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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 3rd  
day of November, 1998.

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

**ORDER ESTABLISHING CASE**

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, which was created pursuant to Section 209.253, RSMo 1994. Pursuant to a Commission order dated February 19, 1991, the initial surcharge was set at six cents (\$.06) per month per access line. Since that time, the surcharge has been raised to thirteen cents (\$.13) per month per access line by Commission order dated October 2, 1992.

According to Section 209.259, RSMo 1994, the Commission is required to review the surcharge periodically in order to ascertain that necessary funds are available for the provision of the program. In another case, Case No. TR-97-452, the Commission ordered the Staff to monitor the Deaf Relay Service and Equipment Distribution Program Fund, to complete a review of the surcharge, and to file a recommendation no later than October 1, 1998. As a result, the Staff of the Missouri Public Service Commission filed a Motion to Establish Docket on October 1, 1998. A Staff Recommendation, attached to the Motion as

Exhibit A, recommends that the Commission continue the surcharge at the rate of \$.13 per access line per month, not to exceed one hundred access lines per customer per location. The memorandum also indicates that Staff recommends the Commission continue to allow local exchange companies (both incumbent and competitive) to retain \$30 or one percent of the surcharge collected each month. Staff also recommends that the Commission direct Staff to review the surcharge two years from the effective date of its order in this case.

The Commission has reviewed the Motion to Establish Docket and finds that a case should be opened to consider the appropriateness of the surcharge which funds the Relay Missouri program. The Commission determines that interested parties should be given an opportunity to intervene and to respond to Staff's recommendation. Accordingly, a copy of this order and of Appendix A to Staff's motion shall be sent to each party in Case No. TO-90-174. Parties wishing to intervene may file an application to intervene no later than December 3, 1998, with:

Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and serve a copy on:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102

Responses to Staff's recommendation may be filed no later than January 4, 1999.

**IT IS THEREFORE ORDERED:**

1. That Case No. TR-99-123 is established in order to review the current surcharge for Relay Missouri. The style of the case shall be: "In the Matter of a Recommendation Concerning the Surcharge for Dual Party Relay."

2. That any person wishing to intervene in this matter shall file an application to intervene with the Secretary of the Commission, Post Office Box 360, Jefferson City, Missouri 65102, no later than December 3, 1998.

3. That responses to Staff's recommendation shall be filed no later than January 4, 1999.

4. That this order shall become effective on November 3, 1998.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

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

Ruth, Regulatory Law Judge