

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.49
Public Service Commission, on)
its own motion, seeking to)
administer funding for public) ORDER AMENDING FUNDING
safety answering points for the)
implementation and provision of)
Enhanced Wireless 911 service:)
Douglas County 911.) Entered: December 11, 2018

BY THE COMMISSION:

On or about July 5, 2018, the Douglas County ("Douglas County") Public Safety Answering Point ("PSAP") filed a request seeking approval for the use of enhanced wireless 911 set-aside toward the purchase of upgraded call handling equipment, including one year of support and maintenance, and networking equipment at a total cost \$300,354.69 (the "Project").¹ On August 14, 2018, the Public Service Commission ("Commission") approved Douglas County's application and entered an Order approving the use of set-aside funding in an amount not to exceed \$228,269.56, reflecting the 76% wireless/wireline ratio applicable to Douglas County for the 2018-2019 funding year.

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.²

On October 30, 2018, Douglas County requested that the Commission amend the previously approved funding Order to permit the County to use set-aside funds to pay the full cost of the Project, without applying the wireless wireline ratio. Douglas County explained that the costs were being incurred in order to establish a multi-node 911 region that includes Sarpy and Washington Counties, in addition to Douglas County. Moreover,

¹ 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 911, Application No. 911-042.49, ORDER APPROVING FUNDING (August 14, 2018).

² 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).

Douglas County had not included this information in their original funding application, because the County had not been aware that the Commission was considering allowing PSAPs to use set-aside funds to pay for 100 percent of regionalization costs.

OPINION AND FINDINGS

Pursuant to the 911 Service system Act³ (the "Act"), the Commission is responsible for allocating funding to PSAPs from the 911 Service System Fund (the "Fund").⁴ The Fund consists primarily of surcharges collected by wireless carriers from wireless service customers.⁵ The Act provides that money in the fund may be used to pay for costs that the Public Service Commission ("Commission") determines are 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.⁶

The funding mechanism adopted by 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.⁷ Typically, the funding mechanism has employed a feature called the wireless/wireline ratio to allocate PSAP costs between funds provided by wireless telephone surcharges and funds provided by local wireline telephone surcharges. However, as stated above, the Commission provided an exception to this requirement for regionalization costs pursuant to an Order issued October 16, 2018.⁸

The funding application that resulted in the Commission's October 16, 2018 Order was filed by the Chase County PSAP on or about July 9, 2018.⁹ The Enhanced Wireless 911 Advisory Board ("Advisory Board") considered both the Chase County funding

³ Neb. Rev. Stat. §§ 86-1001 to 86-1029.03.

⁴ Neb. Rev. Stat. §§ 86-1025(5).

⁵ See, e.g., Neb. Rev. Stat. §§ 86-456, 86-456.01, 86-457, 86-459, 86-466, 86-904 and 86-1028.

⁶ Neb. Rev. Stat. § 86-1025(5)(c).

⁷ *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).

⁸ *Supra* note 2.

⁹ *Id.*

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. 911-042.49

Page 3

request and the Douglas County funding request at the same Advisory Board meeting held July 23, 2018.¹⁰ At that meeting, the Advisory Board recommended that both requests be approved by the Commission. Douglas County would have joined Chase County's request to use set-aside funds to pay 100 percent funding for regionalization costs without applying the wireless/wireline ratio, if Douglas County had known that this alternative was under consideration.

Based upon the above, the Commission finds the Douglas County request to use set-aside funds for the purchase of upgraded call handling equipment (including one year of support and maintenance) and networking equipment, should be amended to cover the full cost of **\$300,354.69**, in keeping with our October 16, 2018 Order.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding request for the use of set-aside funds previously approved for Douglas County is hereby amended as set forth herein from an amount to not exceed \$228,269.56, to an amount not to exceed **\$300,354.69**, an increase of \$72,085.13.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 11th day of December, 2018.

COMMISSIONERS CONCURRING:

Crystal Knader
Tim Schram
Frank E. Landis

NEBRASKA PUBLIC SERVICE COMMISSION

Mary Ridder
Chair

ATTEST:

Michael H. [Signature]
Executive Director

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

¹⁰ Id. Supra note 1.