

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Clay County                    ) Application No. PSAP-GISD-  
PSAP, Clay Center, seeking                    ) 028  
approval of funding for                        )  
development of GIS data.                       )  
  ) GRANTED  
  )  
  )  
  ) Entered: December 20, 2005

BY THE COMMISSION:

By written request for funding received Clay County, Clay Center, seek funding from the Enhanced Wireless 911 Fund for expenses to develop and maintain Geographical Information System (GIS) data necessary for the implementation of Phase II wireless enhanced 911.

Clay County has entered into a contract for services with GIS Workshop for the development and maintenance of GIS Data and has provided a copy of the contract with its request for funding.

In the contract, Clay County authorized the Nebraska Public Service Commission to remit all payments for GIS data development and maintenance to GIS Workshop.

Clay County seeks initial costs of \$12,100.00 for development of map layers and MSAG comparisons. Additionally, Clay County seeks costs associated with maintenance of the GIS data and MSAG information in the amount of \$36,000.00 for a five-year period. Payments on the maintenance contract shall be paid annually in the amount of \$7,200.00.

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

This request for funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-469 (2004 Cum. Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the October 18, 2005 Adopting Guidelines for GIS Funding in Docket No. 911-011.

Costs requested are eligible under Neb. Rev. Stat. § 86-465 (2004 Cum. Supp.). All costs have been incurred or will be incurred for the development of GIS data which is necessary for the future implementation of Phase II wireless enhanced 911 service.

Because Clay County authorized GIS Workshop to receive all payments on its behalf for wireless enhanced 911, the Commission finds that payment should be made to GIS Workshop upon invoice and in compliance with the Commission's orders, rules and regulations and applicable statutes. Only invoices that comport with the approved costs in this order will be paid.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted.

Any amounts reimbursed by grants or other funding sources, shall not be eligible for reimbursement from the Fund.

The Commission and its authorized staff shall have access to all data developed. Additionally, agencies and political subdivisions of the state of Nebraska to the extent allowed by law and by agreement of the parties shall have access to data as deemed appropriate by the Commission.

If the Nebraska Legislature fails to appropriate or authorize the expenditure of sufficient funds to provide for the payment of costs from the Fund for GIS development or if a lawful order issued in or for any fiscal year during the term of the contract for services reduces the funds appropriated or authorized in such amounts as to preclude making the payments from the Fund, Clay County will be responsible for any costs not reimbursed by the Fund.

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for funding of Clay County shall be granted.

IT IS FURTHER ORDERED that upon invoice from GIS Workshop, the Commission shall remit to GIS Workshop on behalf of Clay County amounts that comport with this order.

MADE AND ENTERED at Lincoln, Nebraska this 20<sup>th</sup> day of  
December, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director