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| 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-191PROGRESSION ORDER NO. 2 Entered: September 9, 2014 |

BY THE COMMISSION:

On May 6, 2014, the Nebraska Public Service Commission (Commission) entered an order 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 (PSAPs) for costs to implement Text to 911 solutions. The order also sought comments on specific questions regarding the types of Text to 911 solutions available to PSAPs, the costs of implementing and providing Text to 911 solutions to PSAPs, how such funding should be available, and any other helpful information.

 On July 29, 2014, the Commission entered a progression order setting out the commission’s intent to develop, and seeking public comment on the creation of, an interim funding solution for Text to 911. In conjunction with the public comment period, the commission released data requests to wireless carriers, local exchange carriers, and Text to 911 vendors.

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

In response to Progression Order No. 1 in this docket, the Commission received comments from Douglas County 911 Department, CTIA – The Wireless Association (CTIA), and N.E. Colorado Cellular, Inc. d/b/a Viaero Wireless (Viaero). These comments supported the Commission’s decision to fund Text to 911 solutions in PSAPs requesting the service.

Comments from Viaero urged the Commission to develop a statewide plan to implement a uniform system. However, the Commission has deferred to local 911 authorities on operational decisions, and where the Enhanced Wireless 911 Fund is not intended to cover all costs associated with operations of a 911 center, ultimately the authority to provide 911 service lies with the local governing bodies. To require all PSAPs to use a specific technology solution that the Commission may not be able to fully fund into the future would be a disservice to local PSAPs who may not be ready to implement Text to 911, or may hinder the progress of others.

Comments received also highlight the need for public education on the possibilities and limitations of Text to 911 services. As part of that effort, we are seeking input from the Enhanced Wireless 911 Advisory Board as well as all affected parties including PSAPs, the public safety community, wireless carriers, and the public. In order to accomplish this, the Commission hereby schedules a workshop for **October 30, 2014, 9:00 a.m. to 5:00 p.m.**, in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska, to discuss resources available to help educate the public. An agenda will be circulated at a later date.

 The Commission finds that it is essential to establish a policy regarding Text to 911 interim funding to ensure implementation of the wireless service can progress as PSAPs are ready. While the Commission’s current methodology does anticipate new technologies requiring upgrades to equipment and software with the equipment program and set aside allowance, Text to 911 is a wireless service with associated costs not necessarily covered by the set aside, such as contracts with vendors for text control center services.

A Text to 911 interim funding solution staff proposal is attached to this order as Appendix A. An application for PSAPs requesting Text to 911 funding is attached to this order as Appendix B. The Commission seeks public comment and schedules a public hearing regarding the proposal and application. The proposal sets out the process for PSAPs applying for funding from the Enhanced Wireless 911 Fund, above and beyond their annual allocation, for costs associated with implementing Text to 911.

All interested parties should file comments on the staff proposal with the Commission **on or before October 3, 2014.** All parties filing comments should email one electronic copy to brandy.zierott@nebraska.gov and joselyn.luedtke@nebraska.gov.

The Commission finds that a hearing on the matter should be scheduled for **October 7, 2014, at 1:30 p.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Com­mission that the staff proposal set forth herein as Appendix A, and application set forth herein as Appendix B, be released for comment.

IT IS FURTHER ORDERED by the Nebraska Public Service Com­mission that a workshop, to discuss resources available to educate the public on Text to 911, be scheduled for **October 30, 2014** 9:00 a.m. to 5:00 p.m., in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

IT IS FURTHER ORDERED that all interested parties should file comments on the above-listed issues with the Commission **on or before October 3, 2014.** All parties filing comments should file one original and five (5) paper copies and e-mail one electronic copy to brandy.zierott@nebraska.gov and joselyn.luedtke@nebraska.gov.

IT IS FURTHER ORDERED that a hearing on this matter should be scheduled for **October 7, 2014, at 1:30 p.m.** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of September, 2014.

 NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

 Chairman

 ATTEST:

 Executive Director