

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of a Recommendation Concerning the)
Surcharge for Deaf Relay Service and Equipment) **Case No. TO-2005-0308**
Distribution Program Fund.)

NOTICE OF AGENDA PRESENTATION AND **ORDER DIRECTING FILINGS**

Issue Date: June 24, 2005

Effective Date: June 24, 2005

During its June 23, 2005 Agenda session, the Commission permitted two non-party members of the audience to present comments regarding this case. The regulatory law judge has summarized those comments below.

1. Comments from Carol Sliney

- Ms. Sliney indicated that she has had a hearing loss for 30 years. She now has a cochlear implant.
- Ms. Sliney cannot use a regular telephone. She finds that the CapTel telephones allow her to more effectively communicate by telephone. Ms. Sliney stated that her CapTel calls actually work, whereas people used to hang up when she used traditional relay services. Ms. Sliney indicated that CapTel allows her to use a telephone in a manner that is almost equivalent to how hearing people use a telephone. She also noted that the CapTel telephone is the best option for her and many others.
- As people get used to CapTel they will use it more efficiently. Using TTY (text telephone) services is like the Dark Ages, and Ms. Sliney emphasized that she does not want to go back to that. She also stated that she does not use as many minutes with CapTel as she did with TTY services.

- Several years ago, Ms. Sliney lived in Maryland, where the equivalent surcharge or fee was \$.16. According to Ms. Sliney, Missouri's fee has always been low compared to many other states.
- It might be reasonable to limit the distribution of CapTel telephones, as some other states do.

2. Comments from Tracy Mishler

- Ms. Mishler stated that Ms. Sliney is an example of someone who is articulate and just wants basic phone service. According to Ms. Mishler, TTY services are not basic phone service.
- CapTel is a change or improvement in technology, and such changes need to be funded.
- The Commission needs to look at how the program is administered. The Commission should address where the revenue for the fund comes from, and not just squeeze the programs. Ms. Mishler encouraged the Commission to look at securing adequate funding for the programs for the future. Ms. Mishler indicated that many states assess the surcharge on wireless telephones, not just wireline telephones.
- The deaf and hearing-impaired community would be upset that someone is thinking of decreasing these services.
- We are moving from an archaic system to one that can actually be used. CapTel removes the isolation of the deaf community, which is supposed to be the goal of these programs.
- One of the most important points for the Commission is to remember to look to the future. The Commission should not eliminate programs, like CapTel, that are part of the present services.
- Ms. Mishler has not spoken to anyone who has opposed the idea of limiting the distribution of CapTel telephones in order to get a handle on the program. Ms. Mishler indicated that when one looks at states that do not impose a surcharge on wireless phones, a \$.13 surcharge would place Missouri in the middle range. She also noted that a \$.13 surcharge would return the surcharge to the 1992 level.
- Ms. Mishler stated that the program's expenses have not increased. Instead, the program has become more efficient. The Missouri Relay Fund is spending less money in 2005 than it did in 2004, even with the addition of CapTel. According to Ms. Mishler, the program is

administered very well and provides an essential service. Ms. Mishler notes that the issue is securing the necessary funding.

The Commission will permit Ms. Sliney and Ms. Mishler to expeditiously file proposed corrections, if any, to the summaries of their presentations. The Commission will also permit any party to file responses to the summaries or proposed corrections.

IT IS THEREFORE ORDERED:

1. That Carol Sliney may file proposed corrections to the summary of her presentation above no later than 10:00 a.m. on June 27, 2005.
2. That Tracy Mishler may file proposed corrections to the summary of her presentation no later than 10:00 a.m. on June 27, 2005.
3. That any party may file, no later than 9:00 a.m. on June 28, 2005, a response to either the summaries noted above or to any proposed corrections to the summaries.
4. That this order shall become effective on June 24, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Vicky Ruth, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 24th day of June, 2005.