

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. 911-060
on its own motion, seeking to)
investigate and determine)
whether additional funds from)
the Enhanced Wireless 911 Fund) PROGRESSION ORDER NO. 4
should be made available to)
public safety answering points)
for costs to implement text to)
911 solutions.) Entered: November 19, 2018

BY THE COMMISSION:

On May 6, 2014, the Nebraska Public Service Commission (Commission) opened this docket on its own motion to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund¹ should be made available to public safety answering points (PSAPs) for costs to implement text to 911 solutions.²

On November 4, 2014, the Commission issued an Order adopting a staff proposal to fund text to 911 services for PSAPs outside the cost model on an interim basis ("Progression Order No. 3").³ The Commission determined that "costs directly related to the provision of Text to 911 services" were eligible for interim funding, including "initial and recurring monthly charges for contracts with text control centers, a new trunk for additional traffic if necessary, training for PSAP workers, and other costs for the provision of Text to 911 service that are not simply for more general emergency response services."⁴ Progression Order No. 3 further stated that the Commission's approval of text to 911 related service contracts was limited to no more than three years.⁵

¹ The Enhanced Wireless 911 Fund has been merged into the 911 Service System Fund pursuant to LB 993 [2018].

² In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions, Application No. 911-060/PI-191, ORDER OPENING DOCKET SEEKING COMMENT AND SCHEDULING HEARING (May 6, 2014).

³ In the Matter of the Commission, on its own motion, seeking to investigate and determine whether additional funds from the Enhanced Wireless 911 Fund should be made available to public safety answering points for costs to implement text to 911 solutions, Application No. 911-060/PI-191, PROGRESSION ORDER NO. 3 (Nov. 4, 2014).

⁴ *Id.*

⁵ *Id.*

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Since the adoption of Progression Order No. 3, the Commission has issued Orders in this docket approving text to 911 funding for 39 PSAPs in an amount totaling \$505,554.17. At this time, however, the earliest approved and implemented funding orders in this docket are reaching the end of their three year duration, and the Commission now considers whether funding for text to 911 services shall be continued.

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

Subsequent to the adoption of Progression Order No. 3, the Nebraska Legislature passed, and the Governor approved, the 911 Service System Act (the "Act"). Pursuant to the Act, the 911 Service System Fund may be used to pay for eligible costs incurred by PSAPs to provide 911 Service as determined by the commission.⁶ The Act defines "911 Service" to mean the receiving and processing of "911 Calls," which the Act defines to include text messages directed to a PSAP.⁷ Therefore, the Act recognizes text-to-911 services are an essential part of the 911 Service System and eligible for funding via the 911 Service System Fund.

In addition, the Commission recognizes that text messaging is a crucial and convenient method for the deaf and hard of hearing community to access 911 services. The Commission also notes that text-to-911 capability will be a fundamental part of next generation 911 solutions.

As stated above, the initial approved period for funding text-to-911 service contracts under Progression Order No. 3 was three years. At this time, certain of those PSAPs for which funding has been approved have reached, or soon will reach, the three year milestone.

Therefore, the Commission finds that the interim funding proposal adopted by the Commission pursuant to Progression Order No. 3 should be extended indefinitely. In addition, those PSAPs that have previously received funding for text-to-911 services pursuant to Orders issued under this docket shall be permitted to submit applications to extend or revise such funding for one or more additional period(s), not to exceed three years each.

⁶ Neb. Rev. Stat. §86-1028(3).

⁷ Neb. Rev. Stat. §§ 86-1017 & 86-1018.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the interim funding proposal adopted by the Commission pursuant to Progression Order No. 3 shall be extended indefinitely.

IT IS FURTHER ORDERED that those PSAPs which have previously received funding for text-to-911 services pursuant to Orders issued under this docket shall be permitted to submit applications to extend or revise such funding for one or more additional period(s), not to exceed three years each.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 19th day of November, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:




Chair



ATTEST:




Executive Director

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