

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. 911-042.56
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:)
York County.) Entered: March 5, 2019

BY THE COMMISSION:

On or about December 19, 2017, the York County public safety answering point ("PSAP") filed a request seeking approval for the use of enhanced wireless 911 set-aside funds to purchase new two position VESTA call handling equipment from Windstream Enterprise ("Windstream"). According to a customer proposal provided to York County by Windstream, the total cost of equipment, project management services and installation would be \$18,794.26 per position, for a total of \$37,588.52. The customer proposal also calls for five years of monthly hardware support at a cost of \$150.00 per position, which is equal to \$3,600.00 per year for both positions.

The Wireless Enhanced 911 Advisory Board considered the York County request at its February 16, 2019, meeting and recommended that the request be approved.

The costs sought are shared costs subject to the wireless/wireline ratio. The York County wireless/wireline ratio for the 2018-2019 funding year is 78 percent wireless.

OPINION AND FINDINGS

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

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.

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equipment and services required for the provision of 911 service.⁴

The funding mechanism adopted by the Commission permits PSAPs to set aside up to seventy-five percent (75%) of their annual allocation from the 911 Service System Fund for future purchases of equipment and software.⁵ Set-aside funds may also be used to pay the first year of multi-year maintenance, service, support or licensing agreements.⁶ However, set-aside funds may not be used to pay future years of multi-year maintenance, service, support or licensing arrangements. Any such future costs must be paid from a PSAP's annually allocated funds or other sources.⁷

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 and service fees, and/or the acquisition, installation, maintenance, and operation of telecommunications equipment and telecommunications service required for the provision of 911 service.⁸ However, as stated above, York County's set-aside funds may be used to pay only the first year of the five year hardware support arrangement, which is an amount equal to \$3,600.00.

Based upon the above, the Commission finds that the York County request to use set-aside funds should be approved in an amount not to exceed **\$32,127.05**, representing 78 percent of the total equipment and first year hardware support cost of \$41,188.52, based on York County's wireless/wireline ratio for the 2018-2019 funding year.

⁴ Neb. Rev. Stat. § 86-1025(5)(c).

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 *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: City of North Platte*, Application No. 911-042.18 ORDER APPROVING FUNDING (August 29, 2017).

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: Dundy County*, Application No. 911-042.45, ORDER APPROVING APPLICATION (Dec. 4, 2018).

⁸ Neb. Rev. Stat. § 86-1025(c).

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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 by York County is hereby approved as set forth herein in an amount not to exceed \$32,127.05.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 5th day of March, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Swades
Don Weir
Tom Schran
Paul Jensen

Mary Riddis
Chair

ATTEST:

Michael H. So
Executive Director