

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Nextel) Application No. WSP-004.1
Partners', Kirkland, Washington,)
requisite filings for funding) ORDER
from Enhanced Wireless 911 Fund.)
) Entered: October 1, 2002

BY THE COMMISSION:

By written request for funding received June 24, 2002, Nextel Partners (Nextel) sought funding from the Enhanced Wireless 911 Fund to provide enhanced wireless 911 service to the following public safety answering points (PSAPs): Adams, Burt, Cass, Dakota, Dixon, Dodge, Douglas, Hall, Hamilton, Lancaster, Nemaha, Otoe, Sarpy, Seward, Washington and York Counties. The request was granted in an order entered on October 1, 2002 in Application No. WSP-4.0.

Nextel implemented its first PSAP in 2003, however, the invoices for the costs associated with the implementation were not submitted until after repeated requests from the Commission. Nextel has now submitted invoices for previously incurred costs for the implementation of Phase I enhanced wireless 911. However, the costs in said invoices do not comport with the approved costs set forth in Nextel's June 24, 2002, request for funding or the October 1, 2002, order. Due to these discrepancies, no payments from the Enhanced Wireless 911 Fund have been made to Nextel.

No payments on the submitted invoices should be made until such time as Nextel provides an explanation and proper documentation regarding the discrepancies.

Furthermore, to date, Nextel has also failed to provide the Commission with its updated implementation plan. Said plan must include all service areas and the attendant costs of implementation of Phase I enhanced wireless 911 service.

Pursuant to Neb. Rev. Stat. §§ 86-442 to 86-469 (2002 Cum. Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002, no payments will be made to Nextel for costs associated with the implementation of Phase I enhanced wireless 911 service until a conforming updated implementation plan is submitted for all Nextel service areas.

In order to receive funding from the Enhanced Wireless 911 Fund for Phase I costs, the implementation plan and all future requests for funding must comply with Neb. Rev. Stat. §§ 86-442

to 86-469 (2002 Cum. Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, and the procedures set forth in Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002. If Nextel does not wish to seek funding, it may proceed with implementation of Phase I without Commission approval.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request of Nextel shall submit an updated implementation plan which shall include all of its service areas and the attendant costs of implementation of Phase I enhanced wireless 911 service consistent with this order.

IT IS FURTHER ORDERED that no payments on submitted invoices will be made until such time as Nextel provides sufficient explanation and documentation regarding the discrepancies in the invoices submitted and the amounts approved in the October 1, 2002, order.

IT IS FINALLY ORDERED that no payments from the Enhanced Wireless 911 Fund shall be made to Nextel until it has filed a conforming updated implementation plan.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of February, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director