

170

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 20th
day of April, 1999.

In the Matter of a Recommendation Concerning) Case No. TR-99-123
the Surcharge for Dual Party Relay.)

ORDER REGARDING RELAY MISSOURI SURCHARGE

The Missouri Public Service Commission ordered the implementation of the Relay Missouri program in Case No. TO-90-174. The Relay Missouri program is a statewide dual-party telephone relay service for the deaf, hearing-impaired and speech-impaired individuals, which was created pursuant to Section 209.253, RSMo 1994. The surcharge which funds this program is currently set at \$0.13 per month, per access line. Section 209.259, RSMo 1994, requires the Commission to review the surcharge periodically to ensure that necessary funds are available for the program. The Staff of the Commission (Staff) filed a Motion to Establish Docket on October 1, 1998, asking the Commission to open a docket for this purpose.

Along with its motion, Staff filed a memorandum as Exhibit A, recommending that the Commission continue the surcharge at the rate of \$0.13 per access line per month, not to exceed 100 access lines per customer per location. Staff suggests that the Commission continue to allow local exchange companies (both incumbent and competitive) to retain \$30 or one percent of the surcharge collected each month, whichever is

greater. Staff also recommends that the Commission direct Staff to review the surcharge no later than two years from the effective date of its order in this case.

The Commission issued an order on November 3, 1998, establishing a docket to consider the issue and directing parties wishing to intervene to do so no later than December 3, 1998, and to file their responses to Staff's recommendation no later than January 4, 1999. The Commission granted intervention to Southwestern Bell Telephone Company (SWBT) on January 12, 1999. Although intervention was granted after the deadline for filing responses to Staff's recommendation, SWBT did not request permission to file late comments, and no comments or responses were received.

The Commission has reviewed Staff's motion to open docket and recommendation and finds that the current Relay Missouri surcharge amount is just and reasonable. Missouri law requires the Commission to review these issues periodically, but allows review no more often than annually. § 209.259, RSMo 1994. Accordingly, the Commission will direct Staff to monitor the fund in light of the issues set out in its recommendation, conduct a review, and file a recommendation with the Commission no later than April 20, 2001.

IT IS THEREFORE ORDERED:

1. That the current Relay Missouri surcharge amount and retention rate are just and reasonable and shall not be adjusted at this time.

2. That the Staff of the Commission shall monitor the Deaf Relay Service and Equipment Distribution Program fund in light of the issues set out in its recommendation, conduct a review, and file a recommendation with the Commission no later than April 20, 2001.

3. That this order shall become effective on April 30, 1999.

4. That this case may be closed on May 3, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray
and Schemenauer, CC., concur.
Crompton, C., absent.

Ruth, Regulatory Law Judge