

¹¹ Neb. Rev. Stat. § 86-1025(c).

¹² 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).*

¹³ According to documentation provided with the funding request, this amount equates to a cost of \$5.67 per point.

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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 Garden County is hereby approved in the amount of up to **\$128,515.99, 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 23rd day of January, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Underwood
Don Wageman
Tim Schram

Mary Riddis

Chair

ATTEST:

Shelby Hill

Executive Director