

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 23<sup>rd</sup> day of February, 2022.

In the Matter of the Review of the Relay )  
Missouri Surcharge )

**File No. TO-2022-0178**

**ORDER REGARDING THE DEAF RELAY SERVICE AND EQUIPMENT  
DISTRIBUTION FUND SURCHARGE**

Issue Date: February 23, 2022

Effective Date: March 25, 2022

On January 3, 2022, the Staff of the Commission (Staff) filed a report and motion asking the Commission to open a file regarding the existing Deaf Relay Service and Equipment Distribution Fund Surcharge. The surcharge is used to fund a statewide dual-party telephone relay service for qualifying Missourians who are unable to use traditional telecommunications equipment. The surcharge is imposed on Missouri landline basic access lines. Telecommunications companies are allowed to deduct and retain a percentage of the surcharge collected to recover billing and collection-related costs.

Section 209.259, RSMo 2016 requires the Commission to review the surcharge no less frequently than every two years. It also requires the Commission to order changes in the amount of the surcharge as necessary to assure available funds for the programs supported by that fund.

Staff has completed the required review, having examined the level of the surcharge, the fund balance, the retention amount, and the expenditures for Relay Missouri. Staff noted that the fund balance as of October 31, 2021, was \$1,301,306, which reflects a reduction in the balance resulting from the reduction of the surcharge amount from \$.06 to \$.04 in 2017. Staff recommends the Commission increase the surcharge

from \$0.04 to \$0.10 to increase the fund balance to a desired target. Staff predicts that unless the surcharge is increased, the fund balance will drop below the target range in September 2022. Staff further recommends the Commission maintain the current amount that companies retain for recovering costs associated with billing, collecting and remitting surcharge revenue at one percent of the total surcharge collected or \$30 per month, whichever is greater.

The Commission issued an Order and Notice on January 4, 2022, allowing potential intervenors until January 24, 2022, to request intervention. That notice specifically ordered that the Missouri Assistive Technology Council, the Missouri Council of the Blind, and the National Federation of the Blind – Missouri receive notice. No one has asked to intervene. The Commission's Order and Notice also directed that any party wishing to respond to Staff's recommendation do so by January 31, 2022. The Missouri Cable Telecommunications Association (MCTA) filed comments on February 1, 2022.

MCTA recommends the Commission adopt a phased approach to increasing the surcharge, suggesting the surcharge be increased to \$.06 in 2022, to \$.08 in 2023, and to \$.10 in 2024. MCTA also suggest the Commission explore alternative funding sources for these programs as the continuing decrease in the number of landlines renders the fund insufficient.

The Commission ordered Staff to respond to MCTA's comments, which it did on February 16, 2022. Staff notes that the phase in of the surcharge amount proposed by MCTA would put the fund balance below the target range by the end of 2022, and could deplete the fund as early as 2024. Staff agrees with MCTA that an alternative source of funding for the program would be desirable, but indicates such a change would require legislative action. Staff continues to recommend the surcharge be increased to \$.10.

The Commission finds that the Staff's review was properly conducted. Adopting Staff's recommendation to increase the surcharge from \$0.04 to \$0.10 will allow the fund to remain solvent and available for those customers who need it. The increase in the surcharge will become effective on June 1, 2022, to allow telecommunications companies sufficient time to implement the change. The Commission further finds that the current retention amount is sufficient and should be maintained unchanged.

**THE COMMISSION ORDERS THAT:**

1. The Deaf Relay Service and Equipment Distribution Fund Surcharge shall increase from \$0.04 to \$0.10, effective June 1, 2022.
2. The amount that local exchange companies retain for recovering costs associated with billing, collecting and remitting surcharge revenue shall be unchanged at one percent of the total surcharge collected or \$30 per month, whichever is greater.
3. The Commission's data center shall send a copy of this order to all competitive local exchange carriers, all incumbent local exchange carriers, and to all IVoIP providers in Missouri.
4. This order shall become effective on March 25, 2022.
5. This file shall be closed on March 26, 2022.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and  
Kolkmeier CC., concur.

Woodruff, Chief Regulatory Law Judge

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 23<sup>rd</sup> day of February, 2022.**



  
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**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**February 23, 2022**

**File/Case No. TO-2022-0178**

**Missouri Public Service  
Commission**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

*Sincerely,*



**Morris L. Woodruff  
Secretary**

**Distributed to all Competitive Local Exchange Carriers, all Incumbent Local Exchange Carriers, and to all IVoIP providers in Missouri.**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.