

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) Application No. 911-043.06  
Public Service Commission, on )  
its own motion, seeking to )  
administer funding for wireless )  
service providers for the ) ORDER APPROVING FUNDING  
implementation and provision of )  
Enhanced Wireless 911 service: )  
N.E. Colorado Cellular, Inc., )  
d/b/a Viaero Wireless. ) Entered: September 25, 2012

BY THE COMMISSION:

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

On or about March 30, 2010, the Nebraska Public Service Commission (Commission) opened the above-mentioned docket, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service pursuant to the permanent funding mechanism.<sup>1</sup>

N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless (Viaero) was eligible to receive interim funding in the amount of \$255,588.00 for the 2012-13 funding year and requested funding in the same amount. The Commission approved this request for interim funding on July 17, 2012. Interim payments were made with the understanding that any adjustments made as a result of issues being considered in Docket No. 911-019/PI-118<sup>2</sup> would be retroactive to July 1, 2012.

On September 18, 2012, the Commission entered an order in Docket No. 911-019/PI-118 resolving the outstanding issues resulting in adjustments to WSP funding.<sup>3</sup> Based upon those adjustments, the Commission finds that Viaero is eligible for an annual allocation of \$203,880.47; however, Viaero requested \$255,588.00. Therefore, Viaero is approved for a total permanent

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<sup>1</sup> Neb. Admin. Code Title 291, Ch. 15 (July 16, (2011); *In the Matter of the Commission, on its own motion, seeking to investigate and determine costs eligible for funding from the Enhanced Wireless 911 Fund pursuant to Neb. Rev. Stat. § 86-465(2)(b) and (c)*, Application No. 911-054/PI-181, Order Amending List of Eligible Expenses (Apr. 17, 2012).

<sup>2</sup> *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, Order Making Findings, Establishing a Schedule and Setting a Hearing (June 26, 2012).

<sup>3</sup> *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, Order Adopting Proposal and Releasing Adjusted Payments (Sept. 18, 2012).

funding amount of \$203,880.47 for the 2012-2013 funding year. An adjustment for amounts already received was made in the amount of \$46,470.54.

Therefore, Viaero shall receive a total of \$157,409.92 to be paid in monthly installments in the amount of \$17,489.99 for the remaining nine (9) months of the 2012-2013 funding year.

Viaero is required to submit documentation to justify expenditures and update contact and other information no later than October 15 following the close of the funding year consistent with Neb. Admin. Code, Title 291, Ch. 15 § 008. If the Commission determines that any funds were not used appropriately, funding for the following funding year will be adjusted to recoup any necessary funds. All WSPs are subject to audit.

Any wireless service provider failing to file timely and accurate quarterly reports may be subject to delays or loss of funding in addition to any other administrative penalties.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the funding for the Viaero is hereby adjusted as set forth herein.

IT IS FURTHER ORDERED that Viaero must submit required documentation to justify all expenditures with approved funds no later than October 15 following the close of the funding year consistent with Neb. Admin. Code, Title 291, Ch. 15 § 008.

MADE AND ENTERED at Lincoln, Nebraska this 25<sup>th</sup> day of September, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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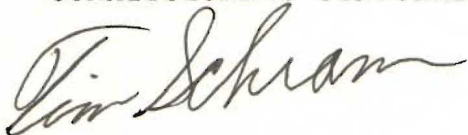
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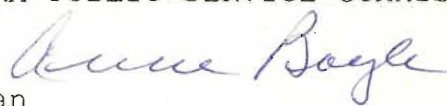
NEBRASKA PUBLIC SERVICE COMMISSION

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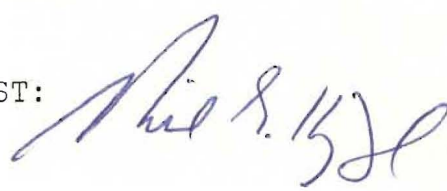


//s//Anne C. Boyle  
//s//Frank E. Landis

Vice  
Chairman



ATTEST:



Executive Director